The Virginia Cannabis Business Toolkit

18 templates, SOPs and checklists. Edition of November 22, 2026. The current version of every template is at virginiacannabishub.com/toolkit/.

> Citations starting **3VAC10** are the Cannabis Control Authority's draft proposed adult-use regulations dated September 9, 2026: **proposed, not final, may change**. Citations starting **§ 4.1** are the Code of Virginia as amended by HB 30, Chapter 1 (2026). Lines marked **Practice** are suggestions, not requirements.
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> **We report what the law says. Not legal advice. "What other states required or scored" sections are reference only, not Virginia law.**

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Application Document Checklist by License Type

Every document and filing the Cannabis Control Act, HB 30 and the CCA draft rules tie to a Virginia marijuana establishment application, each cited: the sworn application, background checks, the labor peace attestation, deficiency and information deadlines, preliminary approval filings, final license items, draft fees by license type, and license-specific items.

Who needs it: Adult-use license applicants: cultivation (Tiers I to V), processing, retail store, microbusiness, transporter, delivery operator, testing facility; Hemp conversion and dual-use applicants (shared items). **Rule basis:** Code of Virginia §§ 4.1-606 B 5, 13 and 14, 4.1-702 A, 4.1-806 D, 4.1-810, 4.1-1000, 4.1-1001, 4.1-1406 A 1, 4.1-1602.1; HB 30 enactments 12 to 16; draft rules 3VAC10-20, 3VAC10-30-20, -100 to -130, -145, 3VAC10-40-120 A, 3VAC10-60-20 (proposed).

Section 4.1-1000 of the Code of Virginia sets the license application process in three stages: an application during an announced licensing period, preliminary approval (by lottery where applicants outnumber licenses), and final authorization once the applicant supplies its site and other information. Section 4.1-1001 adds the labor peace attestation, HB 30 sets the first-round timelines, and the CCA's draft rules list what the Board needs before a license issues. The application forms the statute refers to are not part of the statute or the draft rules. Citations to 3VAC10 are to the CCA's draft regulations dated Sept. 9, 2026 (proposed, not final; they may change before adoption).

Related worksheets: Ownership and control disclosure, Impact licensee eligibility, Local zoning and site, Business and operations plan outline.

What Virginia requires

Timeline set by HB 30 (statute)

- The CCA may begin accepting license applications on and after Feb. 1, 2027 and may begin issuing licenses on and after May 1, 2027 (HB 30, 2026 Sp. Sess. I, c. 1, enactment 15).
- On or before May 1, 2027, the CCA may issue up to 100 microbusiness licenses to applicants that are pre-2021 registered industrial hemp growers or processors in good standing (or previously registered ones meeting listed conditions), impact license applicants, or USDA-qualified farmers, and that meet "any applicable licensing requirements and financial, security, and operational readiness criteria as established by the Authority"; the CCA begins accepting these applications on or before Feb. 1, 2027 (HB 30, enactment 12).

- On or before May 1, 2027, the CCA issues up to 20 licenses (no more than 10 cultivation and 10 processing) to industrial hemp growers or processors registered before Jan. 1, 2021 (or previously registered ones meeting listed conditions) that meet applicable licensing requirements and pay a one-time $500,000 fee, payable in installments over up to three years; the CCA creates a streamlined application process by Feb. 1, 2027 (HB 30, enactment 14).
- Pharmaceutical processors apply for dual-use privileges under a streamlined process the CCA creates by Feb. 1, 2027, including a medical cannabis program preservation plan, a one-time $10 million fee (or an approved installment plan entered by May 1, 2027), and participation in an impact licensee business accelerator plan for at least three years (HB 30, enactment 13; Code of Virginia § 4.1-1602.1 B).
- The CCA issues at least 55 additional licenses, distributed among impact licensees and other license types the Board determines, on or before July 1, 2027 (HB 30, enactment 16).

Stage 1: the application (statute)

- Before accepting applications, the CCA announces a licensing period with the license types available, the number of each type if limited, and the opening and closing dates (§ 4.1-1000 A).
- Every applicant files an application on Board forms "and a statement in writing by the applicant swearing and affirming that all of the information contained therein is true" (§ 4.1-1000 B).
- Applications, including renewals, include any information the Board needs to determine whether the applicant meets the impact licensee criteria in § 4.1-606 B 13 (§ 4.1-1000 C).
- The application fee is paid when the application is filed, is set by the Board, is in addition to the actual cost of fingerprint processing, and is not refunded (§ 4.1-1000 K).
- If required information or the fee is missing, the CCA issues a deficiency notice; the applicant has 10 calendar days to cure, or the application is rejected (§ 4.1-1000 C).
- The CCA may deny an application that is incomplete; contains a materially false statement or omits required information; where the applicant meets any § 4.1-810 condition, is prohibited from holding the license, fails to pay, misses the deadline, submits more than one application for a license type, or would be prohibited for any other reason (§ 4.1-1000 D 1 to 8).
- The CCA may request additional information; if it is not provided within 10 calendar days, the CCA may deny the application (§ 4.1-1000 D).
- Every initial applicant submits a labor peace agreement attestation signed by both the applicant and a bona fide labor organization; failure to submit a timely attestation results in denial (§ 4.1-1001 C). All applicants, renewal applicants and license holders must have entered into, maintained and abided by a labor peace agreement (§ 4.1-1001 B).
- Background investigation, including a criminal history records check and fingerprinting, of every individual applicant and every officer, director and principal of an applicant; fingerprints and personal descriptive information go to the Central Criminal Records Exchange for State Police and FBI checks (§ 4.1-1000 J).
- The Board may accept a third-party local and national background check, from an FCRA-compliant consumer reporting agency or screening company accredited by the Professional Background Screening Association, that includes a multistate criminal record locator; the applicant requests it not more than 60 days before submitting the application (§ 4.1-1000 J).

- An elected or appointed official of the Commonwealth or a political subdivision who applies states on the application the official position held; a business in which such an official has an economic interest states that official's full economic interests (§ 4.1-810 B 2).
- The Board's application process must, when possible, prevent disparate impacts on historically economically disadvantaged communities (§ 4.1-606 B 5).
- An applicant need not have secured a place or premises until the final stage of the license approval process (§ 4.1-810 B 3).

Stage 1: the application (draft)

- The notice of open applications includes how to obtain and complete an application, the required fees, the criteria for issuance, and the deadline; the criteria include disciplinary history, ability to maintain control against diversion, theft and loss, ability to ensure safety and accuracy in dispensing and sale, and the extent of financial interests in other licenses, permits, registrants or applicants (3VAC10-30-100 A, draft).
- Applicants submit the application fee and all requested materials as the Board prescribes; only one application per license type per notice; changes after submission are reported to the CCA immediately in writing (3VAC10-30-110 A, draft).
- The CCA disqualifies an applicant that misses the deadline, fails to pay, fails to timely report changes, or fails to cooperate with CCA inquiries; the CCA may verify application information (3VAC10-30-110 B, draft).
- An impact licensee applicant may request a reduction or waiver of application or license fees at initial or renewal application; the CCA decides case by case (3VAC10-20-15 D, draft).
- The board may deny an application that is incomplete, false, inaccurate or misleading, unpaid, or that fails to comply with all requirements (3VAC10-30-145 A, draft).

Stage 2: preliminary approval (statute)

- If qualified applicants outnumber licenses, the CCA holds an impartial, random lottery; if impact applicants outnumber impact licenses, an impact-only lottery runs first and unselected impact applicants join the general pool (§ 4.1-1000 E).
- Within 18 months of notice of selection, the applicant provides: (1) the address and legal property description of the location; (2) the name of the local governing body; (3) if applicable, an updated location description, an updated security plan and any other information the CCA requires; and (4) for establishments otherwise requiring a VDACS inspection, proof of inspection or of a pending request (§ 4.1-1000 F).
- Preliminary approval expires after 18 months unless revoked or extended; the CCA may grant a one-time extension of up to six months for good faith efforts (§ 4.1-1000 F).
- Applications not selected in a lottery are retained for one year and considered in licensing periods that begin within that year without a new fee; the applicant answers CCA information requests within 14 calendar days (§ 4.1-1000 N).

Stage 2: preliminary approval (draft)

- The selected applicant submits information for the criminal background check of its material owners under § 4.1-1000 J; no person convicted of a felony in the last five years may be a material owner, employee or agent (3VAC10-30-120 A, draft).

- Additional information or documents requested by the CCA are provided within 10 calendar days (3VAC10-30-120 B, draft).
- Within 18 months, the applicant completes all requirements, including "a separate and distinct physical address," "documentation of separate and distinct capital to support the proposed operations," employment of a PIC, responsible party and other personnel, construction or remodeling, installation of equipment, and local zoning approval (3VAC10-30-120 D, draft).
- Preliminary approval may be revoked for incomplete or false information, failure to cooperate, failure to secure property more than 1,000 feet from a school or daycare, disqualifying background results, or failure to meet establishment requirements (3VAC10-30-120 C, draft).

Stage 3: final authorization (statute)

- On receiving the subsection F information, the CCA notifies the local governing body, which has 30 days to object; schedules a site inspection; and requires payment of the license fee (§ 4.1-1000 G).
- The CCA may deny final authorization for missing information, a materially false statement, a site that does not meet local zoning and land use laws, an unpaid license fee, a § 4.1-810 condition, or disqualification (§ 4.1-1000 H).
- Within 90 days of receiving the subsection F information and background results, the CCA issues the license or a notice of rejection with specific reasons; a licensee with a pending VDACS inspection may buy product but may not sell until the inspection is completed (§ 4.1-1000 I).
- Each license designates the place of business; each separate place needs a separate license (§ 4.1-702 A).

Stage 3: final authorization (draft)

- Before a license issues: a designated PIC and/or responsible party; evidence of use of an electronic tracking system; a satisfactory CCA inspection; the establishment's name and address, not within 1,000 feet of a school or daycare; the names and addresses of material owners; security plan details; and background check information (3VAC10-30-130 A, draft).
- Deficiencies found by inspectors are corrected before the license issues (3VAC10-30-130 B, draft).
- The applicant attests to compliance with all state and local laws and ordinances (3VAC10-30-130 C, draft).
- No license to operate from a private dwelling or residence (3VAC10-30-130 D, draft).

License-specific items

License	Item	Cite
Testing facility	ISO/IEC 17025 accreditation from a third-party accrediting body	§ 4.1-806 D
Testing facility	Independence from industry; lab director with a master's degree and 2 years or a bachelor's degree and 4 years of post-degree lab experience; controlled substances registration under § 54.1-3423; proof of accreditation or application; transportation protocol	3VAC10-60-20, draft
Processing facility making edibles	Premises under VDACS inspection as a food manufacturer	§ 4.1-1406 A 1; § 4.1-1000 F 4

License	Item	Cite
Cultivation, processing, microbusiness	Responsible party with at least two years of verifiable experience cultivating plants or extracting chemicals from plants	3VAC10-40-120 A, draft
Hemp conversion (cultivation or processing)	Pre-2021 VDACS hemp registration (or prior registration with explanation of lapse and disclosure of violations); $500,000 fee	HB 30, enactment 14
Dual-use	Pharmaceutical processor permit; preservation plan; $10 million conversion fee or approved plan; accelerator agreement	HB 30, enactment 13; § 4.1-1602.1 B
Any new owner of 5% or more after licensing	Fingerprinting and criminal history check	3VAC10-30-20 C 3, draft

Draft fees by license type (3VAC10-20, draft)

License	Application	Initial authorization	Annual renewal	Cite
Cultivation Tier I	$3,000	$20,000	$15,000	3VAC10-20-60
Cultivation Tier II	$3,000	$25,000	$20,000	3VAC10-20-60
Cultivation Tier III	$5,500	$30,000	$25,000	3VAC10-20-60
Cultivation Tier IV	$7,500	$35,000	$30,000	3VAC10-20-60
Cultivation Tier V	$7,500	$50,000	$45,000	3VAC10-20-60
Processing facility	$5,000	$30,000	$25,000	3VAC10-20-70
Retail store	$4,000	$20,000	$15,000	3VAC10-20-80
Microbusiness	$1,000	$2,500	$6,000	3VAC10-20-90
Transporter	$500	$2,500	$5,000	3VAC10-20-100
Delivery operator	$500	$2,500	$5,000	3VAC10-20-110
Testing facility	$1,000	$2,000	$2,000	3VAC10-20-120

- Fees are nonrefundable unless otherwise provided; change fees are $200 (name, PIC, responsible party or other application information, or an ownership change not requiring a background check), $500 (ownership change requiring a background check) and $5,000 (acquisition, expansion, remodel or relocation requiring inspection) (3VAC10-20-15 A and C, draft).

Records and forms the rules name

Stage 1 filing checklist

Item	Cite	Ready
Application on Board forms	§ 4.1-1000 B	
Sworn statement that all information is true	§ 4.1-1000 B	
Impact licensee information (if claiming status)	§ 4.1-1000 C	
Application fee	§ 4.1-1000 K	
Labor peace agreement attestation signed by applicant and labor organization	§ 4.1-1001 C	
Fingerprints and descriptive information (or qualifying third-party check requested within 60 days) for each individual applicant, officer, director and principal	§ 4.1-1000 J	
Statement of official position and economic interests (if an official is involved)	§ 4.1-810 B 2	
Fee waiver request (impact applicants, optional)	3VAC10-20-15 D, draft	

Stage 2 filing checklist (within 18 months of selection)

Item	Cite	Ready
Address and legal property description	§ 4.1-1000 F 1	
Name of the local governing body	§ 4.1-1000 F 2	
Updated location description and security plan, if applicable	§ 4.1-1000 F 3	
VDACS inspection proof or pending request, if applicable	§ 4.1-1000 F 4	
Material owners' background check information	3VAC10-30-120 A, draft	
Documentation of separate and distinct capital	3VAC10-30-120 D, draft	
Local zoning approval	3VAC10-30-120 D, draft	

Stage 3 checklist

Item	Cite	Ready
License fee	§ 4.1-1000 G	
PIC and/or responsible party designated	3VAC10-30-130 A 1, draft	

Item	Cite	Ready
Electronic tracking system in use	3VAC10-30-130 A 2, draft	
Satisfactory CCA inspection	3VAC10-30-130 A 3, draft	
Establishment name and address; material owners' names and addresses	3VAC10-30-130 A 4 and 5, draft	
Security plan details	3VAC10-30-130 A 6, draft	
Attestation of compliance with state and local law	3VAC10-30-130 C, draft	

What the law does not say

- The CCA's application forms, instructions, and the "financial, security, and operational readiness criteria" named in HB 30 enactment 12 are not part of the statute or the Sept. 9, 2026 draft.
- The draft rules do not list the evidence an applicant uses to document "separate and distinct capital" (3VAC10-30-120 D, draft).
- Neither the statute nor the draft rules set a scoring rubric; § 4.1-1000 E provides for a random lottery among qualified applicants.

What other states required or scored

Not required in Virginia. Shown so applicants can see what other regulators asked for.

Illinois (IDFPR dispensary application; 410 ILCS 705/15-30)

- Illinois's 2019 conditional dispensary application listed exhibits A through T: fee, principal officer forms, ownership table and operating agreements, agent training, purchaser education, business plan, recall/quarantine/destruction plan, security plan, inventory plan, floor plan, operating plan, community engagement, diversity plan, anonymous experience résumés, financials, and optional social equity, labor, environmental, Illinois-owner and veteran exhibits (IDFPR Application, Application Exhibits list).
- Each exhibit carried a page limit, for example Business Plan 30 pages, Operating Plan 40 pages, Security Plan 50 pages, Floor Plan 10 pages, Diversity Plan 2,500 words, and 3 pages per principal officer résumé (IDFPR Application, Exhibits D-N).
- Applicants were told not to submit "materials not requested by this application, such as cover letters or mission statements," and missing mandatory exhibits made an application incomplete (IDFPR Application, Instructions).
- Deficiency notices gave applicants 10 calendar days to complete the application, after which it was rejected and the fee kept (IDFPR Application, Instructions).
- Principal officer résumés (Exhibit N) were submitted anonymized (IDFPR Application, Exhibit N).

- Points: training plan 15; security and recordkeeping 65; business plan, financials, operating and floor plan 65; knowledge and experience 30; social equity applicant 50; labor practices 5; environmental plan 5; Illinois owner 5; veteran 5; diversity plan 5; up to 2 bonus points for community engagement (410 ILCS 705/15-30(c)-(d)).
- An application scoring at least 213 points entered the Qualifying Applicant Lottery, and 252 points qualified for the Tied Applicant Lottery (IDFPR, FAQs for QAL, SEJIL and TAL).

Massachusetts (935 CMR 500)

- Massachusetts applications have three sections: Application of Intent, Background Check, and Management and Operations Profile (935 CMR 500.101(1)).
- The Application of Intent includes capital sources with a bank record dated within 60 days, certification that funds were lawfully obtained, a bond or escrow, proof of a property interest, the executed host community agreement or waiver, and community outreach meeting documentation (935 CMR 500.101(1)(a)4.-9.).
- The Management and Operations Profile includes certificates of good standing from the Secretary of the Commonwealth, the Department of Revenue and, if applicable, the Department of Unemployment Assistance, each issued within 90 days (935 CMR 500.101(1)(c)2.-4.).
- It also includes a timeline to operation, an insurance plan, a business plan summary, and summaries of policies for security, diversion, storage, transport, inventory, quality control, personnel, dispensing, recordkeeping, financial records and a diversity plan (935 CMR 500.101(1)(c)5.-8.).
- A plan to positively impact Areas of Disproportionate Impact, with goals, programs and measurements, is part of the application (935 CMR 500.101(1)(a)11.).

New Jersey (N.J.A.C. 17:30)

- New Jersey's annual license application lists tax IDs, a Business Registration Certificate, formation documents, a location description with site and floor plan, distances to places of worship, schools, playgrounds, parks and daycares, a municipal zoning letter, and a municipal resolution of support (N.J.A.C. 17:30-7.10(b)1-9).
- It also requires proof of control of the premises and, for leased sites, a landlord certification; an application without that certification "shall be disqualified" (N.J.A.C. 17:30-7.10(b)10-11).
- Required plans include operating, business and financial, environmental impact, safety and security, community impact, and workforce development plans (N.J.A.C. 17:30-7.10(b)14-19).
- Standard operating procedures are submitted for adverse events, QA/QC, recall, packaging and labeling, inventory and diversion, recordkeeping, waste, operations, accounting and tax, and test reporting (N.J.A.C. 17:30-7.10(b)20).
- A labor peace agreement attestation is required, except for microbusinesses (N.J.A.C. 17:30-7.10(b)21).
- Bonus point categories include collective bargaining agreements, project labor agreements, and at least one owner residing in New Jersey for five years (N.J.A.C. 17:30-7.10(b)13).

