

# NEW JERSEY CANNABIS REGULATORY COMMISSION



## Notice of Application Acceptance for Personal Use Cannabis Licenses

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## I. Definitions

This Notice incorporates all definitions from N.J.A.C. 17:30-1.2.

“Application Submission Portal” means the online application system approved by the Cannabis Regulatory Commission for the acceptance and review of applications for cannabis business licenses.

“Cured Application” means an application that was deemed incomplete, returned to the license applicant to correct and/or amend, and completed and resubmitted by the applicant to the Commission.

“Entity Disclosure Form” means a form created by the Commission to be utilized in the application process for the purpose of collecting information from Entities of Interest as required and authorized by N.J.A.C. 17:30. The Entity Disclosure Form is created by the Commission and will be released prior to the application submission acceptance date.

“Entity of Interest” means any entity involved in the financing, operations, or management of a license applicant or license-holder and includes owners, management services contractors, financial sources and may include Vendor-Contractors, but does not include passive investors.

1. A Vendor-Contractor shall be considered an Entity of Interest if the Vendor-Contractor is involved with the fundamental operations of the proposed cannabis business, including but not limited to the cultivation, manufacturing, retailing, storage, or transport of cannabis items and has access to or is required to possess cannabis or cannabis items.

“Online Application” means the electronic application for cannabis business and testing laboratory licenses made available by the Commission through the application submission portal.

“Personal History Disclosure Form” means a form created by the Commission to be utilized in the application process to collect information on Persons of Interest as required and authorized by N.J.A.C. 17:30. The Personal History Disclosure Form is created by the Commission and will be released prior to the application submission acceptance date.

“Persons of Interest” means any person substantially involved in the financing, operations, or management of a license applicant or license-holder and includes owners, principals, management services contractors, and financial sources but does not include passive investors, employees, or volunteers. The primary contact for a license applicant shall be a Person of Interest.

“Rolling Application Submission” means the continuous acceptance of license applications. The time at which an application is submitted partially determines when the application is reviewed by the Commission.

“Site control” means exclusive rights to the proposed location for a cannabis business established by ownership, lease, or other means and as evidenced by a lease agreement, contract for sale, title, deed, or similar documentation.

## **II. General Information and Summary**

Pursuant to N.J.S.A. 24:6I-31 through 56 and N.J.A.C. 17:30, this Notice of Application Acceptance (herein also referenced as “Notice”) provides public notice to license applicants and public stakeholders of the Cannabis Regulatory Commission’s intent to begin accepting applications for personal use cannabis licenses on December 15, 2021.

On December 15, 2021, the Commission will begin to accept applications for Class 1 Cultivator Licenses, Class 2 Manufacturer Licenses, and Testing Laboratories.

On March 15, 2022, the Commission will begin accepting applications for Class 5 Retailer Licenses.

All cannabis business and testing laboratory license applications shall be submitted online through the Commission’s application portal at <http://www.nj.gov/cannabis>.

License applications will be accepted on a rolling basis until indicated otherwise, with priority review, scoring and approval given to applicants that qualify as Social Equity Businesses, Diversely-Owned Businesses, Impact Zone Businesses, and to applicants that receive bonus points on their applications (See Section V. of this Notice). Priority will be given to conditional license applications over annual license applications, and microbusiness applications will be prioritized over standard cannabis business applications in every category. In the event the Commission decides to establish a date on which it will stop accepting application submissions, at least thirty days’ notice will be provided before the application close date for any class of license.

Currently, there is no deadline for license application submissions pursuant to this Notice. Applications will be reviewed in accordance with the priority outlined in this Notice, and in the order they were submitted.

The Commission has established no limit on the number of cannabis business licenses available statewide. However, prior to February 22, 2023, the Commission is restricted by statute to only issue 37 licenses for Class 1 Cultivators. This restriction includes any Expanded Alternative Treatment Centers and conditional license-holders that have been approved to convert to a full annual license and can lawfully engage in cannabis cultivation.

Municipalities are authorized under N.J.S.A. 24:6I-31 through 56 to limit the number and type of cannabis business licenses available within their jurisdictions.

The Commission reserves the right to update this Notice. All updates will be announced at a public meeting, posted on the Commission's website, published in the New Jersey Register, and sent to the Commission's email list.

### **III. Eligibility and Limitations**

To be eligible to submit a cannabis business application in accordance with this Notice, applicants shall be registered to do business in the State of New Jersey by the Division of Revenue and Enterprise Services in the Department of the Treasury, have both federal and state taxpayer identification numbers, and be in compliance with all provisions of N.J.S.A. 24:6I-31 through 56 and N.J.A.C. 17:30 for license applicants.

Each cannabis business license application shall have at least one owner listed in the application who has resided in New Jersey for at least two years prior to the date of application.

License applicants shall review and comply with the requirements for license applicants and license-holders in N.J.S.A. 24:6I-31 through 56 and N.J.A.C. 17:30, as applicable, including but not limited to:

1. Qualification requirements for Diversely-Owned businesses at N.J.A.C. 17:30-6.4;
2. Qualification requirements for Impact Zone Businesses at N.J.A.C. 17:30-6.5;
3. Qualification requirements for Social Equity Businesses at N.J.A.C. 17:30-6.6;
4. Qualification requirements for Microbusinesses at N.J.A.C. 17:30-6.7;
5. Qualification requirements for conditional license-holders at N.J.A.C. 17:30-7.4;
6. Qualification for requirements for annual license-holders at N.J.A.C. 17:30-7.11;  
and
7. Criminal history background check requirements at N.J.A.C. 17:30-7.12.

License applicants shall also review and comply with the limitations in N.J.A.C. 17:30-6.8 for license applicants, license holders, owners, principals, passive investors, financial sources, management services contractors, and Vendor-Contractors.

Importantly, pursuant to N.J.A.C. 17:30-6.8 and this Notice:

1. A license applicant or license holder shall only have, at most, one open and pending cannabis business license application for each class of license at any one time;
2. A person or entity shall be an owner of only one license applicant or license holder;
3. A person or entity may hold an ownership interest as a passive investor in more than one cannabis business or testing laboratory license applicant or license holder; and
4. A person or entity shall be a principal of only one license applicant or license holder.

Alternative Treatment Centers ("ATCs") permitted pursuant to N.J.A.C. 17:30A that seek to become personal use cannabis business license-holders are not required to submit an application. Instead, ATCs shall submit a certification to the Commission pursuant to

N.J.A.C. 17:30-7.1 and any related Commission issued guidance to be eligible for licensure as a cannabis business.

#### **IV. General Application Provisions**

Applications for cannabis businesses in accordance with this Notice shall be available at [nj.gov/cannabis](http://nj.gov/cannabis) beginning on December 15, 2021.

License applicants shall create at least one account on the Commission's application submission portal and shall electronically submit all information and attachments required by this Notice through the application submission portal.

