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NMRLD, Cannabis Control Division  
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[Rld.cannabiscontrol@state.nm.us](mailto:Rld.cannabiscontrol@state.nm.us)

Re: Comments on the proposed revisions to [16.8.2.8 New Mexico Administrative Code regulations](#) for the Public Hearing on 8/31/23

Cannabis Control Division,

I am writing on behalf of SeedCrest, Inc. with comments regarding the proposed changes in the 16.8.2.8 NMAC regulations. SeedCrest is a workforce solutions and education provider of NMAC training topics and certificate courses.

Since the inception of legalization, it is common knowledge that many licensed applicants have had to apply for variances. Knowing that gaps exist causing inequities in the application process, striking **Application for variances** from the rules seems premature. We are in favor of keeping applications for variances in the 16.8.2.8 rules.

The new language in section **16.8.2.8 (Z) NMAC** presents an unnecessary barrier for applicants. It seems like an unreasonable rule to ask someone to become inspected prior to licensure. With that said, we've studied other states and would like the Division to consider the Missouri Inspection Readiness Guide and regulations as a model for finalizing this section. See Appendix A.

The idea is to provide commencement inspections, on-site, prior to business activities being conducted and at the time of renewal for all license types. Using a

consultative approach and model like Missouri's allows the businesses to get licensed and then to ask to be inspected in a supportive environment prior to conducting business, which in theory could lead to long-term sustainable compliance outcomes.

Next, section **16.8.2.8 (AA) NMAC** is promising yet vague overall. The topics listed are topics that SeedCrest has been teaching in the local marketplace and public for over 6 years. We recommend finalizing the list of topics, rather than making the curriculum pending. The other topics to consider are: Ethics and Code of Conduct, Business Administration, and Commercial & Medical Standards, and Safety and Health. Lastly there are grammatical errors in this section that require editing.

In section **16.8.2.8 (BB) NMAC** the language needs to be addressed to consider licensees and areas in New Mexico where this ruling is going to cause them to ask to apply for a variance.

Thank you for allowing SeedCrest, Inc., to participate in the Public Comments for the Public Hearing on August 31, 2023. If you'd like to request a meeting or have questions, please contact [info@seedcrest.io](mailto:info@seedcrest.io) and 505-550-4294.

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## Appendix A

- [19 CSR 30-95.040](#) Rules of Department of Health and Senior Services Division 30—Division of Regulation and Licensure Chapter 95—Medical Marijuana
  - ✓ Missouri Medical Marijuana Regulation advises licensed facilities to request a **Commencement Inspection when they believe they are ready to open within about a month**. This means that all documentation, plans, and facility requirements must be established.
  - ✓ In Missouri's recently legalized market if a facility is granted a license or certification but has not passed a **commencement inspection** within one (1) year of the department issuing the license or certification, the license or certification may be revoked.
- [Inspection-readiness-guide.pdf \(mo.gov\)](#)