



Cannabis Manufacturer Applicant Licensing Checklist

FOR A VERTICALLY INTEGRATED LICENSE, you **only** have to upload the social and economic equity plan, proof of age for every controlling person, and water and energy use plan one time.

A SOCIAL AND ECONOMIC EQUITY PLAN

The social and economic equity plan should describe the applicant's plan to encourage economic and social diversity in employment.

The applicant's plan should include race, ethnicity, gender, age, and residential status of licensee, controlling persons and employees of applicant and whether the applicant, controlling persons, employees or the locations where the cannabis products are produced are located in an underserved rural community, including tribal, acequia, land grant-merced, federally designated opportunity zone, or other rural historic communities.

PROOF OF AGE FOR EVERY CONTROLLING PERSON

Proof of age includes identification issued by a federal or state government that includes the name, date of birth, and picture of the applicant or the controlling person.

AUTHORIZATION FOR RELEASE OF INFORMATION FORM

Each controlling person listed in the application must complete an Authorization for Release of Information form. The form can be found on the division website. The Authorization for Release of Information form must be uploaded to the appropriate related person section of your application and emailed to CCD.Licensing@state.nm.us.

FOR EACH PREMISE REQUIRING A LICENSE, YOU MUST UPLOAD THE FOLLOWING:

DEMONSTRATION OF A WATER RIGHT

Please provide demonstration of a legal right to use the quantity of water that is needed for cannabis production, as evidenced by either:

- a) Documentation from a water provider that the applicant has the right to use water from the provider and that the use of water from cannabis production is compliant with provider's rules; or
- b) Documentation from the Office of the State Engineer showing that the applicant has a valid and existing water right, or a permit to develop a water right, for irrigation purposes for outdoor cultivation, or a commercial purpose for indoor cultivation at the proposed place of use of the cannabis establishment. The documentation may include any of the following:



1. a state engineer permit or license in good standing, but not including a permit issued pursuant to Sections 72-12-1, -1.1, -1.2, or -1.3, NMSA 1978;
2. a subfile order or decree issued by a water rights adjudication court;
3. the findings of an Office of the State Engineer hydrographic survey; or
4. other documentation the Office of the State Engineer has deemed in writing as acceptable to the office of the state engineer under this rule.

WATER AND ENERGY USE PLAN

Please provide a plan to use, or certification that the applicant cannot feasibly use, energy and water reduction opportunities, including:

- a) drip irrigation and water collection;
- b) natural lighting and energy efficiency measures;
- c) renewable energy generation; and
- d) estimated water and energy use related to the applicants cultivation plan.

A Class II, Class III, and Class IV planning to produce edible or topical cannabis products must submit a New Mexico Environment Department (NMED) Edible and Topical Manufacturer Certification. To complete the certification process, go to the following website: www.env.nm.gov/cannabis-hemp/cannabis-certification/.

If an Applicant does not intend to produce edible or topical cannabis products, upload a letter to the Premises section of the application stating this requirement is not applicable.

A Class IV Manufacturer planning to use compressed gas must obtain an LP Permit from the Construction Industries Division (CID) of the Regulation and Licensing Department. If applicable, upload the LP Permit to the Premises section of the application.

If an Applicant does not intend to use compressed gas, upload a letter to the Premises section of the application stating this requirement is not applicable.

APPLICANT REQUIRED TO CERTIFY AND ATTEST TO:

Submission of an application to the CCD certifies that you are compliant with the following required attestations necessary for licensure:

1. I consent to undergo a national criminal history background check and department of public safety (DPS) statewide criminal history screening background check. I understand for purposes of this rule, background checks shall be required for: (1) each partner of a limited partnership; (2) each member of a limited liability company; (3) each director, officer, or trustee of a corporation or trust; and (4) any controlling person of the applicant.

2. I certify I will adhere to manufacturing requirements pursuant to the Cannabis Regulation Act, the Lynn and Erin Compassionate Use Act, and division rules.

3. I certify I will adhere to cannabis transport requirements pursuant to the Cannabis Regulation Act, the Lynn and Erin Compassionate Use Act, and division rules.



4. I certify I will adhere to security requirements pursuant to the Cannabis Regulation Act, the Lynn and Erin Compassionate Use Act, and division rules.

5. I certify I will adhere to quality assurance requirements pursuant to the Cannabis Regulation Act, the Lynn and Erin Compassionate Use Act, and division rules.

6. I certify I will adhere to applicable federal, state and local laws governing the protection of public health and the environment, including occupational health and safety, food safety, environmental impacts, natural resource protections, air quality, solid and hazardous waste management, and wastewater discharge.

7. I certify I have never been denied a license or had a license suspended or revoked by the division or any other state cannabis licensing authority or a detailed description of any administrative orders, civil judgements, denial or suspension of a cannabis license, revocation of a cannabis license, or sanctions for unlicensed medical or commercial cannabis activity by any state licensing authority, against the applicant, controlling person, or a business entity in which the applicant or controlling person was a controlling person within the three years immediately preceding the date of the application.

8. I certify that I will not use dimethylsulfoxide (DMSO) in the production of cannabis products, and will not possess DMSO on the premises of the manufacturer.

9. For Class IV licensees, I certify that I have a signed attestation from a licensed engineer stating the chemical extraction equipment is a closed loop system, is being utilized for its intended use and meets the requirements of the subsection I of 16.8.2.34 NMAC.

10. For Class II, III, and IV licensees, I certify that I have obtained all necessary permits required for the production of edibles and topicals from the New Mexico environment department and that such permits are valid at this time.

11. I certify I have obtained a current local jurisdiction business license, or will prior to operation of the cannabis establishment, and shall adhere to local zoning ordinances.

12. I certify that the premise diagram shall be kept at each licensed premises at all times and made available for in-person inspection by the Cannabis Control Division or its agents upon request. The premises diagram will conform to the requirements set forth in 16.8.2 NMAC: Licensing and Operational Requirements for Cannabis Establishments.

13. I certify that that my business is in good standing with the New Mexico Secretary of State, including all documents filed with the New Mexico Secretary of State.

If at any time the CCD finds that the required attestations are not met, the application or license can be deemed noncompliant, which could result in cancellation of the application, suspension or revocation of a license, or denial of license renewal. All application fees are nonrefundable.