No paper or hard copy submissions will be accepted.

For an application to be deemed complete and responsive it shall include a full and complete response to each of the criteria specified in this Notice, as well as completion and submission of all mandatory information, including but not limited to:

1. Responses to all required questions in the online application;
2. All attachments, forms, and documents required by this Notice, submitted electronically in the online application; and
3. All required fees.

Submissions and documents that are required to be created by a license applicant, excluding attachments that cannot be formatted accordingly, shall be typed using 12-point Times New Roman font or its equivalent, single spaced, with one (1) inch margins, single-sided on letter-sized (8 ½" x 11") pages.

All costs involved with the preparation and submission of an application shall be the responsibility of the license applicant.

The Commission shall accept substantive questions regarding this Notice at [crc.licensing@crc.nj.gov](mailto:crc.licensing@crc.nj.gov). To submit a question, please include in the subject line "Application Question". Questions shall be accepted on a continuous rolling basis. The Commission reserves the right to determine if a specific question will be answered.

On or about November 30, 2021, the Commission will provide a pre-application webinar for prospective license applicants. The Commission shall also post a set of "Frequently Asked Questions" at [nj.gov/cannabis](http://nj.gov/cannabis), which will be updated based on questions submitted to [crc.licensing@crc.nj.gov](mailto:crc.licensing@crc.nj.gov). The deadline for submissions of questions for consideration of inclusion in the webinar is November 19, 2021, at 5 PM Eastern Time.

Technical questions regarding the online application and application submission portal may be submitted by visiting the Help/FAQ page in the licensing application.

For technical assistance with the NIC Licensing Solution portal, applicants may also contact the NLS Support team at: [nlssupport-nj-crc@egov.com](mailto:nlssupport-nj-crc@egov.com)

Please note the NLS team can **only** assist with technical issues related to the

application. **The NLS team cannot answer questions related to the process, regulations, eligibility, or how to respond to questions in the application.**

Applications will be accepted on a continuous rolling basis, and will be prioritized in accordance with Section V of this Notice by:

1. Priority assignment; and
2. First in time submission.

Once received, license applications will be reviewed for completeness. Applications deemed incomplete will be returned to license applicants to be cured and resubmitted. If an application is found complete, then the application will be scored by the Commission based on the criteria contained in this Notice.

Once scored, applications that score sufficiently high pursuant to this Notice shall be presented to the Commission for consideration of approval.

## **V. Application Priority**

Applications will be accepted on a continuous rolling basis and shall be reviewed, scored, and approved in the following order:

1. Social Equity Businesses, ordered by first in time, that:
  - a. Have submitted a conditional license application for a microbusiness;
  - b. Have submitted a conditional license application for a standard business;
  - c. Have submitted a conditional license conversion application;
2. Diversely Owned businesses, ordered by first in time, that:
  - a. Have submitted a conditional license application for a microbusiness;
  - b. Have submitted a conditional license application for a standard business;
  - c. Have submitted a conditional license conversion application;
3. Impact Zone Businesses, ordered by first in time, that:
  - a. Have submitted a conditional license application for a microbusiness;
  - b. Have submitted a conditional license application for a standard business;
  - c. Have submitted a conditional license conversion application;
4. License applicants receiving bonus points pursuant to N.J.S.A. 24:61-36.d(2) and this Notice, ordered by first in time, that:
  - a. Have submitted a conditional license application for a microbusiness;
  - b. Have submitted a conditional license application for a standard business;
  - c. Have submitted a conditional license conversion application;
5. All other applicants for conditional licenses, ordered by first in time, that:
  - a. Have submitted a conditional license application for a microbusiness;
  - b. Have submitted a conditional license application for a standard business;
  - c. Have submitted a conditional license conversion application;
6. Social Equity Businesses, ordered by first in time, that:
  - a. Have submitted an annual license application for a microbusiness;
  - b. Have submitted an annual license application for a standard business;
7. Diversely-Owned businesses, ordered by first in time, that:
  - a. Have submitted an annual license application for a microbusiness;

- b. Have submitted an annual license application for a standard business;
- 8. Impact Zone Businesses, ordered by first in time, that:
  - a. Have submitted an annual license application for a microbusiness;
  - b. Have submitted an annual license application for a standard business;
- 9. License applicants receiving bonus points pursuant to N.J.S.A. 24:6I-36.d(2) and this Notice, ordered by first in time, that:
  - a. Have submitted an annual license application for a microbusiness;
  - b. Have submitted an annual license application for a standard business; and
- 10. All other applicants for annual licenses, ordered by first in time, that:
  - a. Have submitted an annual license application for a microbusiness;
  - b. Have submitted an annual license application for a standard business.

Applications from entities that meet criteria for more than one priority status will be reviewed, scored, and approved in accordance with the status of highest priority. For example, an application from an entity that meets the criteria to be a Diversely-Owned Business and an Impact Zone Business will be considered a Diversely-Owned Business for purposes of application priority since Diversely-Owned Businesses are of higher priority than Impact Zone Businesses.

Diversely-Owned Business applications with more than one certification from the New Jersey Department of the Treasury’s Division of Revenue and Enterprise Services will be given priority over applications that have one certification.

Priority shall be given in the following manner:

1. After an application is received, it will be assigned for completeness review and then, if deemed complete, will be assigned for scoring. Where an eligible application exists in a higher priority group, with 1A being the highest and 10B being the lowest, that application will be assigned for completeness review and scoring before applications in lower priority groups.
2. Once an application has been scored, if it is deemed eligible for consideration of final agency approval by the Commission, it shall also be considered in accordance with their priority group, with 1A being the highest and 10B being the lowest.

Testing laboratory license applications shall be included in priority 1A.

## VI. Application Schedule

The Commission shall begin accepting license applications for Class 1 Cultivator, Class 2 Manufacturer, and Class 6 Retailer Licenses, and release information pertaining to the application process according to the following schedule:

<b>Date</b>	<b>Action</b>
November 9, 2021	Notice of Application Acceptance
November 30, 2021	Pre-Application Webinar
December 15, 2021 – 9 AM EST	CRC begins accepting Class 1, Class 2, and Testing Laboratory applications
March 15, 2022 – 9 AM EST	CRC begins accepting Class 5 Retailer Applications



Importantly, although the application submission portal may allow for submission of license applications in advance of their acceptance dates, any application submitted before the stated beginning of application acceptance will be immediately rejected.

## **VII. Mandatory Application Requirements for License Applicants**

The online application will be accessible at [www.nj.gov/cannabis](http://www.nj.gov/cannabis). No paper applications will be accepted. License applicants are responsible for responding to all required questions and for submitting all mandatory requirements/documents in the online application. Applications that are deficient pursuant to this section will be deemed incomplete and will be rejected and returned to the license applicant to be cured and resubmitted.