New York (9 NYCRR Part 120)

- New York requires identity information for the applicant and each true party of interest, including government photo ID showing age 21 or older (9 NYCRR 120.2(a)(1)).

- Disclosures include formation documents, capitalization tables (holders above 10% for private entities, 5% for public), the most recent fiscal year financial statements, pro forma financials for entities under a year old, and an organizational chart (9 NYCRR 120.2(a)(2)(iv), (vii), (ix)-(xi)).
- Applicants list charitable contributions over $5,000 annually in the past five years and designate portions claimed as exempt from Freedom of Information Law disclosure (9 NYCRR 120.2(a)(2)(xviii)-(xix)).
- A copy of the labor peace agreement is filed with an attestation that keeping it is an ongoing material condition (9 NYCRR 120.2(a)(2)(xx)).
- Legal history covers pending actions and ten years of settled actions, judgments, injunctions, bankruptcies and tax delinquencies (9 NYCRR 120.2(a)(3)(ii)).
- Premises information includes who receives rent, photographs, GPS coordinates or floor plans, and a statement of compliance with municipal notification under Cannabis Law section 76 (9 NYCRR 120.2(a)(4)).

Maryland (COMAR 14.17.05)

- Maryland limits any applicant or owner to one application per license type and two applications in total per round (COMAR 14.17.05.02D).
- Maryland does not require an applicant to own or possess property at the time of application (COMAR 14.17.05.02F).
- Applications are checked pass-fail for lottery eligibility against an operational plan, a business plan, a detailed diversity plan, and social equity documentation (COMAR 14.17.05.03E(3)).
- Requested additional information is due within 10 calendar days, or the application may be denied (COMAR 14.17.05.03E(2)).
- After the lottery, a conditional licensee files a supplemental application with a criminal history check, financial background investigation, disclosure of adverse licensing actions elsewhere, and proof of legal control of the site (COMAR 14.17.05.04B).

Sources checked 2026-11-22.

- IDFPR, Conditional Adult Use Dispensing Organization License Application (rev. 10/11/19)
- IDFPR, FAQs for QAL, SEJIL and TAL
- 410 ILCS 705/15-30 (FindLaw mirror of Illinois Compiled Statutes)
- Cannabis Control Commission, 935 CMR 500.000 (effective 09-11-26)
- NJ Cannabis Regulatory Commission, N.J.A.C. 17:30 Personal Use Cannabis Rules
- Office of Cannabis Management, Express Terms adopting Parts 118-125 and 131 (9 NYCRR)
- COMAR 14.17.05.02, Application Requirements
- COMAR 14.17.05.03, Application Notification, Submission, and Review
- COMAR 14.17.05.04, Lottery Award and Conditional License

Sources: Code of Virginia § 4.1-606 (Regulations of the Board); Code of Virginia § 4.1-702 (Separate license for each place of business); Code of Virginia § 4.1-806 (Marijuana testing facility license); Code of Virginia § 4.1-810 (Conditions under which the Board shall or may refuse to grant licenses); Code of Virginia § 4.1-1000 (Applications for licenses; procedures; notice to localities; fees); Code of Virginia § 4.1-1001 (Labor peace agreements); Code of Virginia § 4.1-1406 (Edible marijuana products; VDACS inspection); Code of Virginia § 4.1-1602.1 (Dual-use privileges); HB 30 (2026 Sp. Sess. I, c. 1), Item 4-14 enactment clauses (enactments 12 to 16); CCA draft adult-use regulations, Sept. 9, 2026 (proposed, not final): 3VAC10-20, 3VAC10-30, 3VAC10-40-120, 3VAC10-60-20.

Ownership and Control Disclosure Worksheet

The ownership, control and disclosure rules in the Cannabis Control Act and the CCA draft rules, each cited: the 5%, 10% and 25% thresholds, the material owner definition, license caps and cross-ownership bans, owner disqualifiers, background checks, agreements the Board reviews, change-of-control approval, impact license transfer limits, and ownership audits.

Who needs it: Marijuana establishment applicants and licensees; Owners, officers, directors, investors, lenders and management or brand-licensing counterparties of an applicant or licensee. **Rule basis:** Code of Virginia §§ 4.1-600, 4.1-604 38 and 40, 4.1-606 B 17, 19 and 20, C 5, 4.1-702 B and C, 4.1-803 A, 4.1-806 F, 4.1-807, 4.1-810 B 1 and 2, 4.1-900 A 1 d and 7, 4.1-1000 J and L, 4.1-1602.1 E; draft rules 3VAC10-20-15 C, 3VAC10-30-10, -20, -100 A 2 d, -120, -130 A 5, -135 A 2, 3VAC10-60-20 1 (proposed).

The Cannabis Control Act requires every owner of a license applicant to be disclosed, tests 10% owners and officers against a list of disqualifiers, background-checks every officer, director and 5% principal, caps how many licenses one person may hold an interest in, and requires Board approval before ownership or control changes. The CCA's draft rules add a broader "material owner" definition and a five-year felony bar. Citations to 3VAC10 are to the CCA's draft regulations dated Sept. 9, 2026 (proposed, not final; they may change before adoption).

What Virginia requires

Thresholds

Threshold	What the source attaches to it	Cite
Any security or beneficial interest in a privately held entity	"Material owner"	3VAC10-30-10, draft
Voting rights to elect or appoint a director, or 5% or more of the securities, of a publicly traded entity	"Material owner"	3VAC10-30-10, draft
5% or more of the pecuniary interest or voting power, alone or with immediate family, or managing operations on behalf of a licensee	"Principal"	§ 4.1-600
Every individual applicant, officer, director and principal	Fingerprint-based (or qualifying third-party) background investigation	§ 4.1-1000 J
A new owner whose share is 5.0% or more of total ownership after licensing	Fingerprinting and criminal history search	3VAC10-30-20 C 3, draft

Threshold	What the source attaches to it	Cite
10% or more of ownership, voting power or economic value, or being an investor, partner, member, officer, director or manager	An "interest" for the license caps	§ 4.1-807 A
10% or more shareholder, LLC member, or limited partner with voting rights; any general partner, officer, director or member-manager	Tested against the § 4.1-810 B 1 disqualifiers	§ 4.1-810 B 1
Passive investment under 10% equity	Board regulations must presume it permissible unless the Board determines it results in undue influence	§ 4.1-606 B 19
25% or more of equity or voting power; any instrument conferring appointment or removal rights over managers; cumulative transfers of 25% or more within 24 months	A change of control under the Board's required regulations	§ 4.1-606 B 20

Disclosure (statute and draft)

- The Board must refuse a license if the applicant "is not the legitimate owner of the business proposed to be licensed, or other persons have ownership interests in the business that have not been disclosed" (Code of Virginia § 4.1-810 B 1 d); the same is a ground to suspend or revoke a license (§ 4.1-900 A 1 d).
- The Board's regulations on ownership disclosure must "require that ownership interests be traced through all intermediary entities to the ultimate beneficial owners" (§ 4.1-606 B 20).
- Licensees file and maintain with the Board a current, accurate record of required information and notify the Board of changes (§ 4.1-1000 L).
- A license issues only with "the name and address of the marijuana establishment's material owners" (3VAC10-30-130 A 5, draft); hemp retail registrations require the same for material owners (3VAC10-30-135 A 2, draft).
- Criteria in the notice of open applications include "the extent to which the applicant or any of the applicant's owners have a financial interest in another license, permit, registrant, or applicant" (3VAC10-30-100 A 2 d, draft).
- An elected or appointed official who applies states the official position held; a business in which such an official has an economic interest states that official's full economic interests (§ 4.1-810 B 2).
- Board members or employees, and businesses in which they hold any economic interest, may not be licensed (§ 4.1-810 B 2).

Owner disqualifiers (statute)

The Board must refuse a license if the applicant, or a general partner, voting limited partner of 10% or more, officer, director, 10% shareholder, member-manager or 10% LLC member (§ 4.1-810 B 1):

- Is not 21 or older (a);
- Has been convicted of a felony (other than a felony violation of § 18.2-248.1) or a crime involving moral turpitude within seven years of the application date, or has not completed all terms of sentencing and probation (b);
- Knowingly employs or allows to volunteer someone younger than 21 (c);

- Is not the legitimate owner, or there are undisclosed owners (d);
- Has not demonstrated financial responsibility sufficient for the business (e);
- Has misrepresented a material fact in applying (f);
- Has defrauded or attempted to defraud the Board or any government agency through a false report, document or tax return, or false business records (g);
- Is violating or allowing violation of the subtitle at the establishment while the application is pending (h);
- Is a State Police, police department or sheriff's office employee responsible for enforcing penal, traffic or motor vehicle laws (i);
- Has been sanctioned by the Board for a violation under Chapter 16 (j);
- Is physically unable to carry on the business or has been adjudicated incapacitated (k); or
- Is 90 days or more delinquent on local taxes where the premises is located, unless de minimis, under bona fide appeal, or on an approved payment plan (l).

In considering criminal history, subject to § 4.1-810 B 1 b, the Board "shall not disqualify an applicant because of a past conviction for a marijuana-related offense" (§ 4.1-1000 J).

Owner disqualifier (draft)

- "No person who has been convicted of a felony under the Code of Virginia or another jurisdiction within the last five years shall be a material owner of, be employed by, or act as an agent of a marijuana establishment" (3VAC10-30-120 A, draft).
- Preliminary approval may be revoked if the selected applicant is in violation of § 4.1-810 B or § 4.1-1602 K based on background checks of its material owners (3VAC10-30-120 C 4, draft).

License caps and cross-ownership bans (statute)

- No person may be granted or hold an interest in more than five total licenses, not including transporter licenses, or more than one Tier V cultivation license (§ 4.1-807 B (i)).
- No person with an interest in a cultivation, processing, transporter, delivery, retail or microbusiness license may hold an interest in a testing facility license (§ 4.1-807 B (ii)); a person with an interest in a testing facility license may not have any interest in a cultivation, processing, transporter, retail or microbusiness license (§ 4.1-806 F).
- No person with an interest in a microbusiness license may hold an interest in any other marijuana establishment (§ 4.1-807 B (iii)); a microbusiness licensee may not hold or control any other license (§ 4.1-803 A).
- No person with an interest in a pharmaceutical processor permit may hold an interest in any other marijuana establishment license except its cannabis dispensing facility permits (§ 4.1-807 B (iv); § 4.1-1602.1 E). Persons that as of July 1, 2026 owned and controlled processor permits in more than one health service area are not barred while they continuously hold them (§ 4.1-807 C).
- The Board must set restrictions on the number of licenses a person may be granted in a single locality or region (§ 4.1-606 B 17) and may set market-concentration thresholds, including regional or statewide market share and Herfindahl-Hirschman Index benchmarks (§ 4.1-606 C 5).

- The draft extends testing facility independence to any direct or indirect financial interest in a pharmacist, certifying practitioner, marijuana establishment, industrial hemp grower or processor, hemp retail facility, or other entity that may benefit (3VAC10-60-20 1, draft).

Agreements the Board reviews (statute)

- The Board must establish an approval process to approve or deny ownership, financing, management and brand-licensing agreements to ensure compliance with § 4.1-807, and an investigation process for whether a financial arrangement is commercially reasonable or constitutes undue influence, considering "price-setting authority, shelf-space control, financing dependency, or shared personnel" (§ 4.1-606 B 19).
- Those regulations must presume permissible (i) passive investments under 10% equity unless the Board finds undue influence and (ii) management services or brand licensing agreements that do not give actual or contractual rights to control management or operations, and must state that such investments and agreements do not constitute undue influence or make anyone a principal (§ 4.1-606 B 19).
- The Board investigates the ownership and control interests of all licensees, including management and brand-licensing agreements (§ 4.1-604 40).
- The Board develops policies for audits of ownership and financial relationships across all licenses, "conducted by an independent certified public accountant" with "the costs of such audits … borne by the licensee" (§ 4.1-604 38).

Changes of ownership or control (statute and draft)

- No license may be assigned, sold or transferred, and no change in ownership or control made, without the Board's prior written approval; an unapproved change "is void and shall constitute grounds for immediate suspension or revocation of all affected licenses" (§ 4.1-702 B; also 3VAC10-30-20 B, draft). An unapproved transfer is also a ground to suspend or revoke (§ 4.1-900 A 7).
- Before any change in ownership, the licensee requests approval as the Board prescribes and pays the fees (3VAC10-30-20 C, draft): $200 for an ownership change not requiring a background check and $500 for one requiring a background check (3VAC10-20-15 C 3 and 4, draft).
- On a change of ownership, dispensing or sales records for the prior two years go to the new owners on the date of change, and the previous owner is responsible for the lawful transfer of records (3VAC10-30-20 C 1 and 2, draft).

Impact licenses (statute and draft)

- No impact licensee, or person with a direct or indirect beneficial interest in it, may sell, assign or transfer a controlling interest of more than 49% for five years from issuance; the Board may provide an exception for estate-plan transfers to a family member or a trust for the licensee's immediate family (§ 4.1-702 C; 3VAC10-30-20 D, draft).
- After five years, a transfer of more than 49% to a non-impact transferee may be allowed, but impact privileges may be revoked and the new holder pays any amounts owed by the transferor (3VAC10-30-20 E, draft).
- If an impact license was obtained through a fraudulent financial transaction or predatory operating agreement, or transferred in violation of § 4.1-702 C, the Board begins revocation and requires repayment of all waived fees by the original licensee and any other true parties of interest (§ 4.1-606 B 14).

Records and forms the rules name

Ownership table (each column maps to a threshold above: § 4.1-600 principal, § 4.1-807 A interest, § 4.1-810 B 1 owner test, 3VAC10-30-10 material owner, § 4.1-606 B 20 tracing)

Owner (person or entity)	Held directly or through which entity	Ultimate beneficial owner(s)	% equity or pecuniary interest	% voting power	% economic value	Officer, director, manager or other role	Material owner (draft)	Principal (5%)	Interest (10%)	§ 4.1-810 B 1 test applies

Disqualifier screen, one per person subject to § 4.1-810 B 1

Item	§ 4.1-810 B 1	Yes / No
21 or older	a	
Felony (other than § 18.2-248.1) or moral turpitude conviction within seven years, or sentence or probation incomplete	b	
Knowingly employs or allows under-21 volunteers	c	
Legitimate owner; all owners disclosed	d	
Financial responsibility demonstrated	e	
Material misrepresentation	f	
Fraud or attempted fraud on a government agency	g	
Violating the subtitle at the establishment while application pending	h	
Law-enforcement employee as described	i	
Sanctioned by the Board under Chapter 16	j	
Physically unable or adjudicated incapacitated	k	
Local tax delinquency of 90 days or more (with listed exceptions)	l	
Felony within five years (draft material owner bar)	3VAC10-30-120 A, draft	

License count, one per person with an interest (§ 4.1-807)

License held or applied for	Type	Counts toward five (transporter excluded)	Tier V

Agreements subject to Board review (§ 4.1-606 B 19)

Agreement type (ownership, financing, management, brand-licensing)	Counterparty	Price-setting authority	Shelf-space control	Financing dependency	Shared personnel	Control rights

What the law does not say

- The draft "material owner" definition for privately held entities ("the ownership of any security or beneficial interest") has no percentage floor; the statute's disqualifier test in § 4.1-810 B 1 applies at 10%. The draft does not state how the two relate.
- The Sept. 9, 2026 draft does not include the approval process for ownership, financing, management and brand-licensing agreements that § 4.1-606 B 19 directs, or the change-of-control definition in § 4.1-606 B 20.
- The draft does not include a disclosure form.

What other states required or scored

Not required in Virginia. Shown so applicants can see what other regulators asked for.

Massachusetts (935 CMR 500)

- Massachusetts defines a "Person or Entity Having Direct Control" to include an owner, anyone with a voting interest of 20% or more or "a right to veto significant events," a close associate, and anyone entitled to 20% or more of profits or dividends (935 CMR 500.002, definitions).
- Indirect control includes anyone with direct control over a holding or parent company, the chief executive officer and executive director of those companies, and anyone positioned to control decision-making indirectly (935 CMR 500.002, definitions).
- Applicants list all persons with direct or indirect control and submit any contract or document that "explicitly or implicitly conveys" control (935 CMR 500.101(1)(a)1.).
- Each capital contributor is disclosed with amount and source, a bank record dated within 60 days, a lawful-funds certification, and any loan agreement (935 CMR 500.101(1)(a)4.).
- No person with direct or indirect control may hold more than six retailer licenses or more than three cultivator or product manufacturer licenses (935 CMR 500.050(1)(b)1.).

New York (9 NYCRR Parts 118, 120)

- New York's "true party of interest" includes officers, managers, board members, stockholders, each level of a multilevel ownership structure, holders of a financial interest, anyone assuming the applicant's debts, and spouses of listed individuals (9 NYCRR 118.1(a)(105)(i)).

- It also includes anyone receiving payments in a year above the greater of 10% of gross revenue, 50% of net profit, or $250,000 under a risk-sharing or goods and services agreement (9 NYCRR 118.1(a)(105)(i)(d)).
- Fixed-rent landlords and employees with sales commissions up to 10% are excluded, though the Office "may investigate a landlord" where rent was waived or deferred (9 NYCRR 118.1(a)(105)(ii)).
- Applicants file capitalization tables listing holders above 10% (private) or 5% (publicly traded), "any person with any future rights to ownership or revenue," and total undisclosed shares (9 NYCRR 120.2(a)(2)(vii)).
- All proposed or executed contracts, term sheets and side letters with goods and services providers are disclosed, with listed exemptions (9 NYCRR 120.2(a)(2)(vi)).
- Applicants describe cannabis licenses held in other jurisdictions, grant permission to contact those regulators, and supply records of any denial, suspension or sanction (9 NYCRR 120.2(a)(2)(xii)).

