



State of New Jersey
CANNABIS REGULATORY COMMISSION

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DIANNA HOUEYOU, *Chair*
SAMUEL DELGADO, *Vice Chair*
KRISTA NASH, *Commissioner*
MARIA DEL CID-KOSSO, *Commissioner*
CHARLES BARKER, *Commissioner*
JEFF BROWN, *Executive Director*

RESOLUTION 2023-103
VACATING APRIL 14, 2023 DENIAL OF RENEWAL OF ADULT-USE CANNABIS BUSINESS LICENSE(S) FOR EXPANDED ALTERNATIVE TREATMENT CENTER CURALEAF NJ, II, INC AND ISSUANCE OF LICENSE(S) WITH CONDITIONS.

WHEREAS, the authority to regulate and enforce activities related to medicinal cannabis previously was vested in the New Jersey Department of Health (“the Department”), and now vests in the New Jersey Cannabis Regulatory Commission (“the Commission”) pursuant to P.L. 2019, c.153; and

WHEREAS, pursuant to N.J.S.A. 24:6I-35(a)(1), the Commission shall adopt rules and regulations, which include procedures for the application, issuance, denial, renewal, suspension, and revocation of a license or conditional license to operate as a cannabis establishment, distributor, or delivery service; and

WHEREAS, the Commission approved to issue the following licenses to Curaleaf NJ, II, Inc. (“Curaleaf”) at the April 11, 2022, board meeting:

License Approved	License Issuance	License Expiration	Location
Class 1 Cannabis Cultivator	April 18, 2022	April 17, 2023	200 State Highway Route 73, Winslow, New Jersey
Class 1 Cannabis Cultivator	April 18, 2022	April 17, 2023	640 Creek Road, Bellmawr, New Jersey
Class 2 Cannabis Manufacturer	April 18, 2022	April 17, 2023	200 State Highway Route 73, Winslow, New Jersey
Class 5 Cannabis Retailer	April 21, 2022	April 20, 2023	640 Creek Road, Bellmawr, New Jersey
Class 5 Cannabis Retailer	April 21, 2022	April 20, 2023	4237 South U.S. Route 130, Edgewater Park, New Jersey

WHEREAS, pursuant to N.J.A.C. 17:30-9.4(m)(3), in order to renew its cannabis business license pursuant to N.J.A.C. 17:30-7.16, an expanded ATC shall:

- i. Certify to the Commission as to the continued material accuracy of the expanded ATC’s previously approved ATC license application and its compliance with the provisions of the Act regarding its operations concerning cannabis or cannabis items; and

- ii. Submit a new written approval from the municipality in which the expanded ATC is located, approving the continued operations as a cannabis business; and

WHEREAS, the expanded ATC provided a certification to the Commission as to the continued material accuracy of the expanded ATC’s previously approved ATC license application; and

WHEREAS, the expanded ATC submitted a new written approval from each municipality listed below in which the expanded ATC is located, approving the continued operations as a cannabis business; and

WHEREAS, on April 13, 2023, the Commission did not approve Curaleaf’s renewal application, citing several concerns that were not alleviated during Curaleaf’s delivered testimony on April 13; and

WHEREAS, on April 14, 2023, the Commission issued a Final Agency Decision, denying Curaleaf’s renewal application, attached hereto, citing the above concerns; and

WHEREAS, on April 14, 2023, the Commission received notification from Curaleaf that it was willing to actively engage with the Commission to address concerns raised by the Commission’s Board during the April 13, 2023, meeting; and

WHEREAS, because Curaleaf was looking to address concerns raised by the board, the Commission has determined to vacate its April 14, 2023, denial and issue a renewal of Curaleaf’s cannabis business licenses with the conditions detailed below;

NOW, THEREFORE, BE IT RESOLVED by the New Jersey Cannabis Regulatory Commission pursuant to N.J.S.A. 24:6I-35(a)(1) and N.J.A.C. 17:30-9.4(m)(3), the Commission has determined to vacate its April 14, 2023, Final Agency Decision and renew Curaleaf’s personal-use cannabis business license(s) as set forth below, provided the entity complies with the following conditions:

- 1) By the next regular meeting of the Board, or by June 1, whichever is later, the entity shall provide the NJ-CRC Board with evidence of good faith efforts made between now and June 1 to negotiate a Collective Bargaining Agreement (CBA) at each of the entity’s New Jersey facilities; and
- 2) By the next regular meeting of the Board, the entity shall attest under oath that it is not engaging in union-busting activities or tactics; and
- 3) By June 1, the entity shall provide additional, updated information and evidence regarding all necessary and reasonable steps to achieve employee and vendor-contractor participation, specifically for New Jersey, by persons who meet one of more of the following criteria:
 - a. have lived in an economically disadvantaged area for five of the 10 preceding years and is, 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;

- b. have been adjudicated delinquent for, or convicted of, whether expunged or not, in this State, another state, or the Federal government at least two marijuana- or hashish-related disorderly persons offenses; or
 - c. have been adjudicated delinquent for, or convicted of, whether expunged or not, in this State, another state, or the Federal government at least one marijuana- or hashish-related indictable offense.
- 4) By the next regular meeting of the Board, the entity shall produce to the NJ-CRC Board all records, documents, and testimony requested by the Board, that concern its intentions to modify their New Jersey operations. This includes any records, documents, and testimony that concern decisions on modifications to the operational capacity, physical plant, premises, or administrative office at any of the facilities/licenses set forth below; and
- 5) If the Board determines the entity has failed to satisfy any of these conditions, the Board may take enforcement action and/or issue any penalties allowable under N.J.A.C. 17:30, including fines or revocation of the renewed license.

Additionally, the Commission has determined to renew the entity’s personal-use cannabis business license(s) as set forth below pending the payment of the requisite Expanded ATC renewal fees pursuant to N.J.A.C. 17:30-7.17.

Expanded ATC	Location(s)	License Renewal Requested
Curaleaf NJ, II, Inc.	200 State Highway Route 73, Winslow, New Jersey	Class 1 Cannabis Cultivator
	640 Creek Road, Bellmawr, New Jersey	Class 1 Cannabis Cultivator
	200 State Highway Route 73, Winslow, New Jersey	Class 2 Cannabis Manufacturer
	640 Creek Road, Bellmawr, New Jersey	Class 5 Cannabis Retailer
	4237 South U.S. Route 130, Edgewater Park, New Jersey	Class 5 Cannabis Retailer

The expanded ATC shall maintain compliance with applicable regulations and shall comply with any final agency decisions issued pursuant to this Resolution, as well as any continued or future onsite assessments to evaluate current or future undertakings or guarantees included in the expanded ATC’s certification materials.

Submitted by:



Dianna Houenou, Chair

CERTIFICATION

I hereby certify that the foregoing is a true copy of the Resolution adopted by the Cannabis Regulatory Commission at its meeting held on the 17th day of April 2023.



Dave Tuason, Deputy Counsel

Vote on the Approval of This Resolution	Motion	Second	Yes	No	Abstain	Absent
Commissioner Barker				X		
Commissioner Del Cid-Kosso			X			
Vice Chair Delgado			X			
Chairwoman Houenou	X		X			
Commissioner Nash		X	X			