The mandatory submission requirements for all license applicants, including conditional license applicants and annual license applicants, are:

1. The license applicant entity's legal name, under which it is registered to do business in the State of New Jersey by the Division of Revenue and Enterprise Services in the Department of the Treasury;
  - a. License applicants may include any already existing trade names, alternate names, or "doing business as" ("DBA") names on the application; however, if issued a license, the entity will not be permitted to operate under any alternate name;
2. Documentation of a valid Business Registration Certificate on file with the Division of Revenue and Enterprise Services in the Department of the Treasury;
3. Federal and State tax identification numbers;
  - a. Sole-proprietorships that do not possess a Federal or State Tax ID shall submit their social security number, as applicable.
4. A primary contact, including address and contact information;
5. Disclosure of all Persons of Interest with true and complete responses to all questions regarding Persons of Interest provided, however, that gender, race, and ethnicity are optional submissions;
6. Disclosure of all Entities of Interest and true and complete responses to all questions regarding Entities of Interest;
7. The proposed location of the cannabis business;
8. The identity and contact information for the proposed landlord, if applicable;
9. Full and truthful responses to all license-holder eligibility and qualification questions on the application, including but not limited to:
  - a. Whether the license applicant qualifies as a Social Equity Business, Diversely-Owned Business, or Impact Zone Business; and
  - b. Whether the license applicant qualifies as a microbusiness;
10. Entity Disclosure Forms for the license applicant and all Entities of Interest;
11. Personal History Disclosure Forms for all Persons of Interest;
12. Evidence that all Persons of Interest will cooperate with a criminal history background check pursuant to N.J.A.C. 17:30-7.12;

- a. Prior to a license applicant's approval for a license, all Persons of Interest shall be fingerprinted and approved pursuant to N.J.A.C. 17:30-7.12
13. Formation documents for the license applicant and all Entities of Interest;
14. All management services contracts and financial source agreements, whether executed or proposed;
15. Any Vendor-Contractor agreements if the Vendor-Contractor qualifies as an Entity of Interest;
16. An affidavit that the statements included in the application are true and correct, sworn by the license holder representative;
17. An authorization to release all information pertaining to the license holder as requested by the Commission, signed by the license applicant representative;
18. A waiver of liability for any damages that may result to the license applicant from any disclosure or publication in any manner, other than a willfully unlawful disclosure or publication, of any information acquired during the licensing process, signed by the license applicant representative;
19. All applicable fees required pursuant to N.J.A.C. 17:30-7.17; and
20. Responses to all required questions and measures for the type and class of license sought, pursuant to this Notice.

The mandatory application requirements for all conditional license applicants additionally include:

1. Proof that each owner of the conditional license applicant who has decision making authority has, for the immediately preceding taxable year, an adjusted gross income of no more than \$200,000, or no more than \$400,000 if filing jointly with another individual.

The mandatory application requirements for all Persons of Interest include:

1. Legal name;
2. Social Security Number, if the license applicant is a sole-proprietorship and the applicant does not possess a Federal Employer Identification Number;
3. Primary address, mailing address, and contact information;
4. Disclosure of ownership interest percentage in the license applicant, if applicable;
5. A completed Personal History Disclosure;
6. An affidavit that the statements included in the Personal History Disclosure are true and correct, sworn by the Person of Interest;
7. An authorization to release all information pertaining to the license holder as requested by the Commission, signed by the Person of Interest;
8. A waiver of liability for any damages that may result to the Person of Interest from any disclosure or publication in any manner, other than a willfully unlawful disclosure or publication, of any information acquired during the licensing process, signed by the Person of Interest;
9. The Person of Interest's:
  - a. Resume;
  - b. Government-issued identification;
  - c. Adjusted gross income from the preceding tax year; and
  - d. Federal and State tax returns from the preceding tax year; and

10. Full and truthful responses to all questions for Persons of Interest on the license application.
11. Evidence of cooperation with a criminal history background check pursuant to N.J.A.C. 17:30-7.12

The mandatory application requirements for all Entities of Interest are:

1. Legal name;
2. Primary address, mailing address and primary contact information;
3. Whether the Entity of Interest is an owner, a management services contractor, a financial source, or a Vendor-Contractor;
4. A completed Entity Disclosure Form;
5. An affidavit that the statements included in the application are true and correct, sworn by an individual legally authorized to sign on behalf of the entity;
6. An authorization to release all information pertaining to the license holder as requested by the Commission, signed by an individual legally authorized to sign on behalf of the entity;
7. A waiver of liability for any damages that may result to the Entity of Interest from any disclosure or publication in any manner, other than a willfully unlawful disclosure or publication, of any information acquired during the licensing process, signed by an individual legally authorized to sign on behalf of the entity;
8. The Entity of Interest's:
  - a. Formation documents;
  - b. Any agreements, whether proposed or executed, with the license applicant; and
  - c. Federal and State tax returns from the preceding tax year; and
9. Full and truthful responses to all questions for Entities of Interest on the license application.
10. Evidence of cooperation with a criminal history background check pursuant to N.J.A.C. 17:30-7.12

The additional mandatory application requirements for all conditional conversion license applicants, pursuant to N.J.A.C.17:30-7.8 are:

1. Submission of any updates to Persons of Interest and/or Entities of Interest, and any other changes to mandatory information previously submitted as part of the conditional license application;
2. A site plan of the proposed location, including a floor plan and a description of the suitability of the location, which may include renderings, architectural plans, or engineering plans;
3. Evidence of compliance with local codes and ordinances for the proposed location including, but not limited to:
  - a. The distance from the closest church, synagogue, temple, or other place used exclusively for religious worship; or
  - b. The distance to the closest school, playground, park, or child daycare facility;
4. Zoning approval, which shall consist of a letter or affidavit from appropriate municipal officials that the location will conform to municipal zoning requirements

allowing for activities related to the operations of the proposed cannabis cultivator, cannabis manufacturer, or cannabis retailer, as will be conducted at the proposed cannabis business premises, and any variances granted concerning the operation of a cannabis business;

5. Proof of local support for the license applicant that is compliant with Section VIII of this Notice, and which shall be demonstrated by a resolution adopted by the municipality's governing body, or where the municipality has no governing body, a written letter of support from the municipality's executive;
6. Documentation demonstrating that the license applicant will have final site control of the premises upon approval of the application;
7. An attestation signed by a bona fide labor organization stating that the license applicant has entered into a labor peace agreement with such bona fide labor organization;
  - a. A conditional license holder operating as a microbusiness is exempt from this requirement; and
8. For a Social Equity Business, Diversely-Owned business, and Impact Zone Business, evidence the license applicant is still in compliance with the requirements of the designations.