Ohio (OAC 1301:18-3)

- Ohio requires an ownership list and capitalization table identifying every person with a 10% or greater ownership interest, plus an organizational chart of all owners, officers and board members (OAC 1301:18-3-04(A)(1)-(2)).
- For each owner, officer and board member: legal name, address, date of birth showing age 21 or older, proposed role, and interests in other cannabis entities (OAC 1301:18-3-04(A)(3)).
- Option agreements, debt conversions and other agreements creating a current or future right in equity are listed "regardless of whether they meet the definition of ownership" (OAC 1301:18-3-04(A)(7)).
- Pending or executed merger, sale, option, letter of intent, consulting, management and similar agreements are filed (OAC 1301:18-3-04(A)(8)).
- At least 30 days before issuance or renewal of a certificate of operation, the licensee re-reviews the disclosures and files a certification by an independent licensed auditor or CPA (OAC 1301:18-3-04(B)).

Maryland (COMAR 14.17.16)

- Maryland requires anyone with any ownership interest or control in a licensee to be 21 or older, with a limited exception for trust beneficiaries (COMAR 14.17.16.01A-B).
- A table of organization, ownership and control is filed by July 1 each year, within 10 business days of any ownership change greater than 5%, and on request (COMAR 14.17.16.02A).
- The table names holders of more than 5% of voting shares and, to the extent known, relatives who together own or control more than 10% (COMAR 14.17.16.02C).
- A licensee owned by another entity discloses the parent relationship and each owner, board member, officer and controlling individual of that entity (COMAR 14.17.16.02D).

Illinois (IDFPR dispensary application)

- Illinois's Exhibit C Table of Organization, Ownership and Control identified every principal officer and entity that manages, owns or controls the license holder, each person's office and ownership percentage, and each parent company "for each level of ownership" (IDFPR Application, Exhibit C(a)).
- For publicly traded entities, holders of more than 5% of voting shares and related persons together holding more than 10% were listed (IDFPR Application, Exhibit C(b)).

- Formation documents were attached by entity type, and partnerships without a written agreement filed a statement signed by all partners (IDFPR Application, Exhibit C(c)-(f)).

New Jersey (N.J.A.C. 17:30)

- New Jersey requires organizational charts identifying owners, principals, management services contractors, managers, and all parent companies, subsidiaries, affiliates, predecessors and successors (N.J.A.C. 17:30-7.10(d)1).
- Applicants list all owners, passive investors, principals and managers with names, addresses, dates of birth and ownership percentages, with photo ID showing each owner and principal is at least 21 (N.J.A.C. 17:30-7.10(d)2-3).

Sources checked 2026-11-22.

- Cannabis Control Commission, 935 CMR 500.000 (effective 09-11-26)
- Office of Cannabis Management, Express Terms adopting Parts 118-125 and 131 (9 NYCRR)
- OAC 1301:18-3-04, Disclosure of Ownership, Financial Interest, and Control
- COMAR 14.17.16.01, Conditions of Ownership and Control
- COMAR 14.17.16.02, Disclosure of Ownership and Control
- IDFPR, Conditional Adult Use Dispensing Organization License Application (rev. 10/11/19)
- NJ Cannabis Regulatory Commission, N.J.A.C. 17:30 Personal Use Cannabis Rules

Sources: Code of Virginia § 4.1-600 (Definitions); Code of Virginia § 4.1-604 (Powers and duties of the Board); Code of Virginia § 4.1-606 (Regulations of the Board); Code of Virginia § 4.1-702 (Transfer of license; impact license holding period); Code of Virginia § 4.1-803 (Microbusiness license); Code of Virginia § 4.1-806 (Marijuana testing facility license); Code of Virginia § 4.1-807 (Multiple licenses awarded to one person; limitations); Code of Virginia § 4.1-810 (Conditions under which the Board shall or may refuse to grant licenses); Code of Virginia § 4.1-900 (Grounds for which Board may suspend or revoke licenses); Code of Virginia § 4.1-1000 (Applications for licenses; background checks); Code of Virginia § 4.1-1602.1 (Dual-use privileges); Code of Virginia § 4.1-1602 (Permit to operate pharmaceutical processor); CCA draft adult-use regulations, Sept. 9, 2026 (proposed, not final): 3VAC10-20-15, 3VAC10-30, 3VAC10-60-20.

Impact Licensee Eligibility Worksheet

The impact licensee rules in the Cannabis Control Act, HB 30 and the CCA draft rules, each cited: the 51% ownership and control test, the residency prong, the six qualifying criteria, the Board's required preferences and fee waivers, impact lotteries and license shares, the five-year transfer limit, cooperative agreements, and the first-round microbusiness pathway.

Who needs it: Applicants seeking impact licensee status for any license type; Applicants for the first-round microbusiness licenses through the impact pathway. **Rule basis:** Code of Virginia §§ 4.1-600, 4.1-604 8, 9, 36 and 37, 4.1-606 B 13, 14 and 18, C 1, 4.1-702 C, 4.1-1000 C and E; HB 30 enactments 12, 13, 16 and 21; draft rules 3VAC10-20-15 D, 3VAC10-30-20 D and E, 3VAC10-40-90 (proposed).

Virginia law defines an impact license applicant as one at least 51% owned and directly controlled by people who meet a residency test and at least one of six criteria, requires the Board to give such applicants a licensing preference and other support, and limits transfers of impact licenses for five years. The Sept. 9, 2026 draft rules do not include the identification process the statute directs the Board to establish. Citations to 3VAC10 are to the CCA's draft regulations dated Sept. 9, 2026 (proposed, not final; they may change before adoption).

What Virginia requires

The definition (statute)

An impact license applicant is "an applicant that has at least 51 percent ownership and direct control by a person or persons who" meet both parts below (Code of Virginia § 4.1-606 B 13). An "impact licensee" is a licensee that meets those criteria (§ 4.1-600).

Part 1, residency. The person or persons:

- (a) resided between 1999 and 2025 in a jurisdiction that, using U.S. Census Bureau census tract data, is determined to have been disproportionately policed for marijuana crimes; or
- (b) resided for at least three of the past five years in a historically economically disadvantaged community (§ 4.1-606 B 13 (i)).

A "historically economically disadvantaged community" is (i) a jurisdiction identified by the Board using census tract data in which marijuana possession offenses were committed at a rate over 150% of the statewide average during 2009 to 2019, or (ii) a historically underutilized business zone as defined in 15 U.S.C. § 657a (§ 4.1-600).

Part 2, one or more of six criteria. The person or persons (§ 4.1-606 B 13 (ii)):

1. Have been convicted of or adjudicated delinquent for a violation of § 18.2-248.1, former § 18.2-250.1, or § 18.2-265.3 A as it relates to marijuana, or a substantially similar offense in another jurisdiction;
2. Are the parent, child, sibling or spouse of a person with such a conviction or adjudication;
3. Attended for at least five years a public elementary or secondary school in a historically economically disadvantaged community;
4. Received a Federal Pell Grant, or attended for at least two years a college or university where at least 30% of students, on average, are Pell-eligible;
5. Are veterans of the U.S. Armed Forces; or
6. Qualified for financial assistance or relief from the U.S. Department of Agriculture as a distressed farmer in the last five years.

What the Board must provide (statute)

- The Board must establish "a process by which to identify impact license applicants" (§ 4.1-606 B 13).
- For impact applicants, the Board must establish standards and requirements for (i) a preference in the licensing process; (ii) what percentage of application or license fees are waived for impact licensees unable to pay standard fees; (iii) grant or low-interest business loan programs; (iv) a waiver of any requirement to show proof of funds or current possession and control of the premises at application; and (v) to the extent practicable, proportional distribution of licenses among the applicant groups (§ 4.1-606 B 14).
- Applications, including renewals, include any information the Board needs to determine whether the applicant meets or continues to meet the § 4.1-606 B 13 criteria (§ 4.1-1000 C).
- The Board must allow impact licensees and microbusinesses to (i) enter into cooperative agreements; (ii) lease space and equipment and cultivate, process and sell on another licensee's premises; and (iii) process out of a shared processing space, with no more than one outdoor cultivation license per parcel or contiguous parcels under common ownership or control (§ 4.1-606 B 18).
- The Board establishes a Cannabis Impact Business Liaison and a Cannabis Impact Business Support Team, which provides business planning assistance to potential licensees among other duties (§ 4.1-604 8 and 9).
- The Board reports semi-annually on fees waived or reduced and on licenses issued to or renewed for persons identified in § 4.1-606 B 13 (§ 4.1-604 36), and maintains a public online registry of licensees searchable by license type and impact licensee designation (§ 4.1-604 37).

License numbers and lotteries (statute)

- If the Board limits the number of licenses of a type (other than retail stores), the number available to impact applicants must be equal to or greater than the number available to all other applicants; the same applies to any additional Tier V licenses the Board makes available beginning Jan. 1, 2028 (§ 4.1-606 C 1).
- If impact applicants seeking a license type outnumber the licenses made available to them, the CCA first holds an impact-only lottery; impact applicants not selected join the general pool for that license type (§ 4.1-1000 E).
- On or before May 1, 2027, the CCA may issue up to 100 microbusiness licenses to applicants that include impact license applicants under § 4.1-606 B 13, if they meet applicable licensing requirements and the CCA's "financial, security, and operational readiness criteria" (HB 30, 2026 Sp. Sess. I, c. 1, enactment 12).
- The CCA issues at least 55 additional licenses, distributed among impact licensees and other license types the Board determines, on or before July 1, 2027 (HB 30, enactment 16).

- A pharmaceutical processor exercising dual-use privileges participates in an impact licensee business accelerator plan for at least three years after verification (HB 30, enactment 13).
- From May 1, 2027 to May 1, 2028, the CCA deposits 75% of all marijuana establishment annual license fees into the Cannabis Equity Business Loan Fund (HB 30, enactment 21).

Fees (draft)

- A qualified impact licensee applicant may request that the Board reduce or waive application or license fees by submitting a fee waiver request at initial or renewal application; the CCA "may, in its discretion and on a case-by-case basis, approve the fee reduction or waiver" (3VAC10-20-15 D, draft).

Transfers (statute and draft)

- No impact licensee, or person holding a direct or indirect beneficial interest in it, may sell, assign or transfer a controlling interest of more than 49% to any person or entity for five years from the date the license is issued; the Board may except estate-plan transfers to a family member or a trust for the licensee's immediate family (§ 4.1-702 C; 3VAC10-30-20 D, draft).
- If an impact license was obtained through a fraudulent financial transaction or predatory operating agreement, or transferred in violation of § 4.1-702 C, the Board immediately begins revocation proceedings and requires the original impact licensee and any other true parties of interest to repay all waived application or licensing fees (§ 4.1-606 B 14).
- After five years, if more than 49% is transferred to a person or entity that does not qualify as an impact applicant, the Board may allow the change but may revoke impact license privileges, and the new holder pays any amount the transferor owed the Board (3VAC10-30-20 E, draft).

Cooperative and shared space (draft)

- Impact licensees and microbusinesses may request CCA approval to enter cooperative agreements, lease space and equipment and operate on another licensee's premises, and process out of a shared processing space (3VAC10-40-90 A, draft).
- No more than one outdoor cultivation license may be exercised on a parcel or contiguous parcels under common ownership or control (3VAC10-40-90 B, draft).
- Each licensee in shared space complies with all inventory tracking, recordkeeping and security requirements unless the Board authorizes otherwise (3VAC10-40-90 C, draft).

Records and forms the rules name

Ownership and control test (§ 4.1-606 B 13: at least 51% ownership and direct control by qualifying persons)

Owner	% ownership	Direct control role	Meets Part 1 (residency)	Meets Part 2 (one of six criteria)	Qualifying owner
Total ownership held by qualifying owners					must be at least 51%

Part 1 residency, one per qualifying owner (§ 4.1-606 B 13 (i))

Prong	Jurisdiction or community	Years of residence
(a) Resided 1999 to 2025 in a jurisdiction determined to have been disproportionately policed for marijuana crimes		
(b) Resided at least three of the past five years in a historically economically disadvantaged community (§ 4.1-600)		

Part 2 criteria, one per qualifying owner (§ 4.1-606 B 13 (ii))

Criterion	Applies (Y/N)
1. Own marijuana conviction or adjudication under the listed sections	
2. Parent, child, sibling or spouse with such a conviction or adjudication	
3. Five years at a public K-12 school in a historically economically disadvantaged community	
4. Pell Grant recipient, or two years at a college with at least 30% Pell-eligible students	
5. U.S. Armed Forces veteran	
6. USDA distressed-farmer assistance or relief in the last five years	

What the law does not say

- Neither the statute nor the Sept. 9, 2026 draft lists the jurisdictions determined to have been disproportionately policed, or the communities the Board identifies as historically economically disadvantaged under § 4.1-600 (i).
- The draft rules do not include the identification process, preference standards, fee waiver percentages or documentation requirements that § 4.1-606 B 13 and 14 direct the Board to establish.
- The definitions in § 4.1-600 do not define “direct control.”

What other states required or scored

Not required in Virginia. Shown so applicants can see what other regulators asked for.

Illinois (410 ILCS 705/15-30; IDFPR dispensary application)

- Illinois awarded 50 of 250 application points for “Status as a Social Equity Applicant” (410 ILCS 705/15-30(c)(5)).

- The 2019 application listed four routes: at least 51% owned and controlled by people who lived 5 of the preceding 10 years in a Disproportionately Impacted Area; by people with an offense made eligible for expungement by Public Act 101-0027; by family members of such a person; or an Illinois business with at least 10 full-time employees, 51% of whom meet one of those tests (IDFPR Application, item 11).
- Residency evidence for the Disproportionately Impacted Area route included tax filings, voter registrations, leases, mortgages, paycheck stubs, utility bills, insurance forms or school records naming the qualifying officers (IDFPR Application, Exhibit P item 2).
- For the employee route, evidence was filed for each employee and the applicant had a duty to report later changes in employee status (IDFPR Application, Exhibit P item 5).
- The application fee was $5,000, or $2,500 for a qualifying Social Equity Applicant (IDFPR Application, Instructions).
- Illinois ran a separate Social Equity Justice Involved Lottery for applications with at least 213 points that also received points as a qualifying justice-involved applicant (IDFPR, FAQs for QAL, SEJIL and TAL).

New Jersey (N.J.A.C. 17:30-6)

- New Jersey defines a social equity business as more than 50% owned by people who lived in an economically disadvantaged area for 5 of the 10 preceding years and whose household income is 80% or less of the State average median (N.J.A.C. 17:30-6.6(a)1).
- The alternative route is more than 50% ownership by people convicted of or adjudicated delinquent for at least two marijuana-related disorderly persons offenses or one marijuana-related indictable offense, expunged or not (N.J.A.C. 17:30-6.6(a)2).
- An impact zone business is located in an impact zone, is more than 50% owned by residents of three or more consecutive years, or attests that at least 25% of employees live in impact zones (N.J.A.C. 17:30-6.5(a)).
- A license issued on an impact zone employment plan may be suspended or revoked if the percentages are not met within 90 days of starting operations (N.J.A.C. 17:30-6.5(b)).
- A diversely owned business is one certified as minority-, woman- or disabled-veteran-owned by the Division of Revenue and Enterprise Services, and the certification is filed with the application (N.J.A.C. 17:30-6.4(a)-(b)).

New York (9 NYCRR Parts 116, 121)

- New York's social and economic equity status requires "sole control" by an individual from a community disproportionately impacted by cannabis enforcement, a minority-owned business, a women-owned business, a distressed farmer, or a service-disabled veteran owned business (9 NYCRR 121.1(a)(1)).
- Anyone contributing to sole control must hold at least a 1% equity share (9 NYCRR 121.1(a)(2)).
- The disproportionately impacted residency test is 5 of the first 18 years of life or 7 years in total, and breaks for incarceration, education, illness, foster care, custody matters or homelessness may be considered (9 NYCRR 121.1(d)(2)).
- Proof of ownership and sole control includes by-laws, board resolutions, stock and securities documents, quarterly payroll records, and comparisons of employee, executive and shareholder compensation (9 NYCRR 121.2(a)).
- Minority- and women-owned status may be shown by a state MWBE certification or a sworn declaration made under penalty of law (9 NYCRR 121.1(f)-(g)).

- For the Conditional Adult-Use Retail Dispensary (CAURD) round, a justice-involved individual had a New York marihuana-related conviction before March 31, 2021, or was the parent, guardian, child, spouse or dependent of someone who did (9 NYCRR 116.4(a)(2)(i)).
- That individual also held at least 10% ownership and control for at least two years in a "qualifying business," one with net profit in at least two years of operation (9 NYCRR 116.4(a)(2)(iii)).
- At least one eligible individual owned at least 30% of the CAURD applicant and held sole control (9 NYCRR 116.4(b)(2)).

Massachusetts (935 CMR 500)

- Massachusetts Social Equity Program eligibility includes income not above 400% of Area Median Income plus five of the preceding ten years' residency in an Area of Disproportionate Impact (935 CMR 500.105(17)(b)1.).
- Accepted residency proof includes a Massachusetts driver's or ID record, a lease, a deed, school, housing authority or banking records, utility bills, or dated government correspondence (935 CMR 500.105(17)(b)1.a.-h.).
- Other routes are 12 months' Massachusetts residency plus a M.G.L. c. 94C conviction or continuance without a finding, or being married to or the child of such a person (935 CMR 500.105(17)(b)2.-3.).
- The regulation states the program "is not a licensing program" and completion does not guarantee a license (935 CMR 500.105(17)(c)).
- An Economic Empowerment Priority Applicant met three of six criteria, at least one a majority-ownership criterion such as more than 50% ownership by people who lived 5 of 10 years in an Area of Disproportionate Impact (935 CMR 500.002, definitions).
- Marijuana Courier and Delivery Operator licenses are limited to businesses majority-owned and controlled by Economic Empowerment Priority Applicants or Social Equity Program Participants until April 1, 2029 (935 CMR 500.050(10)-(11)).

