

# Cannabis Control Division

December 19, 2023

## Holiday and Event Compliance Reminders

Dear Licensee:

With the holidays approaching, the Cannabis Control Division (CCD) is reaching out with another reminder to all licensees that consumption, distribution, sale, barter or giving away free cannabis or cannabis products is prohibited unless a cannabis retailer, producer, manufacturer or consumption area has been approved by the CCD pursuant to the Cannabis Control Act [Chapter 26, Article 2C NMSA 1978]. **Licensees are obligated to monitor and appropriately respond to illegal consumption on their premises, including at cannabis conventions and other special events.**

Licensed premises means a location that includes all enclosed public and private areas at the location that are used in the business and includes offices, kitchens, restrooms and storerooms; all areas outside of a building that are specifically included in the license for the production, manufacturing, wholesale sale or retail sale of cannabis products; and with respect to a location that is specifically licensed for the production of cannabis outside of a building, the entire unit of land that is created by subsection or partition of land that the licensee owns, leases or has a right to occupy.

Additionally, smoking in a cannabis consumption area on a licensed premise shall be allowed only if the cannabis consumption area is in a designated smoking area or in a standalone building from which smoke does not infiltrate other indoor workplaces or other indoor public places where smoking is otherwise prohibited pursuant to the Dee Johnson Clean Indoor Air Act [Chapter 24, Article 16 NMSA 1978].

Further, all cannabis and cannabis product transfers and samples must be entered into BioTrack. Each sample shall be tracked individually and have its own barcode. Appropriately tracking of cannabis and cannabis products will ensure compliance and traceability if a recall is ever needed.

Any licensee found to have violated any provision of the Cannabis Regulation Act, the Division rules, or any applicable state or federal law may be subject to disciplinary action. The Division may assess a monetary penalty ranging from \$1,000.00 to \$10,000.00 per violation and suspension or revocation of the license.

The Division is monitoring social media accounts to ensure compliance and encourage licensees acting in good faith to report instances of non-compliance using our complaint form found here: <https://www.rld.nm.gov/cannabis/compliance/report-a-violation/>.

Thank you for your attention to this matter.

Sincerely,

Cannabis Control Division