The additional mandatory application requirements for all annual license applicants, pursuant to N.J.A.C.17:30-7.10 are:

1. A site plan of the proposed location, including a floor plan and a description of the suitability of the location, which may include renderings, architectural plans, or engineering plans;
2. Evidence of compliance with local codes and ordinances for the proposed location including, but not limited to:
  - a. The distance from the closest church, synagogue, temple, or other place used exclusively for religious worship; or
  - b. The distance to the closest school, playground, park, or child daycare facility;
3. Zoning approval, which shall consist of a letter or affidavit from appropriate municipal officials that the location will conform to municipal zoning requirements allowing for activities related to the operations of the proposed cannabis cultivator, cannabis manufacturer, or cannabis retailer, as will be conducted at the proposed cannabis business premises, and any variances granted concerning the operation of a cannabis business;
4. Proof of local support for the license applicant that is compliant with Section VIII of this Notice, and which shall be demonstrated by a resolution adopted by the municipality's governing body, or where the municipality has no governing body, a written letter of support from the municipality's executive;
5. Documentation demonstrating that the license applicant will have final site control of the premises upon approval of the application; and
6. An attestation signed by a bona fide labor organization stating that the license applicant has entered into a labor peace agreement with such bona fide labor organization;
  - a. A microbusiness license applicant is exempt from this requirement.

The additional mandatory application requirement for Diversely-Owned Businesses, pursuant to N.J.A.C.17:30-6.4, is:

1. The submission of the certification or certifications from the Division of Revenue and Enterprise Services, Department of Treasury, pursuant to N.J.S.A. 52:27H-21.20 and 52:32-31.8, proving the business has qualified as a minority-owned business enterprise, a woman-owned business enterprise, or a disabled veteran-owned business enterprise. Certifications from entities other than the Division of Revenue and Enterprise Services will not be accepted.

The additional mandatory application requirements for Impact Zone Businesses, pursuant to N.J.A.C.17:30-6.5, are:

1. Submission of proof that the license applicant:
  - a. Is more than 50 percent owned by a current resident or residents of an impact zone, who have also resided in that Impact Zone for at least 3 consecutive years at the time of application;
  - b. Intends to locate in an impact zone; or
  - c. Presents a plan, along with an attestation, to ensure that within 90 days of becoming operational:
    - i. At least 25 percent of its employees reside in any of the State's impact zones; and
    - ii. Among the employees who reside in impact zones, at least 25 percent reside in the impact zone nearest to the cannabis business's location or intended location.

The additional mandatory application requirements for Social Equity Businesses, pursuant to N.J.A.C.17:30-6.6, are:

1. Submission of proof that the license applicant:
  - a. Is more than 50 percent owned by one or more persons that demonstrate the following criteria:
    - i. At the time the initial application is submitted, have lived in an Economically Disadvantaged Area for 5 of the 10 preceding years; and
    - ii. Are, at the time the initial application is submitted and based on the preceding year's income, a member of a household that has a household income that is 80 percent or less of the average median household income in the state, as determined annually by the U.S. Census Bureau; or
  - b. More than 50 percent of the ownership interest of the license applicant is held by one or more persons who are eligible to be pronounced rehabilitated in accordance with N.J.A.C. 17:30-7.12(e), if necessary, and have been adjudicated delinquent for or convicted of, whether expunged or not, in this state, another state, or the Federal government:
    - i. At least two marijuana- or hashish-related disorderly persons offenses; or
    - ii. At least one marijuana- or hashish-related indictable offense.
2. Proof of qualification for Social Equity Businesses shall include:

- a. A sworn, notarized statement by the owner(s) qualifying that they meet the criteria under 1a or 1b; and either
- b. If qualifying under 1a, appropriate documentation to prove residency and income can include but is not limited to the following documents:
  - i. A New Jersey driver's license that is in effect and good standing;
  - ii. A Federal, State, or local government-issued identification card that shows the applicant's name and New Jersey address;
  - iii. Utility bills that show the applicants name and address and date(s)
  - iv. Correspondence from the Internal Revenue Service or the New Jersey Division of Taxation issued within the year preceding the application date that shows the applicant's name and New Jersey address;
  - v. A non-driver identification card issued by the New Jersey Motor Vehicle Commission that is in effect and good standing;
  - vi. Federal, State, or local government that shows the applicant's name and New Jersey address and date(s);
  - vii. Bank statements or credit card bills that show the applicant's name and New Jersey address and date(s);
  - viii. Residential lease or rental agreements with the name of applicant as lessee or renter;
  - ix. A deed or title to real residential property owned by the individual seeking qualification; or
  - x. Pay stubs from the prior three months that show the applicant's name and New Jersey address.
- c. If qualifying under 1b, government issued correspondence or documentation of past convictions which may include but is not limited to court documents, probation documents, expungement documents, or the results of a criminal history background check.

The additional mandatory application requirements for microbusiness, pursuant to N.J.A.C.17:30-6.7, are:

1. Documentation that the license applicant and proposed cannabis business are compliant, and will comply with the requirements for microbusinesses including:
  - a. The facility of the cannabis business will take up no more than 2,500 square feet;
  - b. The microbusiness will have no more than 10 employees;
  - c. For Retailers and Manufacturers, the microbusiness's monthly volume will not exceed 1,000 pounds of cannabis;
  - d. For Cultivators, the microbusiness shall not exceed a monthly inventory of 1,000 cannabis plants;
  - e. One hundred percent of the ownership interest in the microbusiness license applicant or license holder shall be held by current New Jersey resident(s) who have resided in the State for at least the past two consecutive years, at the time of application; and
  - f. At least 51 percent of the total number of persons included in the microbusiness license application or license holder, including all owners, principals, and employees, shall be residents of either the municipality in

which the microbusiness is or will be located, or of a municipality directly bordering such municipality, at the time of the application.

### **VIII. Local Support and Municipal Preference for License Applicants**

Applicants for annual cannabis business licenses and conditional conversion applications shall include proof of local support in their applications, which shall be submitted as:

1. If the municipality has a governing body, a resolution by that governing body that includes:
  - a. The license applicant's legal name under which they are registered to do business in the State of New Jersey;
  - b. A determination that the municipality has authorized the type of cannabis business license being sought by the license-applicant to operate within its jurisdiction; and
  - c. A confirmation that if the municipality has imposed a limit on the number of licensed cannabis businesses, the issuance of a license to the license applicant by the Commission would not exceed that limit.
2. If the municipality does not have a governing body, a letter of support from the municipality's executive that includes:
  - a. The license applicant's legal name under which they are registered to do business in the State of New Jersey;
  - b. A determination that the municipality has authorized the type of cannabis business license being sought by the license-applicant to operate within its jurisdiction; and
  - c. A confirmation that if the municipality has imposed a limit on the number of licensed cannabis businesses, the issuance of a license to the license applicant by the Commission would not exceed that limit.

A municipality may submit its preference(s) for the issuance of licenses to cannabis businesses by writing to the Commission.