Maryland (COMAR 14.17)

- Maryland defines a social equity applicant as one with at least 65% ownership and control held by people who lived in a disproportionately impacted area for 5 of the preceding 10 years, attended public school there for at least 5 years, or attended for 2 years a Maryland four-year college where at least 40% of students are Pell-eligible (COMAR 14.17.01.01B(48)).
- A disproportionately impacted area is one with more than 150% of the State's 10-year average for cannabis possession charges (COMAR 14.17.01.01B(20)).
- The Administration may verify social equity status before the initial application, and supporting information is subject to verification as part of the application (COMAR 14.17.05.02G-H).

Sources checked 2026-11-22.

- 410 ILCS 705/15-30 (FindLaw mirror of Illinois Compiled Statutes)
- IDFPR, Conditional Adult Use Dispensing Organization License Application (rev. 10/11/19)
- IDFPR, FAQs for QAL, SEJIL and TAL
- NJ Cannabis Regulatory Commission, N.J.A.C. 17:30 Personal Use Cannabis Rules
- Office of Cannabis Management, Express Terms adopting Parts 118-125 and 131 (9 NYCRR)

- 9 NYCRR 116.4, License Eligibility and Evaluation (Cornell LII mirror)
- Cannabis Control Commission, 935 CMR 500.000 (effective 09-11-26)
- COMAR 14.17.01.01, Definitions
- COMAR 14.17.05.02, Application Requirements

Sources: Code of Virginia § 4.1-600 (Definitions); Code of Virginia § 4.1-604 (Powers and duties of the Board); Code of Virginia § 4.1-606 (Regulations of the Board); Code of Virginia § 4.1-702 (Mandatory holding period for impact licenses); Code of Virginia § 4.1-1000 (Applications for licenses; lotteries); HB 30 (2026 Sp. Sess. I, c. 1), Item 4-14 enactment clauses (enactments 12, 13, 16, 21); CCA draft adult-use regulations, Sept. 9, 2026 (proposed, not final): 3VAC10-20-15, 3VAC10-30-20, 3VAC10-40-90.

Business and Operations Plan Outline

What the Cannabis Control Act, HB 30 and the CCA draft rules say the Board considers or requires on finances, capital, readiness, people, operating deadlines, taxes and fees, plus every written policy, procedure and plan the draft rules require a licensee to have, each cited.

Who needs it: Adult-use license applicants; Impact license applicants (the statute directs the Board to set a waiver of proof of funds at application). **Rule basis:** Code of Virginia §§ 4.1-606 B 14, 4.1-702 F, 4.1-810 B 1 e, 4.1-900 A 1 e, 4.1-902 3, 4.1-1000 F, 4.1-1001, 4.1-1002, 4.1-1004, 4.1-1005; HB 30 enactments 12, 13 and 15; draft rules 3VAC10-20, 3VAC10-30-100, -120, -130, -190, 3VAC10-40, 3VAC10-50, 3VAC10-60-40, 3VAC10-80-20 (proposed).

Neither the Cannabis Control Act nor the CCA's draft rules prescribe a business plan document. They do name what the Board considers: financial responsibility, separate capital, ability to control diversion, operating readiness, staffing, deadlines to open, and taxes and fees. The draft rules also require a long list of written policies and plans. This page lists those requirements; the format of any plan is not set by law. Citations to 3VAC10 are to the CCA's draft regulations dated Sept. 9, 2026 (proposed, not final; they may change before adoption).

What Virginia requires

Finances and capital

- The Board must refuse a license if the applicant or a 10% owner, officer or director "has not demonstrated financial responsibility sufficient to meet the requirements of the business proposed to be licensed" (Code of Virginia § 4.1-810 B 1 e); inability to demonstrate it is also a ground to suspend or revoke (§ 4.1-900 A 1 e).
- Within 18 months of preliminary approval, the applicant provides "documentation of separate and distinct capital to support the proposed operations" (3VAC10-30-120 D, draft).
- For impact applicants, the Board must set standards for "a waiver of any requirements to show proof of funds or current possession and control of the proposed licensed premises at the time of application" and for fee waivers and grant or low-interest loan programs (§ 4.1-606 B 14).
- First-round microbusiness applicants must meet "financial, security, and operational readiness criteria as established by the Authority" (HB 30, 2026 Sp. Sess. I, c. 1, enactment 12).

Criteria in the notice of open applications (draft)

- Any history of disciplinary action by a state or federal regulatory agency (3VAC10-30-100 A 2 a, draft).
- The applicant's ability to maintain adequate control against diversion, theft and loss (3VAC10-30-100 A 2 b, draft).

- The applicant's ability to maintain "the knowledge, understanding, judgment, procedures, security controls, and ethics to ensure optimal safety and accuracy in the dispensing and sale of marijuana products" (3VAC10-30-100 A 2 c, draft).
- The extent of the applicant's or owners' financial interests in other licenses, permits, registrants or applicants (3VAC10-30-100 A 2 d, draft).

Deadlines to open and stay open

- Within 18 months of selection, the applicant provides the site, the local governing body, an updated security plan if applicable, and any other information the CCA requires; one extension of up to six months is possible (§ 4.1-1000 F).
- Within 18 months of preliminary approval, the draft requires a distinct physical address, separate capital, employment of a PIC, responsible party and other personnel, construction or remodeling, equipment installation and local zoning approval (3VAC10-30-120 D, draft).
- The Board shall suspend or revoke a license that "is not operational within 12 months of the issuance of the license" (§ 4.1-902 3). The draft rule states 18 months from issuance unless extended for good cause, with "commenced operation" defined by license type (receipt of product, plants under cultivation, or receipt of product for delivery) (3VAC10-30-130 F, draft).
- A microbusiness engages in cultivation, processing and retail sale and is fully operational within 18 months of issuance unless extended (3VAC10-30-130 H, draft).
- Once operating, the establishment informs the CCA of its normal hours and the identity of its designated supervisor (3VAC10-30-130 E and G, draft).
- Discontinuance of business for more than 60 days, unless the Board approves an extension for good cause (which excludes voluntary closing), is a ground for action (3VAC10-80-20 7, draft).
- At least 30 days before closing temporarily or permanently, the owner notifies the Board and posts a notice on the window or door, and reports the proposed disposition of all product and records (3VAC10-30-190, draft).
- License privileges continue until the last day of the twelfth month or the designated expiration date (§ 4.1-702 F).

People (draft unless noted)

- A responsible party who serves only one establishment, is employed full time in a managerial position at that location, and is actively engaged in daily operations (3VAC10-40-120 B, draft); for cultivation, processing and microbusiness licenses, with at least two years of verifiable experience cultivating plants or extracting chemicals from plants (3VAC10-40-120 A, draft).
- A designated supervisor present and in actual charge whenever the responsible party is not present and the establishment is open (3VAC10-30-130 G, draft).
- No employees or volunteers under 21 (Code of Virginia §§ 4.1-810 B 1 c, 4.1-1200 A 7).
- A labor peace agreement with a bona fide labor organization, with an attestation at initial and renewal application (§ 4.1-1001 B and C).

Taxes and fees (statute and draft)

- A state tax on retail marijuana sales of 6% before July 1, 2029 and 8% on and after that date, in addition to retail sales and use tax; sales between marijuana establishments, medical cannabis sales, and hemp product sales are not subject to it (§ 4.1-1004 A).
- A local marijuana tax of 1% to 3.5% levied by each locality (§ 4.1-1004 B 1).
- The seller collects the tax and holds it in trust; a return under oath is filed and tax paid on or before the 10th of each month; a seller that sells or quits the business files a final return within 15 days (§ 4.1-1005 A, B and E).
- Annual license fees are set by the Board to cover the cost of regulation; licensees remain liable for state merchants' license and other state taxes (§ 4.1-1002).
- Draft application, initial and renewal fees by license type are in 3VAC10-20-60 to -120 (see the table in the Application document checklist); change fees are $200, $500 or $5,000 depending on the change (3VAC10-20-15 C, draft).
- The CCA may begin accepting applications on and after Feb. 1, 2027 and issuing licenses on and after May 1, 2027 (HB 30, enactment 15).

Dual-use processors (statute)

- A pharmaceutical processor applying for dual-use privileges submits and obtains approval for "a detailed medical cannabis program preservation plan describing how such processor will prioritize sales and access to medical cannabis products for qualifying patients, including a plan for managing customer traffic flow, preventing supply shortages, and ensuring appropriate staffing" (HB 30, enactment 13).

Records and forms the rules name

Written policies, procedures and plans the draft rules require

Document	Cite	Template on this site
Security plan details (application)	3VAC10-30-130 A 6	Security plan
Policies for secure operations: compartments, colored ID cards, chain of custody	3VAC10-40-80 D	Security plan
Policies for secure and proper dispensing	3VAC10-40-80 E	
Policies for authorized activities, security, storage and inventory, including diversion reporting and error correction	3VAC10-40-80 F	Inventory SOP
Crisis plan for labor strike, fire, flood, natural disaster or emergency	3VAC10-40-80 F 2	Security plan
Segregation and destruction of outdated, damaged or adulterated product	3VAC10-40-80 F 3	Waste disposal SOP
Oldest-stock-first procedure	3VAC10-40-80 F 4	Inventory SOP

Document	Cite	Template on this site
Recall procedures and recall plan	3VAC10-40-80 F 1; 3VAC10-50-40	Recall plan
Inventory controls and procedures	3VAC10-40-60 B	Inventory SOP
Alcohol-free, drug-free and smoke-free workplace policy	3VAC10-40-20 E	Employee training plan
Employee training program and records	3VAC10-40-100	Employee training plan
Retail transaction error quality assurance program	3VAC10-50-95	Age and ID verification SOP
Sampling policies and procedures	3VAC10-60-40 D and E	Testing and sampling SOP
Hydrocarbon solvent SOPs, good manufacturing practices and training plan	3VAC10-50-60 A 10	
Industrial hemp extract storage, handling and recall procedures	3VAC10-50-50 E	Recall plan
Transport and delivery filings and records	3VAC10-40-235 to -285	Transport and delivery SOP
Packaging and labeling compliance, child-resistant certificate	3VAC10-70	Packaging and labeling checklist
Video surveillance system	3VAC10-40-140 F	Video surveillance SOP
Record retention	3VAC10-40-70	Record retention schedule
Advertising	3VAC10-40-160 to -190	Advertising checklist

Deadline tracker (each row is a deadline in the cited source)

Event	Deadline	Cite	Date
Notice of selection for preliminary approval	Start of 18-month window	§ 4.1-1000 F	
Site and related information to the CCA	Within 18 months of selection (one extension up to 6 months)	§ 4.1-1000 F	
Local governing body objections	30 days after CCA notice	§ 4.1-1000 G	

Event	Deadline	Cite	Date
CCA decision	Within 90 days of receiving site information and background results	§ 4.1-1000 I	
Operational after license issuance	12 months (statute); 18 months (draft)	§ 4.1-902 3; 3VAC10-30-130 F	
Monthly marijuana tax return and payment	On or before the 10th of each month	§ 4.1-1005 B	

What the law does not say

- Neither the statute nor the draft rules prescribe a business plan, pro forma or minimum capital amount.
- The draft rules do not list what documents prove "separate and distinct capital" (3VAC10-30-120 D, draft).
- The statute's 12-month operational deadline (§ 4.1-902 3) and the draft's 18-month deadline (3VAC10-30-130 F, draft) differ; the draft does not address the difference.

What other states required or scored

Not required in Virginia. Shown so applicants can see what other regulators asked for.

Illinois (410 ILCS 705/15-30; IDFPR dispensary application)

- Illinois scored "Applicant's Business Plan, Financials, Operating and Floor Plan" at 65 of 250 points (410 ILCS 705/15-30(c)(3)).
- The scored business plan described long-term management, including the point-of-sale system, purchases and denials of sale, confidentiality, and products and services offered (410 ILCS 705/15-30(c)(3)(A)).
- The scored operating plan covered day-to-day operation and staffing and could include the percentage of full-time employees paid a living wage (410 ILCS 705/15-30(c)(3)(B)).
- The application's Business Plan exhibit (30 pages) also asked how denials of sale would be tracked and the estimated volume of cannabis to be stored at the dispensary (IDFPR Application, Exhibit F).
- The Operating Plan exhibit was limited to 40 pages; codes of conduct, benefits, living wage standards and labor peace agreements went in the separate labor exhibit (IDFPR Application, Exhibit K).
- Knowledge and experience of principal officers was scored at 30 points, covering business management or cannabis industry experience and knowledge of product strains and planned product types and quantities (410 ILCS 705/15-30(c)(4)).
- Exhibit O (Financials) asked for a statement that the applicant would have "access to sufficient funds to own and operate" the dispensary (IDFPR Application, Exhibit O).

Massachusetts (935 CMR 500)

- Massachusetts requires a proposed timeline to operation with evidence of readiness, an insurance plan, and "a detailed summary of the business plan" (935 CMR 500.101(1)(c)5.-7.).
- The operating policies summary covers security, diversion, storage, transportation, inventory, quality control and testing, personnel, dispensing, recordkeeping, financial records, and a diversity plan with goals, programs and measurements (935 CMR 500.101(1)(c)8.).
- The profile describes qualifications and intended training for employees and discloses proposed hours and emergency contacts (935 CMR 500.101(1)(c)9., 11.).

New York (9 NYCRR Parts 120, 125)

- New York requires a site plan showing activities in each area, parcel boundaries, perimeter dimensions, entrances and exits, and for cultivators the canopy, propagation, drying and chemical storage areas (9 NYCRR 125.2(a)).
- The operating plan consists of written operating procedures, an employee handbook, and the listed information, available to the Office "immediately upon request" (9 NYCRR 125.2(b)).
- Written procedures cover theft and loss, restricted area access, loitering, cash handling, complaints and recalls, and at least four hours per year of ongoing training per full-time employee (9 NYCRR 125.2(b)(1)).
- Evaluation criteria may include a community impact plan, Part 125 plans showing environmental strategies, and past wages, benefits, training, retention and diversity in hiring (9 NYCRR 120.7(b)).
- Applicants formed within the prior year file financial statements for their existence and any pro forma financials used for business planning (9 NYCRR 120.2(a)(2)(x)).

New Jersey (N.J.A.C. 17:30)

- New Jersey requires an operation manual covering adverse events, QA/QC, recall, packaging and labeling, inventory and diversion, waste, accounting and tax, and test reporting (N.J.A.C. 17:30-9.6(a)1).
- The manual also includes security policies, a disaster plan for fire and other emergencies, hours and after-hours contact, fee schedule, privacy standards and age verification procedures (N.J.A.C. 17:30-9.6(a)4-6).
- The annual application includes an operating plan, a business and financial plan, an environmental impact plan addressing single-use plastic alternatives and water use, a community impact plan, and a workforce development plan (N.J.A.C. 17:30-7.10(b)14-19).
- A plan to obtain liability insurance is part of the application (N.J.A.C. 17:30-7.10(b)12).

Maryland (COMAR 14.17)

- Maryland's pass-fail review looks for "a detailed operational plan" and a business plan "demonstrating a likelihood of success" and appropriate employee working conditions (COMAR 14.17.05.03E(3)).
- Dispensary standard operating procedures cover inventory in the seed-to-sale system with a monthly physical count, receiving, storage, equipment calibration, packaging, green waste, security and visitors, recalls, and dispensing (COMAR 14.17.12.11A).
- Procedures must be available to each agent "in a form the agent understands" and must reflect actual practice (COMAR 14.17.12.11B).

Ohio (OAC 1301:18)

- Ohio requires written policies for daily operation that mitigate diversion, theft or loss (OAC 1301:18-8-02(A)).
- Major renovations or modifications are submitted at least 60 calendar days before implementation (OAC 1301:18-8-02(C)).
- Dispensaries are compartmentalized by function, with secure areas for inventory storage, security equipment, destruction and disposal, and receipt of deliveries (OAC 1301:18-8-02(E)).

Sources checked 2026-11-22.

- 410 ILCS 705/15-30 (FindLaw mirror of Illinois Compiled Statutes)
- IDFPR, Conditional Adult Use Dispensing Organization License Application (rev. 10/11/19)
- Cannabis Control Commission, 935 CMR 500.000 (effective 09-11-26)
- Office of Cannabis Management, Express Terms adopting Parts 118-125 and 131 (9 NYCRR)
- NJ Cannabis Regulatory Commission, N.J.A.C. 17:30 Personal Use Cannabis Rules
- COMAR 14.17.05.03, Application Notification, Submission, and Review
- COMAR 14.17.12.11, Standard Operating Procedures
- OAC 1301:18-8-02, Dispensary Operating Procedures and Quality Assurance

Sources: Code of Virginia § 4.1-606 (Regulations of the Board); Code of Virginia § 4.1-702 (License term); Code of Virginia § 4.1-810 (Conditions under which the Board shall or may refuse to grant licenses); Code of Virginia § 4.1-900 (Grounds for which Board may suspend or revoke licenses); Code of Virginia § 4.1-902 (Grounds for which Board shall suspend or revoke licenses); Code of Virginia § 4.1-1000 (Applications for licenses); Code of Virginia § 4.1-1001 (Labor peace agreements); Code of Virginia § 4.1-1002 (Fees for state licenses); Code of Virginia § 4.1-1004 (Marijuana taxes); Code of Virginia § 4.1-1005 (Tax returns and payments); Code of Virginia § 4.1-1200 (Illegal cultivation, etc., by licensees); HB 30 (2026 Sp. Sess. I, c. 1), Item 4-14 enactment clauses (enactments 12, 13, 15); CCA draft adult-use regulations, Sept. 9, 2026 (proposed, not final): 3VAC10-20 to 3VAC10-80.

Local Zoning and Site Checklist

The site and local-government rules in the Cannabis Control Act and the CCA draft rules, each cited: the 1,000-foot buffers, residential and access conditions, local zoning and business license powers, hours ordinances, the locality's 30-day objection window, local marijuana tax, canopy and parcel limits, microbusiness locations, possession of premises, and site changes.

Who needs it: Retail store and microbusiness applicants (statutory 1,000-foot buffers); Every marijuana establishment applicant (draft school and daycare buffer, local zoning, no private residences); Regulated hemp product retail facility applicants (draft site items). **Rule basis:** Code of Virginia §§ 4.1-606 B 10, C 3 and 4, 4.1-629, 4.1-630, 4.1-702 A and E, 4.1-800 A, C and D, 4.1-803 A and B, 4.1-809, 4.1-810 B 3 and 4, 4.1-1000 F to I, 4.1-1004 B, 4.1-1406 A 1, 4.1-1602.1 D; draft rules 3VAC10-20-15 C 5, 3VAC10-30-10, -120, -130, -135, -180, 3VAC10-40-30 A 1, -35 A 1, -90 B (proposed).

The Cannabis Control Act bars localities from prohibiting or regulating marijuana businesses as such, but keeps local zoning, land use and business license powers, lets localities set hours of sale, and gives the local governing body 30 days to object once an applicant names its site. The Act sets 1,000-foot buffers for retail stores and microbusinesses, and the CCA's draft rules would apply a 1,000-foot school and daycare buffer to every marijuana establishment. Citations to 3VAC10 are to the CCA's draft regulations dated Sept. 9, 2026 (proposed, not final; they may change before adoption).

What Virginia requires

Local government powers (statute)

- No county, city or town may adopt an ordinance or resolution that regulates or prohibits the cultivation, processing, possession, sale, distribution, handling, transportation, consumption, use, advertising or dispensing of marijuana, except as provided in § 4.1-630 and § 4.1-629 (Code of Virginia § 4.1-629 A).
- Except as provided, nothing in the subtitle limits a locality's authority "to adopt and enforce local ordinances to regulate businesses licensed pursuant to this subtitle, including local zoning and land use requirements and business license requirements" (§ 4.1-629 C).
- A locality may adopt an ordinance that decreases the Board's minimum distance requirements (i) between retail stores and microbusinesses or (ii) between a retail store or microbusiness and any hospital, school, institution of higher education or child day program (§ 4.1-629 B 2).
- Counties (outside incorporated towns), cities and towns may adopt ordinances fixing the hours during which marijuana may be sold; a copy goes to the Board; no store may sell during hours limited by the ordinance (§ 4.1-630).

- Each locality levies by ordinance a local marijuana tax of not less than 1% and not more than 3.5% on taxable sales, notifies the Authority and local stores and microbusinesses within 30 days, and the rate takes effect the first day of the second month after enactment and stays in effect at least three years; a county tax does not apply within a town (§ 4.1-1004 B 1).

Location conditions the Board must refuse (statute)

The Board must refuse a license if the place to be occupied (§ 4.1-810 B 3):

- Does not conform to the local governing body's requirements on sanitation, health, construction or equipment, or similar state or Board requirements (a);
- Is so located that operation would violate the subtitle, Board regulations, or state or local laws relating to peace and good order (b);
- For a retail store or microbusiness, is (i) within 1,000 feet of any hospital; public, private or parochial school or institution of higher education; or child day program, or (ii) so located that operation would adversely affect or interfere with the normal, orderly conduct of those facilities (c);
- For a retail store or microbusiness, is so located with respect to a residence or residential area that operation would adversely affect real property values or substantially interfere with the usual quietude and tranquility of the residence or area (d);
- Is so constructed, arranged or illuminated that law-enforcement officers and Board agents are prevented from ready access to and reasonable observation of any room or area where marijuana is to be sold (e); or
- Is an establishment where alcoholic beverages, tobacco or tobacco products are manufactured, sold or used (f).

"Nothing in this subdivision 3 shall be construed to require an applicant to have secured a place or premises until the final stage of the license approval process" (§ 4.1-810 B 3).

Density (statute)

- The Board must refuse a license if the number of licenses in the locality makes granting it detrimental to the public, considering (i) its retail store density criteria; (ii) the character and population of, and number of similar and all licenses in, the county, city or town and the immediate neighborhood; (iii) the effect on the locality or neighborhood; and (iv) objections filed by the local governing body or local residents (§ 4.1-810 B 4).
- The Board must establish criteria to evaluate new licensees based on the density of retail stores in the community, and metrics associated with negative community-level health outcomes, in coordination with the Cannabis Public Health Advisory Council (§ 4.1-606 B 10).
- The Board may ensure licenses are issued evenly among areas of the Commonwealth, accounting for population density (§ 4.1-606 C 4).

Site steps in the licensing process (statute)

- Within 18 months of selection for preliminary approval, the applicant provides the address and legal property description of the location and the name of the local governing body (§ 4.1-1000 F 1 and 2).

- The CCA then notifies the local governing body through the town manager, city manager, county administrator or other designee; the governing body submits any objections within 30 days; the CCA schedules a site inspection (§ 4.1-1000 G).
- The CCA may deny final authorization if it confirms the site "does not meet local zoning and land use laws" (§ 4.1-1000 H 3).
- A processing facility making edible products operates on premises under VDACS inspection as a food manufacturer (§ 4.1-1406 A 1); for establishments otherwise requiring a VDACS inspection, a license may issue with a pending inspection request, but the licensee may not sell until the inspection is completed (§ 4.1-1000 F 4 and I).

Premises (statute)

- Each license designates the place of business, and each separate place of business needs a separate license (§ 4.1-702 A); the license is posted in a location conspicuous to the public (§ 4.1-702 E).
- As a condition of licensure, the licensee at all times maintains possession of the licensed premises by lease, rental agreement, other arrangement, or ownership; if it fails to, the license is revoked (§ 4.1-809).
- The Board may limit a retail store's floor space to no more than 2,500 square feet of retail floor space (§ 4.1-606 C 3).
- Dual-use processors and dispensing facilities operating on Dec. 1, 2026 are exempt from the § 4.1-810 B 3 location restrictions, and premises approved before Jan. 1, 2026 may exceed 2,500 square feet of retail floor space but may not be modified to increase it (§ 4.1-1602.1 D).

Cultivation and microbusiness sites (statute)

- Canopy limits: Tier I up to 5,000 sq ft indoors or outdoors; Tier II up to 10,000 sq ft indoors or outdoors; Tier III up to 15,000, Tier IV up to 25,000 and Tier V up to 35,000 sq ft indoors (§ 4.1-800 A).
- A secure agricultural greenhouse surrounded by a privacy fence at least eight feet tall with monitored ingress and egress is indoor cultivation (§ 4.1-800 C).
- No more than one license authorizing outdoor cultivation per parcel, and none for parcels contiguous to it and under common ownership or control (§ 4.1-800 D; 3VAC10-40-90 B, draft).
- A microbusiness cultivates up to 5,000 sq ft indoors and 10,000 sq ft outdoors, or other comparable limits the Board sets (§ 4.1-803 A).
- A microbusiness may operate at no more than two locations, each appropriately zoned and approved by its locality, within 20 miles of one another, under the same license and common ownership and control, with no single privilege (cultivation, processing or retail) exercised at more than one location (§ 4.1-803 B).

Site rules in the draft

- "School" means (i) public K-12 schools, (ii) private or religious schools offering any K-12 instruction, and (iii) private or religious nursery schools, preschools, or child-care centers required to be licensed; "daycare" means a child day center or family day home under § 22.1-289.02 (3VAC10-30-10, draft).
- Preliminary approval may be revoked if the applicant "fails to secure property to operate at a location that is more than 1,000 feet of a school or daycare" (3VAC10-30-120 C 3, draft).

- Within 18 months of preliminary approval, the applicant provides a separate and distinct physical address, completes construction or remodeling and equipment installation, and secures local zoning approval (3VAC10-30-120 D, draft).
- The establishment's address "shall not be within 1,000 feet of a school or daycare" (3VAC10-30-130 A 4, draft).
- The applicant attests to compliance with all state and local laws and ordinances before a license issues (3VAC10-30-130 C, draft).
- No license to operate from a private dwelling or residence (3VAC10-30-130 D, draft); the same for hemp retail registrations (3VAC10-30-135 D, draft).
- Hemp retail facilities comply with all state and local laws and ordinances (3VAC10-30-135 C, draft).
- Regulated operations only at the approved facility at the address of record (3VAC10-40-30 A 1 and 3VAC10-40-35 A 1, draft).
- Changing the location or structure of an existing establishment requires an application, a fee and CCA inspection, and product may not move to a new location until a Board agent approves (3VAC10-30-180 C, draft); the draft change fee for an acquisition, expansion, remodel or change of location requiring inspection is $5,000 (3VAC10-20-15 C 5, draft).

Records and forms the rules name

Site screen (each row is a condition in the cited source)

Condition	Cite	Applies to	Result
Within 1,000 feet of a hospital	§ 4.1-810 B 3 c	Retail store, microbusiness	
Within 1,000 feet of a public, private or parochial school or institution of higher education	§ 4.1-810 B 3 c	Retail store, microbusiness	
Within 1,000 feet of a child day program	§ 4.1-810 B 3 c	Retail store, microbusiness	
Within 1,000 feet of a school or daycare as the draft defines them	3VAC10-30-120 C 3; -130 A 4, draft	All marijuana establishments	
Local ordinance decreasing distance requirements	§ 4.1-629 B 2	Retail store, microbusiness	
Effect on residence or residential area	§ 4.1-810 B 3 d	Retail store, microbusiness	
Ready access and observation for officers and agents	§ 4.1-810 B 3 e	All	
Alcohol or tobacco manufactured, sold or used at the place	§ 4.1-810 B 3 f	All	

Condition	Cite	Applies to	Result
Local sanitation, health, construction and equipment requirements	§ 4.1-810 B 3 a	All	
Local zoning and land use	§ 4.1-629 C; § 4.1-1000 H 3	All	
Local business license	§ 4.1-629 C	All	
Local hours-of-sale ordinance	§ 4.1-630	Sellers	
Local marijuana tax rate	§ 4.1-1004 B 1	Retail store, microbusiness	
Private dwelling or residence	3VAC10-30-130 D, draft	All	
Outdoor cultivation: one license per parcel or contiguous commonly owned parcels	§ 4.1-800 D	Outdoor cultivation	
Possession of premises by ownership or lease	§ 4.1-809	All	

Locality notice record (§ 4.1-1000 G)

Local governing body	Date CCA notified the locality	30-day objection deadline	Objection filed (Y/N)

What the law does not say

- Neither § 4.1-810 B 3 c nor the draft rules state how the 1,000 feet is measured (for example, property line to property line or door to door). The only measurement method in the statute is for outdoor advertising in § 4.1-1402 A and B.
- The draft rules do not set a minimum distance between retail stores; § 4.1-629 B 2 refers to “minimum distance requirements as promulgated in Board regulations,” and the Sept. 9, 2026 draft contains none between stores.
- Section 4.1-1000 gives the local governing body 30 days to object (§ 4.1-1000 G) and lets the CCA deny final authorization for a site that does not meet local zoning and land use laws (§ 4.1-1000 H 3); it does not provide for a local vote on the license itself. Separately, each microbusiness location must be “appropriately zoned and approved by the locality” (§ 4.1-803 B), and the draft lists “securing local zoning approval” among preliminary approval requirements (3VAC10-30-120 D, draft).

What other states required or scored

Not required in Virginia. Shown so applicants can see what other regulators asked for.

Massachusetts (935 CMR 500)

- Massachusetts bars an establishment entrance within 500 feet of the nearest school entrance unless the city or town adopts a shorter distance by ordinance or bylaw (935 CMR 500.110(3)).
- The 500 feet is measured in a straight line between the geometric centers of the two entrances, or along the shortest public pedestrian path if an impassable barrier intervenes (935 CMR 500.110(3)(a)).
- Applicants submit the executed host community agreement (HCA) or an HCA waiver, and the Commission reviews each HCA at application and renewal (935 CMR 500.101(1)(a)8.; 500.180(2)).
- A host community may not demand a community impact fee above 3% of gross sales, or require the fee to be a set percentage of sales (935 CMR 500.180(2)(k)3.-4.).
- Impact fees may not be collected for operations before final licensure or from an establishment that has held a final license for more than nine years (935 CMR 500.180(4)(b)1.-2.).
- A community outreach meeting is held within six months before application, noticed in a local newspaper at least 14 days ahead and mailed at least 7 days ahead to abutters and residents within 300 feet (935 CMR 500.101(1)(a)9.).
- At least one outreach meeting is held in the municipality and at least one after normal business hours, covering security, diversion to minors, positive community impact, and nuisance prevention (935 CMR 500.101(1)(a)9.c.-f.).
- Applicants document a property interest in the site: title, an option to purchase, an enforceable agreement to give title, or permission to use the premises (935 CMR 500.101(1)(a)7.).

New York (9 NYCRR Part 119)

- New York municipalities may not allow a retail dispensary, microbusiness, ROD or on-site consumption license on the same road and within 200 feet of the entrance of a building used exclusively as a house of worship, or within 500 feet of a school (9 NYCRR 119.1(a)).
- Distances are measured to the center of the nearest entrance, and a set-back walkway or stairs counts as the entrance (9 NYCRR 119.4).
- No retail dispensary or microbusiness license is granted within 1,000 feet of two other licensees of the same type in a municipality of 20,000 or more, or within 2,000 feet in smaller municipalities (9 NYCRR 119.4(a)(5)-(6)).
- Applicants seeking an exception show “public convenience and advantage,” with factors including barriers such as waterways or highways and travel distance between locations (9 NYCRR 119.4(b)).
- Applicants notify the municipality, or in New York City the community board, between 30 and 270 days before filing (9 NYCRR 119.3(a)-(b)).
- Municipalities may regulate time, place and manner but may not bar retail sales for fewer than 70 hours a week or require closing outside 2:00 a.m. to 8:00 a.m. without permission (9 NYCRR 119.2(a)(1)-(2)).

New Jersey (N.J.A.C. 17:30)

- New Jersey municipalities may cap the number of cannabis businesses by class, set location, manner and hours rules, impose civil penalties, and require a separate local license (N.J.A.C. 17:30-5.1(a)).
- Where a municipality has not opted out, cultivation, manufacturing and wholesale are permitted uses in all industrial zones and retail is a conditional use in all commercial or retail zones (N.J.A.C. 17:30-5.1(c)).
- The annual application includes the distance to the closest place of worship, school, playground, park or daycare, a municipal zoning letter or affidavit, and a governing body resolution of local support (N.J.A.C. 17:30-7.10(b)7-9).
- A leased-site application without a landlord certification that the landlord knows of the cannabis use is disqualified (N.J.A.C. 17:30-7.10(b)11).
- A retailer certifies the location is not in a grocery store, delicatessen, indoor food market, or licensed alcohol retail premises (N.J.A.C. 17:30-7.10(c)).

Ohio (OAC 1301:18-3-01)

- Ohio bars a cultivator, processor, testing laboratory or dispensary within 500 feet of a parcel containing a "prohibited facility" (OAC 1301:18-3-01(A)).
- The distance is measured linearly from the prohibited facility's parcel line to the physical structure controlled by the cannabis facility (OAC 1301:18-3-01(B)).
- If a prohibited facility opens within 500 feet after licensing, the entity may keep operating after notifying the Division in writing and submitting any needed security changes (OAC 1301:18-3-01(E)).

Maryland (COMAR 14.17)

- Maryland requires grower and dispensary premises to be in Maryland and to "conform to all local zoning and planning requirements" (COMAR 14.17.10.02B; 14.17.12.02A).
- Site control is shown after the lottery, through lease, purchase or other means, as part of the supplemental license application (COMAR 14.17.05.04B(2)(g)).
- Dispensary modifications or renovations require prior approval of the Maryland Cannabis Administration (COMAR 14.17.12.02B).

Sources checked 2026-11-22.

- Cannabis Control Commission, 935 CMR 500.000 (effective 09-11-26)
- Office of Cannabis Management, Express Terms adopting Parts 118-125 and 131 (9 NYCRR)
- NJ Cannabis Regulatory Commission, N.J.A.C. 17:30 Personal Use Cannabis Rules
- OAC 1301:18-3-01, Cannabis Entity Distance from Prohibited Facilities
- COMAR 14.17.12.02, Standard Cannabis Dispensary
- COMAR 14.17.10.02, Cannabis Grower Premises
- COMAR 14.17.05.04, Lottery Award and Conditional License

Sources: Code of Virginia § 4.1-606 (Regulations of the Board); Code of Virginia § 4.1-629 (Local ordinances regulating marijuana); Code of Virginia § 4.1-630 (Local ordinances regulating time of sale); Code of Virginia § 4.1-702 (Separate license for each place of business; posting); Code of Virginia § 4.1-800 (Marijuana cultivation facility license); Code of Virginia § 4.1-803 (Microbusiness license); Code of Virginia § 4.1-809 (Licensee shall maintain possession of premises); Code of Virginia § 4.1-810 (Conditions under which the Board shall or may refuse to grant licenses); Code of Virginia § 4.1-1000 (Applications; notice to localities); Code of Virginia § 4.1-1004 (Marijuana taxes; local tax); Code of Virginia § 4.1-1406 (Edible marijuana products; VDACS inspection); Code of Virginia § 4.1-1602.1 (Dual-use privileges);

Code of Virginia § 4.1-1402 (Outdoor advertising restrictions); CCA draft adult-use regulations, Sept. 9, 2026 (proposed, not final): 3VAC10-20-15, 3VAC10-30, 3VAC10-40.

Security Plan Template

The security requirements in the Cannabis Control Act and the CCA draft rules, each cited: storage and quantity limits, locks, keys and codes, the alarm system, lighting, access control and visitors, outdoor cultivation, required written policies, and the reportable events with their deadlines.

Who needs it: Every marijuana establishment: cultivation, processing, retail, microbusiness, transporter, delivery, testing; Regulated hemp product retail facilities (the draft registration rule asks for security details; the draft reportable-events rule names them). **Rule basis:** Code of Virginia §§ 4.1-606 B 1, 4.1-703 D, 4.1-800 C and E, 4.1-801 B, 4.1-802 F, 4.1-803 C, 4.1-804 B, 4.1-806 G, 4.1-810 B 3 e, 4.1-1000 F 3, 4.1-1106.1; HB 30 enactment 17; draft rules 3VAC10-30-100, -130, -135, -180, -200, 3VAC10-40-20, -30, -35, -80, -120, -140, -150, 3VAC10-80-20 (proposed).

The Cannabis Control Act requires every area where a licensee grows, processes, sells, tests or stores marijuana to meet the security standards in the Board's regulations, and the CCA's draft rules set those standards: storage limits, locks, alarms, lighting, access control, visitor procedures, written policies and incident reporting. A security plan is named as an application item in both the statute and the draft rules. Citations to 3VAC10 are to the CCA's draft regulations dated Sept. 9, 2026 (proposed, not final; they may change before adoption).