1. Such preference shall be sent in writing to the Commission within 28 calendar days of receipt of an application and shall not conflict with any letter of support or municipal resolution issued to a license applicant pursuant to N.J.A.C. 17:30-7.10(b)(9), and:
  - a. Shall include as attachments:
    - i. A letter of support or resolution that includes the license applicant's legal name under which they are registered to do business in the State of New Jersey;
    - ii. A determination that the municipality has authorized the type of cannabis business license being sought by the license-applicant to operate within its jurisdiction; and
    - iii. A confirmation that if the municipality has imposed a limit on the number of licensed cannabis businesses, the issuance of a license to the license applicant by the Commission would not exceed that limit.

2. The Commission shall deem any letters of support or municipal resolutions issued to, or on behalf of, a license applicant to be evidence of municipal preference, provided:
  - a. The letter of support or resolution includes the license applicant's legal name under which they are registered to do business in the State of New Jersey;
  - b. The letter of support or resolution includes the determination that the municipality has authorized the type of cannabis business license being sought by the license-applicant to operate within its jurisdiction; and
  - c. The letter of support or resolution includes a confirmation that, if the municipality has imposed a limit on the number of licensed cannabis businesses, the issuance of a license to the license applicant by the Commission would not exceed that limit.

Municipal governments, governing bodies, high ranking officials, and executives are solely responsible for ensuring their issuance of letters of support, resolutions of support, and municipal preference in accordance with this Notice and N.J.A.C. 17:30 are compliant with any ordinances passed by the municipality regarding the location or operation of cannabis businesses within their jurisdiction.

Pursuant to N.J.A.C. 17:30-5.1 and this Notice, a county or municipal government official shall not solicit from a cannabis business or license applicant, and a cannabis business or license applicant shall not offer, anything of value in exchange for zoning approval, proof of local support, or written approval for such cannabis business, or take any other action that would violate N.J.S.A. 40A:9-22.5 of the Local Government Ethics Law.

## **IX. Application Materials to be Shared with Municipalities**

Pursuant to N.J.S.A. 24:6I-36, the Commission will forward a copy of the relevant application documents from each application that has been deemed complete to the municipality in which the proposed cannabis business seeks to locate. The Commission reserves the right to identify and determine which documents are deemed relevant for municipal consideration, and in its discretion may limit the documents that are released to a municipality to protect the privacy interests of the applicant.

The Commission will provide the municipality with sufficient information to determine whether the application complies with its local restrictions.

## **X. Scored Application Measures**

Applications deemed complete by the Commission will be scored in accordance with the following measures. For each measure, an applicant shall receive full points if they meet the requirements of that measure. If an applicant does not meet the requirements of a specific measure, including failure to provide any information that is indicated in this Notice as required to be provided, that applicant will receive no points for their response and the application will be rejected and returned to the license applicant to cure the



deficiencies and resubmit, or if deemed not qualified for licensure or in violation of the provisions of N.J.A.C. 17:30, the application will be denied.

Applicants will be scored on each measure based on adherence to the submission instructions and compliance with the provisions of N.J.S.A. 24:6I-31 through 56, N.J.A.C. 17:30, and this Notice.

Bonus points only count toward priority. They do not count toward the score necessary for approval. Applicants must be issued scores on all mandatory measures in order to be eligible for approval.

**Conditional License Application Scored Measures**

<b><u>Measure</u></b>	<b><u>Submission</u></b>	<b><u>Possible Score</u></b>
Business Plan and Management Profile	Shall include a full business plan, including at a minimum a description of the proposed business, the value proposition for consumers, an overview of proposed financing for the business, product and pricing plan, market analysis, and a complete profile of the management of the license applicant.  20-pages maximum length.	40
Regulatory Compliance plan	Shall include a full overview of how the proposed cannabis business plans to comply with the regulations for the license type sought.  20-pages maximum length.	50
Plan to obtain liability insurance	Shall include a brief plan for obtaining appropriate liability insurance.  1page maximum length.	10
<b>Score required for approval:</b>		<b>100 points</b>

**Conditional Conversion Application Scored Measures**

<b><u>Measure</u></b>	<b><u>Submission</u></b>	<b><u>Possible Score</u></b>
Environmental Impact Plan	<p>Shall include, consistent with the license being sought, plans to mitigate any negative impacts on the environment produced by the proposed cannabis business including but not limited to: sustainable packaging plans; plans to reduce exposure to volatile organic compounds for employees; renewable energy plans, especially for indoor cultivators; emission reduction plans; and water conservation and purification plans.</p> <p>5 pages maximum length</p>	10
Safety and Security Plan	<p>Shall include: overview of compliance with security requirements of N.J.A.C. 17:30-9.10 including plans for the use of security personnel, including contractors; the experience or qualifications of security personnel and proposed contractors; security and surveillance features, including descriptions of any alarm systems, video surveillance systems, and access and visitor management systems, along with drawings identifying the proposed locations for surveillance cameras and other security features; plans for the storage of cannabis and cannabis items, including any safes, vaults, and climate control systems that will be utilized for this purpose; a diversion prevention plan; an emergency management plan; procedures for screening, monitoring; cybersecurity procedures; workplace safety plans and the applicant's familiarity with federal Occupational Safety and Health Administration regulations; the applicant's history of workers' compensation claims and safety assessments;</p> <p>10 pages maximum length.</p>	10
Community Impact, Social Responsibility and Research Statement	<p>Shall include overview of commitment to local community, commitment to social responsibility and a statement committing to research related to cannabis.</p> <p>2 page maximum length</p>	10

Workforce Development and Job Creation Plan	<p>Shall provide a plan to involve individuals from socio-economically disadvantaged communities, individuals with prior entanglements in the criminal justice or juvenile justice system, and people with disabilities in the ownership, management and staffing of the proposed cannabis business.</p> <p>5 pages maximum length</p>	20
Standard Operating Procedures (“SOPs”) for Adverse Event Reporting	<p>Shall provide a plan for adverse event reporting in compliance with 17:30-9.16</p> <p>5 pages maximum length</p>	10
SOPs for Quality Assurance/Control	<p>Shall provide a plan in compliance with relevant provisions in Subchapters 9, 10, 11, 12 and 13 of N.J.A.C. 17:30, as applicable to the license being sought, to conduct quality control and quality assurance on cannabis items, inventory systems, packaging and labeling, and internal processes.</p> <p>5 pages maximum length.</p>	10
SOPs for Recall	<p>Shall provide a plan for recalls in compliance with 17:30-9.17</p> <p>5 pages maximum length</p>	10
SOPs for Packaging and Labeling	<p>Cultivation and Manufacturing Only; Class 1 Cultivator License Applicants shall provide a plan to comply with N.J.A.C 17:30-10.5 and N.J.A.C. 17:30-13. Class 2 Manufacturer License Applicants shall provide a plan to comply with N.J.A.C. 17:30-11.9 and N.J.A.C. 17:30-13.</p> <p>5 pages maximum length</p>	10
SOPs for Inventory Control, Storage, Diversion Prevention	<p>All license applicants shall submit a plan to comply with 17:30-9.11, 17:30-9.12, 17:30-9.13. Class 1 license applicants shall also include plans to comply with N.J.A.C. 17:30-10.7 and N.J.A.C. 17:30-10.8 Class 2 license applicants shall also include plans to comply with N.J.A.C. 17:30-</p>	10