Camera requirements are listed in the Video surveillance SOP. Vehicle security is in the Transport and delivery SOP.

What Virginia requires

Statutory baseline

- All areas of a cultivation facility's licensed premises where marijuana is cultivated, labeled, packaged or stored "shall meet all sanitary and security standards specified in regulations adopted by the Board" (Code of Virginia § 4.1-800 E).
- The same standard applies to processing areas (§ 4.1-801 B), retail areas where product is sold or stored (§ 4.1-802 F), all microbusiness premises (§ 4.1-803 C), transporter storage areas (§ 4.1-804 B) and testing facility areas where product is tested or stored (§ 4.1-806 G).
- The Board must adopt regulations for outdoor cultivation that include "security requirements to include lighting, physical security, and alarm requirements," and those requirements may not prohibit cultivation outdoors or in a greenhouse (§ 4.1-606 B 1). HB 30 directs the Board to adopt the outdoor growth regulations by Feb. 1, 2027 (HB 30, 2026 Sp. Sess. I, c. 1, enactment 17).
- Cultivation in a secure agricultural greenhouse counts as indoor cultivation if the greenhouse is surrounded by a privacy fence no less than eight feet tall and is subject to monitored ingress and egress (§ 4.1-800 C).

- The Board must refuse a license if the place is “so constructed, arranged, or illuminated” that law-enforcement officers and Board agents are prevented from ready access to and reasonable observation of any room or area where marijuana is to be sold (§ 4.1-810 B 3 e).
- Within 18 months of selection for preliminary approval, an applicant provides, if applicable, an updated description of the location and “an updated security plan” (§ 4.1-1000 F 3).
- The Board and its special agents have free access during reasonable hours to the premises of every licensee to examine the place and all records (§ 4.1-703 D).
- No person may sell marijuana, or market or label products as marijuana, without a Board-issued decal prominently displayed; the civil penalty is $10,000 per day (§ 4.1-1106.1 A).

Application and change rules (draft)

- The notice of open applications must list criteria that include “the applicant’s ability to maintain adequate control against the diversion, theft, and loss” of marijuana (3VAC10-30-100 A 2 b, draft).
- Before a license issues, the applicant provides “details regarding the applicant’s plans for security to maintain adequate control against the diversion, theft, or loss of marijuana products” (3VAC10-30-130 A 6, draft).
- A regulated hemp product retail facility applicant provides the same kind of security details for regulated hemp products (3VAC10-30-135 A 4, draft).
- Changing the location, structure or “approved security system” of an existing marijuana establishment requires an application to the Board and the required fee (3VAC10-30-180 C, draft); the same applies to a regulated hemp product retail facility (3VAC10-30-200 F, draft).

Storage and quantity

- No establishment may cultivate marijuana or keep marijuana products “in excess of the quantity required for normal, efficient operation” (3VAC10-40-140 A, draft).
- All marijuana and marijuana products are kept in a secure area accessible only by the minimum number of authorized employees essential for efficient operation (3VAC10-40-140 B 1, draft).
- All cut parts of plants and marijuana products are stored in an approved safe or approved vault, and no marijuana products are sold while the establishment is closed (3VAC10-40-140 B 2, draft).
- Approved safes, vaults and production, cultivation, harvesting, processing, manufacturing and storage areas stay locked or protected from entry except for the time needed to remove or replace product (3VAC10-40-140 B 3, draft).
- Storage areas provide adequate lighting, ventilation, sanitation, space, equipment and security conditions (3VAC10-40-80 A 1, draft).
- Items are returned to their secure location immediately after production, transfer or analysis, or at the end of the scheduled business day (3VAC10-40-80 A 6 and C, draft).
- If a production process cannot be completed by the end of a working day, the pharmacist, responsible party or designated supervisor securely locks the processing area or the tanks, vessels, bins or bulk containers inside an area or building that affords adequate security (3VAC10-40-80 B, draft).

Building, locks, keys and codes

- All primary and secondary points of entry are secured, “including maintaining commercial-grade, non-residential door locks” and securing secondary entrances including windows, roofs and ventilation systems (3VAC10-40-140 B 4, draft).
- Access to keys or codes for safes, vaults and equipment or areas in the dispensing or sales area is restricted to employees of the establishment (3VAC10-40-140 B 5, draft).
- Access to keys or codes for safes, vaults and secured areas is restricted to the responsible party and those the responsible party authorizes (3VAC10-40-140 B 6, draft).
- Keys may not be left in the locks or otherwise accessible to persons not authorized by the PIC or responsible party (3VAC10-40-140 B 7, draft).
- The PIC or responsible party may designate employees to unlock a secured area to perform job duties, but only during hours of operation, and “at no time shall these employees have access to the security system” (3VAC10-40-140 C, draft).
- The outside perimeter of the premises is kept well lit (3VAC10-40-140 E, draft).

Alarm system

- The establishment has “an adequate security system to prevent and detect diversion, theft, or loss,” with a failure notification system and a backup alarm system able to remain operational during a power outage, installed and operated to accepted alarm industry standards (3VAC10-40-140 D, draft).
- The system includes a sound, microwave, photoelectric, ultrasonic or other generally accepted device (3VAC10-40-140 D 1, draft).
- The system is monitored to accepted industry standards, maintained in operating order, has an auxiliary power source, and can send an alarm signal to the monitoring entity when breached if the communication line is not operational (3VAC10-40-140 D 2, draft).
- The system fully protects the entire facility and can detect any failure in the system when activated (3VAC10-40-140 D 3, draft).
- The system includes a duress alarm, a panic alarm and an automatic voice dialer (3VAC10-40-140 D 4, draft).
- Access to the alarm system is restricted to authorized employees, and the system is activated whenever the establishment is closed for business (3VAC10-40-140 D 5, draft).
- In areas designated for authorized activities, alarm access is restricted to the responsible party and those the responsible party authorizes (3VAC10-40-140 D 6, draft).
- All security equipment and recordings are kept in a secure location to prevent theft, loss, destruction or alteration; all security equipment is maintained in good working order and “tested at least every six months” (3VAC10-40-140 H, draft).

Access control, compartments and supervision

- The PIC, pharmacist, responsible party or designated supervisor on duty restricts access to persons whose job requires it (for only as long as necessary) and to patients, consumers and related persons, who are not permitted behind the service counter or in secured areas where product is stored (3VAC10-40-20 B, draft).
- All employees inside the establishment wear name tags or similar identification showing their position (3VAC10-40-20 C, draft).

- All areas of the facility are compartmentalized by function, with access between compartments restricted (3VAC10-40-80 A 4, draft).
- Marijuana is accessible only to the minimum number of specifically authorized employees essential for efficient operation (3VAC10-40-80 A 5, draft).
- When a pharmacist, responsible party or designated supervisor is not on the premises directly supervising the dispensing or sales area, that area may not be open, no one may be in it unless all product is in a vault or similar container to which only those persons have access controls, and the area is closed and secured (3VAC10-40-30 B, draft).
- Employee access to secured areas is permitted only when a pharmacist, responsible party or designated supervisor is on the premises (3VAC10-40-30 C, draft).
- No one other than an establishment employee is allowed behind the service counter or in other secured areas, except as the section provides (3VAC10-40-30 E, draft).
- Testing facility staff may enter solely to identify and collect test samples (3VAC10-40-30 F, draft). Board agents, local law enforcement and other government officials may enter any area necessary to perform their duties (3VAC10-40-30 L, draft).
- Retail and dispensing establishments limit access to the dispensing area or sales floor to customers at least 21 years old, qualified patients, registered agents, or the parent or legal guardian of a minor or vulnerable-adult patient (3VAC10-40-140 L, draft).
- The responsible party ensures compliance with all security measures and that all requirements for physical security of product on the premises are met (3VAC10-40-120 D and E 3, draft).

Visitors and contractors

- An establishment submits a written request to the CCA for entry to secured areas by parties of more than five persons (3VAC10-40-30 G, draft).
- Employees of contracted businesses (the draft's examples: security, cleaning, electrical, plumbing) may be on the premises to perform their duties without requesting Board authorization; the draft says the establishment "should apply" the visitor access requirements to them (3VAC10-40-30 H, draft).
- Every person authorized to enter secured areas obtains a visitor identification badge from an employee before entering (3VAC10-40-30 I, draft).
- An employee escorts and monitors an authorized visitor at all times (3VAC10-40-30 I 1, draft).
- The badge stays visible while the visitor is inside and is returned to an employee on exit (3VAC10-40-30 I 2, draft).
- All visitors log in and out; the visitor log includes the name, date, time and purpose of the visit and is available to the Board (3VAC10-40-30 I 3, draft).
- If an emergency requires a visitor's presence and makes prior CCA authorization impractical, the establishment gives written notice to the Board as soon as practicable after the onset of the emergency, with the visitor's name and company affiliation, the purpose, and the date and time of the visit, and monitors and logs the visit (3VAC10-40-30 I 4, draft).

Outdoor cultivation

- Licensees with outdoor cultivation implement security measures in addition to those required of all licensees, including (1) fencing, building structure or physical obstacles to prevent unauthorized entry to any cultivation area; (2) motion-activated flood lights, which may face away from the plant canopy; and (3) video surveillance with an unobscured view of the cultivation area (3VAC10-40-140 G, draft).

Required written policies

- Written policies and procedures for secure operations that restrict movement between compartments, provide different colored identification cards for employees based on the compartment to which they are assigned, and document the chain of custody of all marijuana (3VAC10-40-80 D, draft).
- Written policies and procedures for authorized activities, security, storage and inventory, including "methods for identifying, recording, and reporting diversion, theft, or loss" and for correcting errors in inventories (3VAC10-40-80 F, draft).
- A process for "preparing for, protecting against, and handling any crises that affect the security or operation of any facility in the event of labor strike, fire, flood, or other natural disaster, or other situations of local, state, or national emergency" (3VAC10-40-80 F 2, draft).
- A written alcohol-free, drug-free and smoke-free workplace policy available to the Board on request (3VAC10-40-20 E, draft).
- The CCA-issued decal displayed outside and within the facility at all times (3VAC10-40-20 F, draft).
- A closure during normal hours of operation lasting longer than two business days requires immediate notice to the Board (3VAC10-40-20 D, draft).

Regulated hemp product retail facilities (draft)

- When the owner, responsible party or designated supervisor is not on the premises directly supervising the sales area, the sales area may not be open, no one may be in it unless all regulated hemp products are in a vault or similar container to which only those persons have access controls, and the area is closed and secured (3VAC10-40-35 B, draft).
- Employee access to secured areas is permitted only when the owner, responsible party or designated supervisor is on the premises (3VAC10-40-35 C, draft).
- No one other than an employee is allowed behind the service counter or in areas where regulated hemp products are stored, except government officials performing their duties (3VAC10-40-35 D and F, draft).

Additional safeguards and enforcement

- The Board may require any other safeguard it determines necessary after a physical site inspection (3VAC10-40-140 J, draft), and additional safeguards after any diversion, theft or loss (3VAC10-40-140 K, draft).
- Failure to maintain effective controls against diversion, theft or loss is a ground for the Board to suspend, revoke or refuse to renew a license (3VAC10-80-20 3, draft).

Reportable events (3VAC10-40-150, draft; applies to marijuana establishments and regulated hemp product retail facilities)

Event	Who must be told	Deadline	Cite
Diversion, theft, loss, or discrepancies identified during inventory	Appropriate law-enforcement authorities and the Board	Immediately upon becoming aware	3VAC10-40-150 A 1
Unauthorized destruction of any marijuana or regulated hemp products	Law enforcement and the Board	Immediately	3VAC10-40-150 A 2
Any loss or unauthorized alteration of records related to regulated products or qualifying patients	Law enforcement and the Board	Immediately	3VAC10-40-150 A 3
Signed statement for any event in the three rows above, detailing the circumstances, an accurate inventory of the quantity and registered product names diverted, stolen, lost, destroyed or damaged, and confirmation that local law enforcement was notified	The Board	No later than 24 hours after discovery	3VAC10-40-150 B
Alarm activation or other event requiring a response by public safety personnel	The Board	Next business day, then written notification within 10 business days	3VAC10-40-150 C 1
A breach of security	The Board	Next business day, then written notification within 10 business days	3VAC10-40-150 C 2
Failure of the security alarm system due to loss of electrical support or mechanical malfunction expected to last longer than eight hours	The Board	Next business day, then written notification within 10 business days	3VAC10-40-150 C 3
Written notification for the three rows above detailing the circumstances and identifying corrective measures taken, if any	The Board	No later than 10 business days	3VAC10-40-150 D
An employee convicted of a felony	The Board	Immediately	3VAC10-40-150 E
Awareness or reasonable suspicion of a violation of the practitioner rules in 3VAC10-30-30 or -40	The Board	Immediately	3VAC10-40-150 F

Records and forms the rules name

Visitor log (fields exactly as listed in 3VAC10-40-30 I 3, draft; visitors log in and out)

Name	Date	Time in	Time out	Purpose of visit

Emergency visitor notice to the Board (contents listed in 3VAC10-40-30 I 4, draft)

- Visitor name:
- Company affiliation:
- Purpose of the visit:
- Date and time of the visit:

Signed statement for a 3VAC10-40-150 A event (contents listed in 3VAC10-40-150 B, draft)

- Circumstances of the event:
- Accurate inventory of the quantity and registered product names diverted, stolen, lost, destroyed or damaged:
- Confirmation that local law enforcement was notified:
- Signature:

Written follow-up for a 3VAC10-40-150 C event (contents listed in 3VAC10-40-150 D, draft)

- Circumstances of the event:
- Corrective measures taken, if any:

Six-month security equipment test record (the testing interval is in 3VAC10-40-140 H, draft; the draft does not list record fields)

Equipment	Date tested

What the law does not say

- The draft rules require “commercial-grade, non-residential door locks” and an “approved safe or approved vault” but do not set a lock grade, a safe or vault rating, or say who approves a safe or vault (3VAC10-40-140 B 2 and 4, draft).
- The draft rules do not require on-site security guards and do not set a cash-handling standard.
- The draft rules do not list the fields of the six-month equipment test record.

What other states required or scored

Not required in Virginia. Shown so applicants can see what other regulators asked for.

Illinois (410 ILCS 705; IDFPR dispensary application)

- Illinois scored "Security and Recordkeeping" at 65 of the 250 points available on a conditional adult-use dispensing organization application (410 ILCS 705/15-30(c)(2)).
- The scored security plan had to account for "the prevention of the theft or diversion of cannabis," show safety procedures for agents and purchasers, and cover safe delivery and storage of cannabis and currency (410 ILCS 705/15-30(c)(2)(A)).
- The plan also had to name the private security contractor, licensed under 225 ILCS 447/10-5, that the dispensary would contract with (410 ILCS 705/15-30(c)(2)(C)).
- The application form capped Exhibit H (Security Plan) at 50 pages, not counting a copy of the security contractor contract, and required the plan to cover safe delivery and storage of "cannabis currency" (IDFPR Conditional Adult Use Dispensing Organization License Application, Exhibit H).
- Exhibit J (Proposed Floor Plan) had to show the location of each video camera, each panic button and glass break, restricted access areas, and the location and dimensions of all safes or vaults (IDFPR Application, Exhibit J items 9-19).

Massachusetts (935 CMR 500)

- Massachusetts requires a perimeter alarm on all building entry and exit points and perimeter windows, a duress, panic or holdup alarm connected to local public safety or law enforcement, and a failure notification that alerts designated employees within five minutes (935 CMR 500.110(5)(a)1.-3.).
- The security system must stay operational during a power outage for at least four hours (935 CMR 500.110(5)(a)8.).
- A back-up alarm system with all the capabilities of the primary system is required, supplied by a company other than the primary system supplier, unless alternate safeguards are shown (935 CMR 500.110(5)(c)).
- Security equipment must be inspected and tested at intervals not exceeding 30 calendar days (935 CMR 500.110(5)(f)).
- Limited Access Areas must carry a sign of at least 12" x 12" reading "Do Not Enter - Limited Access Area - Access Limited to Authorized Personnel Only," and visitors must be badged, escorted and logged in and out (935 CMR 500.110(4)(a), (e)).
- The floor plan and security plan are shared with law enforcement, police and fire departments, and the shared plan includes the security system location, a schematic of security zones, and the alarm and monitoring company names (935 CMR 500.110(1)(p)-(q), (6)(f)).
- Cash handling requires a safe or vault separate from retail areas used only for cash, and an armored transport provider licensed under M.G.L. c. 147, § 25, unless an alternative is approved (935 CMR 500.110(7)(a)).
- Approved alternatives for cash transport include a locked bag, an unmarked vehicle, two registered agents in the vehicle, real-time GPS tracking and two-way communications (935 CMR 500.110(7)(b)).

New York (9 NYCRR Part 125)

- New York requires a security plan that describes measures to prevent unauthorized access, deter theft, prevent loitering, lock all perimeter doors and windows, and provide for safe cash storage and transport to financial institutions (9 NYCRR 125.3(a)(2)).
- The perimeter alarm must communicate with an internal designee and a third-party commercial central monitoring station (9 NYCRR 125.3(c)(1)).
- Alarms and video must remain operational during a power outage for at least eight hours (9 NYCRR 125.3(c)(4)).
- Security equipment is tested at intervals not exceeding 30 calendar days, and test records are kept for five years (9 NYCRR 125.3(c)(6)).
- Outdoor cultivation fencing must be metal or similarly secure, at least eight feet high, with securely anchored posts (9 NYCRR 125.3(c)(7)(i)).
- Employee badges must show name, photograph, licensee legal name and license number; the visitor log records name, company, arrival, departure and purpose and is kept five years (9 NYCRR 125.3(d)).
- Security breaches and listed incidents are reported to the Office immediately and in no case more than 24 hours after discovery (9 NYCRR 125.3(e)).