	11.10. Class 5 license applicants shall also include plans to comply with N.J.A.C. 17:30-12.7.  5 pages maximum length	
SOPs for Recordkeeping	License applicants shall submit plans to comply with N.J.A.C. 17:30-9.7 and plans to comply with N.J.A.C. 17:30-10.6 (Class 1 license applicants only), N.J.A.C. 17:30-11.3 (Class 2 license applicants only), or N.J.A.C. 17:30-12.5 (Class 5 license applicants only).  5 pages maximum length	10
SOPs for Waste Disposal, Sanitation	Shall provide a plan to comply with 17:30-9.14 and a plan for waste disposal and sanitation related to the cultivation, manufacturing or retailing of usable cannabis and cannabis items, which shall include plans for the disposal of any hazardous materials, wastewater, or any other industrial or agricultural waste materials.  5 pages maximum length	10
SOPs for Cultivation	Class 1 license applicants only: Shall provide full operating procedures for the provisions of Subchapter 10 of N.J.A.C. 17:30.	10
SOPs for Manufacturing	Class 2 license applicants only: Shall provide full operating procedures for the provisions of Subchapter 11 of N.J.A.C. 17:30.	10
SOPs for Dispensing	Class 5 license applicants only: Shall provide full operating procedures for the provisions of Subchapter 12 of N.J.A.C. 17:30.	10
SOPs for Delivery	Class 5 license applicants only: shall provide a plan to comply with N.J.A.C. 17:30-12.8 if the applicant plans to deliver cannabis items to consumers  5 pages maximum length.	10
SOPs for Accounting and Tax Compliance	All license applicants shall provide a plan for accurate accounting and compliance with tax reporting requirements for both state and federal taxes.	10

	5 pages maximum length	
SOPs for Age Verification	Class 5 license applicants only: Shall provide a plan to ensure no cannabis items are dispensed to individuals under the age of 21, including procedures for complying with relevant provisions in N.J.A.C. 17:30-12.2, N.J.A.C. 17:30-12.3 and N.J.A.C. 17:30-12.8  5 pages maximum length	10
SOPs for Secure Transport of Cannabis	Class 1 and Class 2 license applicants shall submit a plan to comply with N.J.A.C. 17:30-9.15  5 pages maximum length	10
SOPs for Reporting of Test Results for Cannabis	All license applicants shall provide a plan for receiving and reporting test results for cannabis items to consumers and to other cannabis businesses consistent with N.J.A.C. 17:30-16.6.  5 pages maximum length	10
<b>Score required for approval:</b>		<b>200 points</b>

**Annual License Application Scored Measures**

<b><u>Measure</u></b>	<b><u>Submission</u></b>	<b><u>Possible Score</u></b>
Business and Financial Plan	See “Statutory Requirements for Annual License Applications”  10 pages maximum length	20
Operating Plan Summary	See “Statutory Requirements for Annual License Applications”  10 pages maximum length	20
Business Experience	Shall include an explanation of whether the applicant has experience operating businesses in highly-regulated industries, cannabis establishments, or alternative treatment centers and related cannabis production,	10

	<p>manufacturing, warehousing, or retail entities, or experience in operating cannabis distributors or delivery services, under the laws of New Jersey or any other state or jurisdiction within the United States; and the applicant’s plan to comply with and mitigate the effects of 26 U.S.C. s.280E on cannabis businesses, including evidence that the applicant is not in arrears with respect to any tax obligation to the State.</p> <p>5 pages maximum length</p>	
Environmental Impact Plan	<p>Shall include, consistent with the license being sought, plans to mitigate negative impacts on the environment produced by the proposed cannabis business including but not limited to: sustainable packaging plans; plans to reduce exposure to volatile organic compounds for employees; renewable energy plans, especially for indoor cultivators; emission reduction plans; and water conservation and purification plans.</p> <p>5 pages maximum length</p>	10
Safety and Security Plan	<p>Shall include: overview of compliance with security requirements of N.J.A.C. 17:30-9.10 including plans for the use of security personnel, including contractors; the experience or qualifications of security personnel and proposed contractors; security and surveillance features, including descriptions of any alarm systems, video surveillance systems, and access and visitor management systems, along with drawings identifying the proposed locations for surveillance cameras and other security features; plans for the storage of cannabis and cannabis items, including any safes, vaults, and climate control systems that will be utilized for this purpose; a diversion prevention plan; an emergency management plan; procedures for screening, monitoring; cybersecurity procedures; workplace safety plans and the applicant’s familiarity with federal Occupational Safety and Health Administration regulations; the applicant’s history of workers’ compensation claims and safety assessments;</p> <p>10 pages maximum length</p>	10

Community Impact, Social Responsibility and Research Statement	<p>Shall include overview of commitment to local community, commitment to social responsibility and a statement committing to research related to cannabis.</p> <p>2 pages maximum length</p>	10
Workforce Development and Job Creation Plan	<p>Shall provide a plan to involve individuals from socio-economically disadvantaged communities, individuals with prior entanglements in the criminal justice or juvenile justice system, and people with disabilities in the ownership, management and staffing of the proposed cannabis business.</p> <p>5 pages maximum length</p>	20
Standard Operating Procedures (“SOPs”) for Adverse Event Reporting	<p>Shall provide a plan for adverse event reporting in compliance with 17:30-9.16</p> <p>5 pages maximum length</p>	10
SOPs for Quality Assurance/Control	<p>Shall provide a plan in compliance with relevant provisions in Subchapters 9, 10, 11, 12 and 13 of N.J.A.C. 17:30, as applicable to the license being sought, to conduct quality control and quality assurance on cannabis items, inventory systems, packaging and labeling, and internal processes.</p> <p>5 pages maximum length</p>	10
SOPs for Recall	<p>Shall provide a plan for recalls in compliance with 17:30-9.17.</p> <p>5 pages maximum length</p>	10
SOPs for Packaging and Labeling	<p>Cultivation and Manufacturing Only; Class 1 license applicants shall provide a plan to comply with N.J.A.C 17:30-10.5 and N.J.A.C. 17:30-13. Class 2 license applicants shall provide a plan to comply with N.J.A.C. 17:30-11.9 and N.J.A.C. 17:30-13.</p> <p>5 pages maximum length</p>	10

SOPs for Inventory Control, Storage, Diversion Prevention	All license applicants shall submit a plan to comply with N.J.A.C. 17:30-9.11, 17:30-9.12, and 17:30-9.13. Class 1 license applicants shall also include plans to comply with N.J.A.C. 17:30-10.7 and N.J.A.C. 17:30-10.8. Class 2 license applicants shall also include plans to comply with N.J.A.C. 17:30-11.10. Class 5 license applicants shall also include plans to comply with N.J.A.C. 17:30-12.7.  5 pages maximum length	10
SOPs for Recordkeeping	License applicants shall submit plans to comply with N.J.A.C. 17:30-9.7 and plans to comply with N.J.A.C. 17:30-10.6 (Class 1 license applicants only), N.J.A.C. 17:30-11.3 (Class 2 license applicants only), or N.J.A.C. 17:30-12.5 (Class 5 applicants only).  5 pages maximum length	10
SOPs for Waste Disposal, Sanitation	Shall provide a plan to comply with N.J.A.C. 17:30-9.14 and a plan for waste disposal and sanitation related to the cultivation, manufacturing or retailing of usable cannabis and cannabis items, which shall include plans for the disposal of any hazardous materials, wastewater, or any other industrial or agricultural waste materials.  5 pages maximum length	10
SOPs for Cultivation	Class 1 license applicants Only: Shall provide full operating procedures for the provisions of Subchapter 10 of N.J.A.C. 17:30.	10
SOPs for Manufacturing	Class 2 license applicants only: Shall provide full operating procedures for the provisions of Subchapter 11 of N.J.A.C. 17:30.	10
SOPs for Dispensing	Class 5 license applicants only: Shall provide full operating procedures for the provisions of Subchapter 12 of N.J.A.C. 17:30.	10



SOPs for Delivery	Class 5 license applicants only: shall provide a plan to comply with N.J.A.C. 17:30-12.8 if the applicant plans to deliver cannabis items to consumers.  5 pages maximum length	10
SOPs for Accounting and Tax Compliance	Shall provide a plan for accurate accounting and compliance with tax reporting requirements for both state and federal taxes.  5 pages maximum length	10
SOPs for Age Verification	Class 5 license applicants only: Shall provide a plan to ensure no cannabis items are dispensed to individuals under the age of 21, including procedures for complying with relevant provisions in N.J.A.C. 17:30-12.2, N.J.A.C. 17:30-12.3 and N.J.A.C. 17:30-12.8  5 pages maximum length	10
SOPs for Secure Transport of Cannabis	Class 1 and Class 2 license applicants shall submit a plan to comply with N.J.A.C. 17:30-9.15  5 pages maximum length	10
SOPs for Reporting of Test Results for Cannabis	All license applicants shall provide a plan for receiving and reporting test results for cannabis items to consumers and to other cannabis businesses consistent with N.J.A.C. 17:30-16.6.  5 pages maximum length	10
In-State Collective Bargaining Agreement	Submission of a signed collective bargaining agreement with a bona fide labor organization that currently represents, or is actively seeking to represent, cannabis workers in New Jersey.	10 bonus points
Out of State Collective Bargaining Agreement	Submission of a signed collective bargaining agreement with a bona fide labor organization that currently represents cannabis workers <u>in another state</u> .	10 bonus points

Project Labor Agreement for Facilities	Submission of a signed project labor agreement with a bona fide building trades labor organization for the <u>construction or retrofit of the facilities</u> associated with the license applicant.	10 bonus points
Project Labor Agreement for Associated Projects	Submission of a signed project labor agreement with a bona fide labor organization for <u>any other applicable project</u> associated with the license applicant.	10 bonus points
New Jersey Resident	Submission of documentation confirming that at least one owner has lawfully resided in New Jersey for <u>at least five years</u> as of the date of application	10 bonus points
<b>Score required for approval:</b>		<b>210 points</b>

**\*Note – November 12, 2021:** A typographical error has been corrected. Several of the requirements listed in the Annual License Application scoring rubric are specific to a license class. As such, the total score required to obtain an Annual License is not 250 points and has been corrected to 210 points, which is the total score required for an Annual License.

**Testing Laboratory Scored Measures**

<b>Measure</b>	<b>Submission</b>	<b>Possible Score</b>
Business Plan and Management Profile	Shall include a full business plan, including at a minimum a description of the proposed business, the value proposition for consumers, an overview of proposed financing for the business, product and pricing plan, market analysis, and a complete profile of the management of the testing laboratory applicant.  20 pages maximum length.	40
Regulatory Compliance plan	Shall include a full overview of how the proposed cannabis business plans to comply with the regulations for the license type sought.  20 pages maximum length.	50

Plan to obtain liability insurance	<p>Shall include a brief plan for obtaining appropriate liability insurance.</p> <p>1 page maximum length.</p>	10
Safety and Security Plan	<p>Shall include: overview of compliance with security requirements of N.J.A.C. 17:30-9.10 including plans for the use of security personnel, including contractors; the experience or qualifications of security personnel and proposed contractors; security and surveillance features, including descriptions of any alarm systems, video surveillance systems, and access and visitor management systems, along with drawings identifying the proposed locations for surveillance cameras and other security features; plans for the storage of cannabis and cannabis items, including any safes, vaults, and climate control systems that will be utilized for this purpose; a diversion prevention plan; an emergency management plan;</p> <p>procedures for screening, monitoring; cybersecurity procedures; workplace safety plans and the applicant’s familiarity with federal Occupational Safety and Health Administration regulations; the applicant’s history of workers’ compensation claims and safety assessments.</p> <p>10 pages maximum length.</p>	10
Standard Operating Procedures (“SOPs”) for Adverse Event Reporting	<p>Testing laboratories shall submit a plan for adverse event reporting, including procedures for reporting adverse events to the Commission.</p> <p>5 pages maximum length.</p>	10
SOPs for Quality Assurance/Control	<p>Testing laboratories shall submit a plan for quality assurance and quality control related to activities required by N.J.A.C. 17:30-16.</p> <p>5 pages maximum length.</p>	10

SOPs for Inventory Control, Storage, Diversion Prevention	Testing laboratories shall submit a plan for the secure storage of usable cannabis and cannabis items while on premises at the testing laboratory, and procedures for inventory control and diversion prevention.  5 pages maximum length.	10
SOPs for Recordkeeping	Testing laboratory applicants shall submit a plan for compliance with N.J.A.C. 17:30-16.7.  5 pages maximum length.	10
SOPs for Secure Transport of Cannabis	Testing laboratory applicants shall submit a plan for the secure transport of samples from licensed cannabis businesses to the testing laboratory.  5 pages maximum length.	10
SOPs for Sampling and Testing of Cannabis	Testing laboratory applicants shall submit a plan for compliance with N.J.A.C. 17:30-16.2, N.J.A.C. 17:30-16.3, N.J.A.C. 17:30-16.4, and N.J.A.C. 17:30-16.5	10
SOPs for Reporting of Test Results for Cannabis	Testing laboratory applicants shall submit a plan for compliance with N.J.A.C. 17:30-16.6.  5 pages maximum length.	10
ISO 17025 Certification	Testing Laboratory applicants shall submit evidence of ISO 17025 certification from an accreditation body that requires conformance by the testing laboratory to the International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC) general requirements for the competence of testing and calibration laboratories (ISO/IEC 17025 standards), as they may be updated or revised, in order to ensure equipment is routinely inspected, calibrated, and maintained.	20
<b>Score required for approval:</b>		<b>200 points</b>