New Jersey (N.J.A.C. 17:30)

- New Jersey requires an alarm system that gives immediate notification to business personnel and State or local police of a breach, alarm or system failure, plus a backup that activates automatically on loss of electrical power (N.J.A.C. 17:30-9.10(b)1).
- Alarm inspections and tests occur at intervals not exceeding 30 days (N.J.A.C. 17:30-9.10(b)5).
- If an alarm failure is expected to last longer than eight hours, the business notifies the Commission and either uses approved alternative measures or closes the affected premises (N.J.A.C. 17:30-9.10(b)6).
- Interior and exterior premises are equipped with electronic monitoring, video cameras and panic buttons, and the video system is approved by the Commission before license issuance (N.J.A.C. 17:30-9.10(b)9).
- Law enforcement and neighbors within 100 feet receive the name and phone number of a staff contact for reporting problems (N.J.A.C. 17:30-9.10(b)11).
- Alarm and video systems are monitored 24 hours a day, seven days a week, and monitoring may be off-site (N.J.A.C. 17:30-9.10(c)).
- The annual license application includes “a safety and security plan that conforms with N.J.A.C. 17:30-9.10” (N.J.A.C. 17:30-7.10(b)17).

Ohio (OAC 1301:18)

- Ohio requires dispensaries to keep written security and surveillance policies and to petition the Division of Cannabis Control before any major modification to security procedures, systems or equipment (OAC 1301:18-8-05(A)).
- The alarm includes access alarms on all entry points and windows, motion detectors, and a silent duress alarm with a code that signals the user is being forced to turn off the system (OAC 1301:18-8-05(B)(2)).
- Security equipment sits in a secure, limited access area reachable only by registered employees with foundational security and surveillance training (OAC 1301:18-8-05(B)(1)).
- Daily records of employee access to secure, limited access areas are required (OAC 1301:18-8-05(B)(6)).

- Equipment is tested at least monthly, failures are reported to the Division, and repair or replacement occurs within 24 hours of identification (OAC 1301:18-8-05(C)).

Maryland (COMAR 14.17)

- Maryland requires a grower's alarm to cover perimeter entry points, rooms that hold cannabis, and on-site and off-site record storage locations (COMAR 14.17.10.02G(1)).
- The alarm must be continuously monitored, detect smoke, fire and power loss, include panic devices, and have auxiliary power for at least 48 hours (COMAR 14.17.10.02G(2)).
- Outdoor cultivation areas are surrounded by fencing and gates with a continuously monitored perimeter alarm and video covering all fencing and gates (COMAR 14.17.10.02C(2)-(4)).
- A standard dispensary must contain a secure inventory room built of concrete or similar material, not adjacent to an exterior wall, with one entrance door fitted with a cipher or chip-activated lock or equivalent (COMAR 14.17.12.02G).

Sources checked 2026-11-22.

- 410 ILCS 705/15-30, Selection criteria for conditional licenses (FindLaw mirror of Illinois Compiled Statutes)
- IDFPR, Conditional Adult Use Dispensing Organization License Application (rev. 10/11/19)
- Cannabis Control Commission, 935 CMR 500.000 Adult Use of Marijuana (effective 09-11-26)
- Office of Cannabis Management, Express Terms adopting Parts 118-125 and 131 (9 NYCRR)
- NJ Cannabis Regulatory Commission, N.J.A.C. 17:30 Personal Use Cannabis Rules
- OAC 1301:18-8-05, Minimum Security and Surveillance Requirements
- COMAR 14.17.10.02, Cannabis Grower Premises
- COMAR 14.17.12.02, Standard Cannabis Dispensary

Sources: Code of Virginia § 4.1-606 (Regulations of the Board); Code of Virginia § 4.1-703 (Records of licensees; inspection); Code of Virginia § 4.1-800 (Marijuana cultivation facility license); Code of Virginia § 4.1-801 (Marijuana processing facility license); Code of Virginia § 4.1-802 (Retail marijuana store license); Code of Virginia § 4.1-803 (Microbusiness license); Code of Virginia § 4.1-804 (Marijuana transporter license); Code of Virginia § 4.1-806 (Marijuana testing facility license); Code of Virginia § 4.1-810 (Conditions under which the Board shall or may refuse to grant licenses); Code of Virginia § 4.1-1000 (Applications for licenses); Code of Virginia § 4.1-1106.1 (Selling without decal; civil penalty); HB 30 (2026 Sp. Sess. I, c. 1), Item 4-14 enactment clauses (enactment 17); CCA draft adult-use regulations, Sept. 9, 2026 (proposed, not final): 3VAC10-30, 3VAC10-40, 3VAC10-80.

Video Surveillance SOP

The video surveillance requirements in the CCA draft rules, each cited: camera placement, the five-minute failure alert, still images, time stamps, power-outage operation, export formats, 30-day retention and legal holds, the surveillance room, six-month testing, outdoor grows, and filmed destruction and sampling.

Who needs it: Every marijuana establishment: cultivation, processing, retail, microbusiness, transporter, delivery, testing; Outdoor cultivation licensees (video of the cultivation area). **Rule basis:** Code of Virginia §§ 4.1-606 B 1, 4.1-800 E; draft rules 3VAC10-30-180 C, 3VAC10-40-30 K, 3VAC10-40-140 F to I, 3VAC10-50-110 B, 3VAC10-60-40 D 2 (proposed).

The Cannabis Control Act leaves security standards, including surveillance, to the Board's regulations, and the CCA's draft rules set out where cameras go, what the video system must do, how long recordings are kept and who may enter the surveillance room. Destruction of product and test sampling are also required to happen on camera. Citations to 3VAC10 are to the CCA's draft regulations dated Sept. 9, 2026 (proposed, not final; they may change before adoption).

Other security requirements are listed in the Security plan template.

What Virginia requires

Statutory baseline

- Areas of a cultivation facility where marijuana is cultivated, labeled, packaged or stored must meet the security standards in the Board's regulations (Code of Virginia § 4.1-800 E); the same standard appears in the license sections for processing, retail, microbusiness, transporter and testing premises (§§ 4.1-801 B, 4.1-802 F, 4.1-803 C, 4.1-804 B, 4.1-806 G).
- The Board's outdoor cultivation regulations must include security requirements for lighting, physical security and alarms (§ 4.1-606 B 1).

Where cameras must be

- Fixed video cameras in all areas that may contain marijuana or marijuana products and at all points of entry and exit, appropriate for the normal lighting conditions of the area under surveillance (3VAC10-40-140 F, draft).
- Cameras directed at all approved safes, approved vaults, dispensing areas or sales areas, and any other area where marijuana plants or products are produced, harvested, manufactured, stored or handled (3VAC10-40-140 F 1, draft).

- At entry and exit points, cameras angled “so as to allow for the capture of clear and certain identification of any person entering or exiting the facility” (3VAC10-40-140 F 1, draft).
- Outdoor cultivation: video surveillance “with an unobscured view of the cultivation area” (3VAC10-40-140 G 3, draft).
- A drive-through dispensing window at a pharmaceutical processor or cannabis dispensing facility must meet sales-area requirements, including security lighting, alarm systems and video surveillance (3VAC10-40-30 K 3 b, draft).

What the video system must do

- A failure notification system that gives an audible, text or visual notification of any failure in the surveillance system or its storage device, alerting the establishment within five minutes of the failure by telephone, email or text message (3VAC10-40-140 F 2 a, draft).
- The ability to immediately produce a clear color still photo “that is a minimum of 9600 dpi” from any camera image, live or recorded (3VAC10-40-140 F 2 b, draft).
- A date and time stamp embedded on all recordings, synchronized and set correctly, that does not significantly obscure the picture (3VAC10-40-140 F 2 c, draft).
- The ability to remain operational during a power outage (3VAC10-40-140 F 2 d, draft).
- All recordings allow export of still images in an industry standard image format (3VAC10-40-140 F 3, draft).
- Exported video can be archived in a proprietary format that ensures authentication and guarantees no alteration of the recorded image, and can also be saved in an industry standard file format playable on a standard computer operating system (3VAC10-40-140 F 3, draft).

Recordings: access and retention

- 24-hour recordings from all cameras are available for immediate viewing by the Board or its agent on request (3VAC10-40-140 F 4, draft).
- Recordings are retained for at least 30 days (3VAC10-40-140 F 4, draft).
- If the establishment is aware of a pending criminal, civil or administrative investigation or legal proceeding for which a recording may contain relevant information, it retains an unaltered copy until the matter is closed or the investigating entity notifies the PIC or responsible party that retention is not necessary (3VAC10-40-140 F 4, draft).
- All security system equipment and recordings are kept in a secure location to prevent theft, loss, destruction or alteration (3VAC10-40-140 H, draft).

Equipment and the surveillance room

- All security equipment is maintained in good working order and tested at least every six months (3VAC10-40-140 H, draft).
- Onsite surveillance rooms are kept locked and may not be used for any other function (3VAC10-40-140 H, draft).
- Access to surveillance areas is limited to persons essential to surveillance operations, law-enforcement agencies, security system service employees, the Board or its agent, and others approved by the Board (3VAC10-40-140 I, draft).

- The establishment makes available a current list of authorized employees and security system service employees who have access to the surveillance room (3VAC10-40-140 I, draft).
- A change to an existing establishment's "approved security system" requires an application to the Board and the required fee (3VAC10-30-180 C, draft).

Activities that must be filmed

- Destruction and disposal of green waste, extracts and marijuana products are conducted under video surveillance (3VAC10-50-110 B, draft).
- Test sample collection is conducted under video surveillance; the designated sample collector keeps the recording for 30 days from the date of sampling unless the Board or its designees instruct otherwise (3VAC10-60-40 D 2, draft).

Records and forms the rules name

Surveillance room access list (required by 3VAC10-40-140 I, draft: authorized employees and security system service employees with access)

Name	Employee or security system service employee

Sampling record kept with the sampling video (fields listed in 3VAC10-60-40 D 2, draft)

Date and time of sample collection	Business name and license number of origin	Unique batch number of each batch sampled	Name of designated sample collector

Destruction record (fields listed in 3VAC10-50-110 B, draft; see the Waste disposal SOP)

Date and time	Manner of destruction and disposal	Name and quantity of product and green waste	Signatures of persons destroying and disposing

What the law does not say

- The draft rules do not set a minimum camera resolution or frame rate. The only image-quality figure is the "minimum of 9600 dpi" still-photo standard (3VAC10-40-140 F 2 b, draft).
- The draft rules do not require off-site or cloud backup of recordings.
- The draft rules do not say who must receive the five-minute failure alert, only that it reaches the establishment by telephone, email or text message (3VAC10-40-140 F 2 a, draft).

- The draft video requirements in 3VAC10-40-140 F apply to marijuana establishments; the draft does not apply them by name to regulated hemp product retail facilities.

What other states required or scored

Not required in Virginia. Shown so applicants can see what other regulators asked for.

Massachusetts (935 CMR 500.110)

- Massachusetts requires cameras in all areas that may contain marijuana, at cash vaults or safes, at all entry and exit points and in any parking lot, angled for "clear and certain identification" of anyone entering or exiting (935 CMR 500.110(5)(a)4.).
- Recording runs 24 hours a day and footage is available for immediate viewing by the Commission for at least the preceding 90 calendar days, or longer if the Commission asks for preservation (935 CMR 500.110(5)(a)5.).
- Motion-activated recording is allowed only if the sensor alerts designated employees as set out in Commission-approved written procedures (935 CMR 500.110(5)(a)5.).
- The system must produce a clear color still image, embed a synchronized date and time stamp, and export stills as .jpg, .bmp or .gif and video in a tamper-evident proprietary format plus a standard playable format (935 CMR 500.110(5)(a)6., 7., 9.).
- An on-site surveillance room stays locked, is used for no other function, and a current list of employees with access is available on request (935 CMR 500.110(5)(d)-(e)).
- Delivery agents wear an operational, conspicuously displayed body camera that records all deliveries; footage is kept at least 30 days and then destroyed unless held for an investigation (935 CMR 500.110(8)(b)).

New York (9 NYCRR 125.3)

- New York requires cameras at every point-of-sale area and entry and exit point, positioned for "clear and certain identification" (9 NYCRR 125.3(c)(2)(ii)).
- Recording is continuous during operating hours and whenever cannabis is handled, motion-activated at other times, available to the Office by remote access, and retained at least 60 days (9 NYCRR 125.3(c)(2)(vi)).
- Time stamps are synchronized to National Institute of Standards and Technology time (9 NYCRR 125.3(c)(2)(v)).
- Footage relevant to a pending investigation or legal proceeding is kept unaltered until it closes, and in no event less than 60 days (9 NYCRR 125.3(c)(2)(viii)).
- Outdoor canopy video runs for at least the three weeks before harvest and at all times during drying, curing, storage or disposal (9 NYCRR 125.3(c)(7)).

Ohio (OAC 1301:18-8-05)

- Ohio dispensary video records at least fifteen frames per second, is retained at least forty-five calendar days, and allows real-time access by the Division (OAC 1301:18-8-05(B)(3)(a)-(c)).
- The system includes a display monitor of at least nineteen inches and produces color stills of at least 600 x 600 dpi (OAC 1301:18-8-05(B)(3)(d), (f)).

- Cameras cover all entrances and exits, limited access areas, inventory storage, the destruction and disposal area, areas where sales proceeds are stored or moved, and each point of sale (OAC 1301:18-8-05(B)(5)).
- Equipment is tested at least monthly and any failure is repaired or replaced within twenty-four hours (OAC 1301:18-8-05(C)).

Maryland (COMAR 14.17.10.02)

- Maryland growers keep a motion-activated system recording "images of high quality and high resolution capable of clearly revealing facial detail," running 24 hours a day, 365 days a year, with a time stamp on every frame (COMAR 14.17.10.02H(1)).
- Notices advising visitors of video surveillance are posted (COMAR 14.17.10.02H(2)).
- Recording storage is access-limited, protected by an alarm independent of the main premises alarm, and retained at least 90 calendar days (COMAR 14.17.10.02H(5)).
- Recordings are provided to the Administration or law enforcement within 48 hours of a request for just cause (COMAR 14.17.10.02H(6)).

New Jersey (N.J.A.C. 17:30-9.10)

- New Jersey requires a video system that monitors "all critical control activities," provides remote viewing access to the Commission, and is approved by the Commission before license issuance (N.J.A.C. 17:30-9.10(b)9i).
- Recordings are stored in a safe place with a 30-day archive (N.J.A.C. 17:30-9.10(b)9ii).
- Security lighting illuminates all entrances and exits and may use motion sensors to protect cultivation light cycles (N.J.A.C. 17:30-9.10(b)10).

Sources checked 2026-11-22.

- Cannabis Control Commission, 935 CMR 500.000 (effective 09-11-26)
- Office of Cannabis Management, Express Terms adopting Parts 118-125 and 131 (9 NYCRR)
- OAC 1301:18-8-05, Minimum Security and Surveillance Requirements
- COMAR 14.17.10.02, Cannabis Grower Premises
- NJ Cannabis Regulatory Commission, N.J.A.C. 17:30 Personal Use Cannabis Rules

Sources: Code of Virginia § 4.1-606 (Regulations of the Board); Code of Virginia § 4.1-800 (Marijuana cultivation facility license); Code of Virginia § 4.1-801 (Marijuana processing facility license); Code of Virginia § 4.1-802 (Retail marijuana store license); Code of Virginia § 4.1-803 (Microbusiness license); Code of Virginia § 4.1-804 (Marijuana transporter license); Code of Virginia § 4.1-806 (Marijuana testing facility license); CCA draft adult-use regulations, Sept. 9, 2026 (proposed, not final): 3VAC10-30-180, 3VAC10-40-30, -140, 3VAC10-50-110, 3VAC10-60-40.

Transport Manifest and Delivery SOP

The transport and delivery requirements in the Cannabis Control Act and the CCA draft rules, each cited: who may transport, banned delivery locations, the vehicle and driver filing, vehicle security, daily inspection records, manifests, routes and stops, GPS records, customer ID at delivery, delivery hours, and incident reporting.

Who needs it: Transporters and delivery operators; Retail stores and microbusinesses that deliver to consumers; Establishments that move product to another licensee or to a testing facility. **Rule basis:** Code of Virginia §§ 4.1-606 B 2, 4.1-800 A, 4.1-801 A, 4.1-802 A and B 2, 4.1-804, 4.1-805, 4.1-1203; draft rules 3VAC10-40-30 J, 3VAC10-40-235 to -285, 3VAC10-60-20, -40, 3VAC10-80-30 (proposed).

The Cannabis Control Act says which licensees may move marijuana, where consumer deliveries may and may not go, and that every transfer is tracked; it leaves secure transport and delivery rules, including age verification, delivery radius and recordkeeping, to the Board. The CCA's draft rules fill in the vehicle filing, vehicle security, manifests, driver conduct, GPS records, customer identification and incident reporting. Citations to 3VAC10 are to the CCA's draft regulations dated Sept. 9, 2026 (proposed, not final; they may change before adoption).

What Virginia requires

Who may transport and deliver (statute)

- The Board must adopt regulations for (i) securely transporting marijuana between marijuana establishments and (ii) securely delivering marijuana from retail stores or microbusinesses "only in person to consumers," including requirements for "age verification, delivery radius, and recordkeeping" (Code of Virginia § 4.1-606 B 2).
- A licensed marijuana establishment may transfer marijuana from one licensed place of business to another only if it is authorized to do so and the transfer is completed by the licensee or its employee, or if a licensed transporter completes it; a violation is a Class 1 misdemeanor (§ 4.1-1203).
- Cultivation facilities may transport marijuana, immature plants and seeds from their licensed premises to another licensed establishment (§ 4.1-800 A); processing facilities may transport marijuana and products to another licensed establishment (§ 4.1-801 A); retail stores may transport to another retail store (§ 4.1-802 A).
- A transporter may take possession from and transfer to cultivation facilities, processing facilities, retail stores, microbusinesses and other transporters, and transport from one licensed establishment to another (§ 4.1-804 A); it tracks product from receipt to transfer, disposal or destruction under § 4.1-611 (§ 4.1-804 C).
- A delivery operator may take possession from a retail store or microbusiness and deliver "only in person to consumers at any residence, including a temporary residence, or business" (§ 4.1-805 A), and tracks product until delivered, transferred, disposed of or destroyed (§ 4.1-805 B).

- A retail store may sell to consumers only face to face, through a licensed delivery operator, or by its own in-person delivery to a residence or business (§ 4.1-802 B 2).

Places deliveries may not go (statute)

- Neither a retail store nor a delivery operator may deliver to (a) any military base, child day center, school or correctional facility; (b) the State Capitol; (c) a hospital; (d) a marine terminal under the supervision of the Virginia Port Authority; or (e) any public gathering place, including sporting events, festivals, fairs, races, concerts and terminals of public transportation companies (§§ 4.1-802 B 2, 4.1-805 A).