## XI. Fees

Applicants shall refer to N.J.A.C. 17:30-7.17 for a list of all applicable fees. Applicants may also refer to fee schedule overview located at:

<https://www.nj.gov/cannabis/documents/rules/CRC%20Fee%20Schedule.pdf>

## XII. Statutory Requirements for Annual License Applications

The business and financial plan for **annual license applications** shall include:

1. An executive summary of the applicant's business plan;
2. A demonstration of the applicant's financial ability to implement its business plan;
3. A description of the applicant's plan to comply with guidance pertaining to cannabis issued by the Financial Crimes Enforcement Network under 31 U.S.C. s.5311 et seq., the federal "Bank Secrecy Act"; and
4. Whether any of the applicant's majority or controlling owners were previously approved by the Commission to serve as an officer, director, principal, or key employee of an alternative treatment center or personal use cannabis establishment, distributor, or delivery service, provided any such individual served in that capacity for six or more months.

The operating plan summary for **Class 1 Cultivators** shall include a written description concerning the applicant's qualifications for, experience in, and knowledge of each of the following topics:

1. Cultivation of cannabis;
2. Conventional horticulture or agriculture, familiarity with good agricultural practices, and any relevant certifications or degrees;
3. Quality control and quality assurance;
4. Recall plans;
5. Packaging and labeling;
6. Inventory control and tracking software or systems for the production of personal use cannabis;
7. Analytical chemistry and testing of cannabis;
8. Water management practices;
9. Odor mitigation practices;
10. Onsite and offsite recordkeeping;
11. Strain variety and plant genetics;
12. Pest control and disease management practices, including plans for the use of pesticides, nutrients, and additives;
13. Waste disposal plans; and
14. Compliance with applicable laws and regulations.

The operating plan summary for **Class 2 Manufacturers** shall include a written description concerning the applicant's qualifications for, experience in, and knowledge of each of the following topics:

1. Manufacture and creation of cannabis products using appropriate extraction methods, including intended use, and sourcing of extraction equipment and associated solvents or intended methods and equipment for non-solvent extraction;
2. Quality control and quality assurance;
3. Recall plans;
4. Packaging and labeling;
5. Inventory control and tracking software or systems for the manufacturing, warehousing, transportation, or delivery of cannabis and cannabis items;
6. Analytical chemistry and testing of cannabis items;
7. Water management practices;
8. Odor mitigation practices;
9. Onsite and offsite recordkeeping;
10. A list of product formulations or products proposed to be manufactured with estimated cannabinoid profiles, if known, including varieties with high cannabidiol content;
11. Intended use and sourcing of all non-cannabis ingredients used in the manufacture and creation of cannabis products, including methods to verify or ensure the safety and integrity of those ingredients and their potential to be or contain allergens;
12. Waste disposal plans; and
13. Compliance with applicable laws and regulations.

The operating plan summary for **Class 5 Retailers** shall include a written description concerning the applicant's qualifications for, experience in, and knowledge of each of the following topics:

1. Sales of cannabis items to consumers;
2. Cannabis product evaluation procedures;
3. Recall plans;
4. Packaging and labeling;
5. Inventory control and point-of-sale software or systems for the sale of cannabis items;
6. The routes of administration, strains, varieties, and cannabinoid profiles of cannabis and cannabis items;
7. Odor mitigation practices;
8. Onsite and offsite recordkeeping;
9. Waste disposal plans; and
10. Compliance with applicable laws and regulations.

### **XIII. Application Approval**

In order to be eligible for consideration for final agency approval, a license application shall meet the following requirements:

1. Be deemed complete and responsive to the full application requirements required by N.J.A.C. 17:30 and this Notice;
2. Have received a score in accordance with this Notice, that makes the application eligible for consideration for final agency approval;
3. Meet the qualification requirements as outlined in the relevant sections of N.J.A.C. 17:30; and
4. The license applicant has paid all required fees.

Applications that are deemed eligible for consideration for final agency approval shall be recommended by the Commission's Executive Director for approval. If an application is approved by the Commission, the applicant shall be issued a license pending a final inspection and final review of compliance with all regulatory requirements.

#### **XIV. Application Denial and Disqualification**

For conditional licenses, any application may be denied for reasons that include but are not limited to:

1. The applicant is not qualified to hold a conditional license pursuant to N.J.A.C. 17:30–7.4;
2. The application has not scored sufficiently high to be issued a conditional license in accordance with the criteria included in the notice of application pursuant to N.J.A.C. 17:30–6.1 and 7.3.
3. The application fails to reveal any material fact pertaining to the applicant's qualification pursuant to N.J.A.C. 17:30–7.4; or
4. The applicant has been determined by the Commission, by clear and convincing evidence, to be unsuitable to hold a conditional cannabis business license.

For annual licenses, any application may be denied for reasons that include but are not limited to:

1. The applicant is not qualified to hold an annual license pursuant to N.J.A.C. 17:30–7.11;
2. The application has not scored sufficiently high to be issued an annual license in accordance with the criteria included in the notice of application pursuant to N.J.A.C. 17:30–6.1 and 7.10;
3. The application fails to reveal any material fact pertaining to the applicant's qualification pursuant to N.J.A.C. 17:30–7.11; or
2. The applicant has been determined by the Commission, by clear and convincing evidence, to be unsuitable to hold an annual cannabis business license pursuant to N.J.A.C. 17:30–7.11.

A license application the Commission deems incomplete because of failure to address all applicable criteria and measures, to provide requested information, or to present truthful information in the application process shall be disqualified prior to a substantive review of

the submission, and such disqualification shall be considered a final agency decision subject to judicial review pursuant to N.J.A.C. 17:30-17.9.

Additional reasons for disqualification may include but are not limited to:

1. The applicant fails to deliver the application in accordance with the provisions of this Notice.
2. The applicant submits more applications than the applicant is eligible to submit, in which case all applications may be rejected.
3. The applicant states that a mandatory requirement cannot be satisfied.
4. The applicant's response materially changes a mandatory requirement.
5. The applicant fails to timely respond to the Commission's request for additional information, documents, or references.
6. The applicant, or a representative or agent of the applicant, initiates unauthorized contact with any Commission member or staff regarding this Notice with a State employee or official or violates any provision of P.L. 2021, c.16