Approval before operating (draft)

- Before transporting marijuana to another establishment or offering delivery, an establishment submits to the CCA a list of employees authorized to transport or deliver with a copy of each one's valid driver's license, and for each vehicle: plate number, VIN, make and model; a copy of the registration and proof of insurance; a description of the locked, safe and secure storage compartments; and a description of the security system, secure communication, GPS monitoring device and other equipment required by 3VAC10-40-245 (3VAC10-40-235 A, draft).
- Written notice with the same documentation is required when a vehicle or authorized employee is added or removed (3VAC10-40-235 B, draft).
- No establishment may advertise, offer or begin delivery or transport operations before receiving written approval from the CCA (3VAC10-40-235 C, draft).
- The Board may suspend or revoke transport or delivery privileges for failure to comply with its regulations (3VAC10-40-235 D, draft).
- No marijuana products may be sold, dispensed or distributed outside a marijuana establishment, except that a parent, legal guardian, registered agent or licensed delivery operator may deliver to the patient or consumer under Board regulations (3VAC10-40-30 J, draft).

Vehicle requirements (draft)

- Vehicles are registered and insured in the Commonwealth; registration and insurance documents are kept and provided to the CCA and law enforcement on request (3VAC10-40-245 A, draft).
- Vehicles bear no marking or outward appearance, including brand or company names, that would indicate to a reasonable person that the vehicle transports marijuana (3VAC10-40-245 B, draft).
- At all times during transport, the vehicle has functioning: (1) heating and air conditioning sufficient to keep appropriate temperatures per the originating establishment's recommendations; (2) a locked, safe and secure storage compartment that is a secured part of the vehicle, not easily removed, and keeps marijuana from being visible from outside; (3) a GPS device secured to the vehicle, not easily removed, that stays powered when the vehicle is not running; (4) a secure form of communication with the establishment at all times, such as two-way radio, cellular phone or satellite phone; and (5) an adequate vehicle security system including an audible alarm (3VAC10-40-245 C, draft).
- Access to vehicle security equipment and records is limited to persons essential to security operations, law-enforcement agents, security system service employees, CCA agents and persons the CCA approves; the establishment keeps a current list of everyone with that access (3VAC10-40-245 D, draft).

- The CCA may inspect a vehicle and its equipment at any time without notice; a vehicle that fails may not be used until it passes inspection (3VAC10-40-245 E, draft). The Board's right to access includes inspecting and testing any vehicle used for regulated activity (3VAC10-80-30 A 2, draft).

Daily inspection (draft)

- All security systems, secure communications and GPS devices of each vehicle are inspected and tested at least once per day of use, before the first departure; the person inspecting creates a signed record with their name, the VIN, the date and the status of all inspected systems; the establishment keeps all inspection records (3VAC10-40-265 C, draft).
- A vehicle may not transport marijuana unless every security system, secure communication and GPS device is working (3VAC10-40-265 D, draft).

Manifests (draft)

- Before transport between establishments or to a testing laboratory, the originating facility prepares a transport manifest on the CCA's form itemizing all marijuana; a separate copy travels with the transporting employee at all times (3VAC10-40-255 A 1, draft).
- The originating facility securely transmits a copy of the transport manifest to the receiving facility at least 24 hours before transport (3VAC10-40-255 A 2, draft).
- The transporting employee or delivery operator reviews the manifest and confirms it accurately describes the type and quantity of marijuana in the vehicle, in aggregate and for each delivery (3VAC10-40-255 A 3, draft).
- Before delivery to a consumer, patient or agent, the establishment prepares a delivery manifest on the CCA's form itemizing all marijuana; a copy travels with the delivery employee or operator; the driver confirms it includes sufficient identifying information for each recipient, "including name and day and month of birth" (3VAC10-40-255 B, draft).
- A vehicle may not carry marijuana for which no manifest has been provided, and all marijuana is in "sealed, labeled, and tamper-resistant packaging at all times" (3VAC10-40-255 C, draft).

Driver conduct, schedules and GPS (draft)

- A transporting employee or delivery operator stays with the vehicle whenever it contains marijuana; a lone driver may leave the locked vehicle only to deliver or transfer product, for meals on trips over three hours round trip, for rest periods required by law, to refuel, or for exigent circumstances such as collisions, traffic stops, breakdowns, weather or medical emergencies (3VAC10-40-265 A, draft).
- Drivers carry "transportation credentials" (valid driver's license, a copy of the establishment's license or permit, and all manifests for product in the vehicle), display them at the originating facility before each transport, and show them to law enforcement or CCA representatives on request (3VAC10-40-265 B, draft).
- If any security system, secure communication or GPS device fails during transport, the driver immediately notifies the establishment and all affected originating facilities and returns directly; the vehicle may not resume until all systems work (3VAC10-40-265 E, draft).
- The establishment creates a confidential delivery schedule within 24 hours of the transport and gives it to the driver only immediately before departure (3VAC10-40-265 F, draft).
- The driver communicates with the establishment on arriving at and departing from each scheduled location (3VAC10-40-265 G, draft).

- No unscheduled stops; in an emergency stop the vehicle stays locked and the driver verbally reports the reason, location, duration, the driver's activities, and the identities and activities of anyone interacting with the vehicle or driver; the establishment keeps a record of those communications (3VAC10-40-265 H, draft).
- GPS information for each vehicle for the entire duration of any transport is kept for not less than 90 days and made available to the CCA on request; a third-party GPS monitor may be used if it complies with patient confidentiality laws (3VAC10-40-265 I, draft).
- Undeliverable marijuana returns to the originating facility directly after the last scheduled delivery (3VAC10-40-265 J, draft).
- No marijuana is stored in a vehicle after the facility's hours of operation, and never longer than 24 hours, unless the vehicle is inside an enclosed, secure part of the facility (3VAC10-40-265 K, draft).

Delivery to consumers and patients (draft)

- An establishment offering delivery requires each consumer or patient to provide full legal name, date of birth, address, email address and telephone number, and if applicable the legal name, date of birth and address of the parent, legal guardian or registered agent (3VAC10-40-275 A, draft).
- For each delivery, the driver confirms from a valid driver's license or other valid government-issued photo ID that the person accepting the delivery is the person who ordered it, and if applicable confirms the qualifying patient's registration number (3VAC10-40-275 B, draft).
- If identity, age or registration remains in question after the documents are shown, the driver immediately alerts the originating facility and returns the marijuana directly after the last scheduled delivery (3VAC10-40-275 C, draft).
- Marijuana products may only be delivered between 6 a.m. and midnight (3VAC10-40-275 D, draft).

Incident reporting (draft)

Event	Who must be told	Deadline	Cite
Vehicle accident, vehicle theft, diversion, loss or adulteration, or other event the CCA deems reportable in connection with transport	The CCA and local law enforcement	Within 24 hours of discovery	3VAC10-40-265 L
Traffic stop, breakdown, collision, or unscheduled stop lasting more than two hours	The CCA	Within 24 hours	3VAC10-40-285 A
Incident resulting in vehicle theft, diversion, loss or adulteration of regulated products	Law enforcement and the CCA	As soon as possible	3VAC10-40-285 A
Exigent circumstances requiring removal of product from the vehicle before it reaches the manifest destination	The CCA (good faith effort to contact)	When the circumstance arises	3VAC10-40-285 B

Test samples and testing facilities (draft)

- A testing facility license requires compliance with a transportation protocol for moving marijuana to or from itself or establishments (3VAC10-60-20 5, draft).

- Sampling procedures include transporting test samples in a manner that does not endanger their integrity and follows the CCA's transportation requirements (3VAC10-60-40 E 6, draft).

Records and forms the rules name

Daily vehicle inspection record (fields listed in 3VAC10-40-265 C, draft; signed by the inspector)

Name of inspector	Vehicle identification number	Date of inspection	Status of security systems	Status of secure communications	Status of GPS device	Signature

Vehicle filing to the CCA (items listed in 3VAC10-40-235 A, draft)

Plate number	VIN	Make and model	Registration copy	Proof of insurance	Locked compartment description	Security system, communication, GPS description

Authorized employee	Copy of valid driver's license attached

Vehicle security access list (required by 3VAC10-40-245 D, draft)

Name	Basis for access (security operations, law enforcement, security system service, CCA, CCA-approved)

Unscheduled-stop communication record (contents listed in 3VAC10-40-265 H, draft)

Reason for stop	Location	Duration	Driver's activities	Identities and activities of persons interacting with vehicle or driver

Delivery customer record (fields listed in 3VAC10-40-275 A, draft)

Full legal name	Date of birth	Address	Email	Telephone	Parent, guardian or registered agent name, date of birth and address (if applicable)

What the law does not say

- § 4.1-606 B 2 directs the Board to set a "delivery radius," but the Sept. 9, 2026 draft does not state one.

- The draft rules do not set a cap on the dollar value or quantity of product in a delivery vehicle.
- The draft rules require the transport and delivery manifest "on a form and in a manner prescribed by the authority" (3VAC10-40-255 A 1 and B 1, draft); the draft does not include the form itself.

What other states required or scored

Not required in Virginia. Shown so applicants can see what other regulators asked for.

Massachusetts (935 CMR 500.110(8))

- Massachusetts requires each delivery vehicle to have an exterior vehicle alarm, a non-removable locked compartment for product, and a separate non-removable locked compartment for cash (935 CMR 500.110(8)(a)1.-3.).
- Vehicles carry two-way radio, cellular or satellite communication with dispatch, monitored at all times during a route (935 CMR 500.110(8)(a)4.).
- A GPS device that is "not a mobile device" stays attached to the vehicle and is monitored from a fixed location with location checks at least every 30 minutes (935 CMR 500.110(8)(a)5.).
- Vehicles have cameras in the storage area and the driver area operating during the entire transport, and vehicle security equipment is tested at intervals not exceeding 30 days (935 CMR 500.110(8)(a)6.-7.).
- Each delivery vehicle is staffed with at least one agent, who stays in the vehicle whenever it holds product except while completing a delivery (935 CMR 500.110(8)(c)).
- Cash transport alternatives include a locked bag, an unmarked vehicle, two agents, real-time GPS, two-way communication, and no product carried with the cash (935 CMR 500.110(7)(b)).

New York (9 NYCRR 125.10)

- New York requires transporting employees to be at least 18, or at least 21 when delivering to consumers, and to show employee identification with the license number on request (9 NYCRR 125.10(c)).
- Every transport, including a vehicle, trailer, bicycle or motorcycle, has temperature controls, a fully enclosed locked box, container or cage, and an operational GPS device (9 NYCRR 125.10(e)(1)).
- Transport vehicles bear no cannabis-identifying signs or markings (9 NYCRR 125.10(e)(2)).
- Drones and other unmanned transport are prohibited (9 NYCRR 125.10(e)(4)).
- A transport vehicle is "an extension of the licensed premises" and may be stopped and inspected en route (9 NYCRR 125.10(e)(5)).

New Jersey (N.J.A.C. 17:30-9.15)

- New Jersey requires each delivery vehicle to have a secure lockbox or cargo area, an active GPS device kept with the staff member, and working heating and air conditioning (N.J.A.C. 17:30-9.15(c)).
- Hired and non-owned automobile liability insurance of at least $1,000,000 per occurrence covers all delivery vehicles (N.J.A.C. 17:30-9.15(d)).
- Vehicles bear no cannabis markings, and make, model, color, VIN, plate and registration are provided to the Commission (N.J.A.C. 17:30-9.15(e)-(f)).

- Cannabis is never left in an unattended vehicle unless it is locked with an active alarm, and never overnight (N.J.A.C. 17:30-9.15(g)1).

Ohio (OAC 1301:18-3-13)

- Ohio requires written transport procedures with security and emergency protocols and real-time knowledge of all vehicle locations (OAC 1301:18-3-13(A)(1)-(2)).
- The originating licensee creates a transfer manifest in the state tracking system, and drivers carry a physical copy for the whole trip (OAC 1301:18-3-13(A)(3), (4)(e)).
- Drivers are badged, keep the vehicle attended by at least one badged employee, and vary delivery times and randomize routes (OAC 1301:18-3-13(A)(4)(a)-(d)).
- Vehicle accidents are reported to the designated person within two hours, and emergencies go to 911 immediately (OAC 1301:18-3-13(A)(4)(g)).
- Product is stored in a locked, secure compartment affixed to a vehicle that is registered in Ohio and insured (OAC 1301:18-3-13(B)).

Sources checked 2026-11-22.

- Cannabis Control Commission, 935 CMR 500.000 (effective 09-11-26)
- Office of Cannabis Management, Express Terms adopting Parts 118-125 and 131 (9 NYCRR)
- NJ Cannabis Regulatory Commission, N.J.A.C. 17:30 Personal Use Cannabis Rules
- OAC 1301:18-3-13, Transportation of Cannabis to Another Licensed Entity

Sources: Code of Virginia § 4.1-606 (Regulations of the Board); Code of Virginia § 4.1-800 (Marijuana cultivation facility license); Code of Virginia § 4.1-801 (Marijuana processing facility license); Code of Virginia § 4.1-802 (Retail marijuana store license); Code of Virginia § 4.1-804 (Marijuana transporter license); Code of Virginia § 4.1-805 (Marijuana delivery operator license); Code of Virginia § 4.1-1203 (Prohibiting transfer of marijuana by certain licensees); Code of Virginia § 4.1-611 (Seed-to-sale tracking system); CCA draft adult-use regulations, Sept. 9, 2026 (proposed, not final): 3VAC10-40-30, -235 to -285, 3VAC10-60-20, -40, 3VAC10-80-30.

Inventory Tracking and Seed-to-Sale SOP

The inventory and tracking requirements in the Cannabis Control Act and the CCA draft rules, each cited: the state seed-to-sale system, tagging and batch IDs, the initial, weekly, monthly and annual inventories, wholesale transfer records, hemp extract receipts, quarantine and first-in first-out, record systems, and reporting a discrepancy.

Who needs it: Every marijuana establishment: cultivation, processing, retail, microbusiness, transporter, delivery, testing; Dual-use medical operators; Regulated hemp product retail facilities (the draft monthly inventory rule).
Rule basis: Code of Virginia §§ 4.1-606 B 8, 4.1-611, 4.1-703, 4.1-800 B, 4.1-801 C, 4.1-802 B 6, 4.1-803 C, 4.1-804 C, 4.1-805 B, 4.1-806 E, 4.1-1404 E; HB 30 enactment 18; draft rules 3VAC10-30-10, -20 C, -130 A 2, 3VAC10-40-40 to -90, -100 A 7, -150, 3VAC10-50-20 D, -50 D, 3VAC10-60-40 C (proposed).

Virginia law requires the Board to run a seed-to-sale tracking system and requires every license type to track the marijuana it handles from receipt until it leaves the licensee's hands or is destroyed. The CCA's draft rules add individual tags, batch identifiers, a schedule of inventories, transfer records and a three-year retention period. Citations to 3VAC10 are to the CCA's draft regulations dated Sept. 9, 2026 (proposed, not final; they may change before adoption).

What Virginia requires

The state tracking system (statute)

- The Board "shall develop and maintain a seed-to-sale tracking system that tracks marijuana from either the seed or immature plant stage until the marijuana or marijuana product is sold, dispensed, or destroyed" (Code of Virginia § 4.1-611).
- The Board must establish that system by Feb. 1, 2027 (HB 30, 2026 Sp. Sess. I, c. 1, enactment 18).
- The Board's regulations must set "the form, content, and retention of all records and accounts by all licensees and by any person selling a regulated hemp product" (§ 4.1-606 B 8) and provide alternative methods to keep business records, including approved electronic and offsite storage (§ 4.1-606 B 9).

What each license type tracks (statute)

License	Tracking starts	Tracking ends	Cite
Cultivation facility	Seed or immature plant	Transport or transfer to a testing facility, transporter, another cultivator, a processor or a retail store, or disposal or destruction	§ 4.1-800 B

License	Tracking starts	Tracking ends	Cite
Processing facility	Delivery or transfer of marijuana to the processor	Delivery or transfer to another processor, a retail store, a testing facility or a transporter, or disposal or destruction	§ 4.1-801 C
Retail store	Delivery or transfer to the store	Sale to a consumer, transfer to a testing facility or delivery operator, or disposal or destruction	§ 4.1-802 B 6
Microbusiness	Same requirements as cultivation, processing and retail	Same	§ 4.1-803 C
Transporter	Delivery or transfer to the transporter	Transfer to a processor, transporter, retail store, microbusiness or testing facility, or disposal or destruction	§ 4.1-804 C
Delivery operator	Transfer to the delivery operator	Delivery or transfer to the consumer, or disposal or destruction	§ 4.1-805 B
Testing facility	Receipt from a licensee for testing	Disposal or destruction	§ 4.1-806 E

Records the statute requires

- Every licensed establishment keeps “complete, accurate, and separate records” of all marijuana it cultivated, purchased, processed, sold, developed, researched, tested or shipped (§ 4.1-703 A).
- Retail stores and microbusinesses keep records of all purchases of marijuana products, the prices charged, and the names and addresses of the sellers; preserve purchase invoices for the period set by Board regulation; and keep “an accurate account of daily sales, showing quantities of marijuana products sold and the total price charged” (§ 4.1-703 B).
- Electronic records of retail stores and microbusinesses may be stored off-site if readily retrievable and available for electronic inspection at the licensed premises (§ 4.1-703 B).
- Testing facilities keep the names and addresses of all licensees or persons who submit marijuana to them (§ 4.1-703 C).
- Board agents have free access during reasonable hours to premises and all records; for stores and microbusinesses, “reasonable hours” means 9 a.m. to 5 p.m. or the hours the business is open to the public, and records not available at other times are provided to an agent within 24 hours of a request (§ 4.1-703 D).
- Previously tested product may be resold without retesting only if, among other conditions, “tracking from immature marijuana plant to the point of retail sale has been maintained” (§ 4.1-1404 E 3).

Tagging and batches (draft)

- The electronic tracking system is defined as an RFID seed-to-sale system that tracks marijuana from seed or immature plant until sold or destroyed, with a central inventory management system and standard and ad hoc reporting (3VAC10-30-10, draft).
- A license issues only with “evidence of utilization of an electronic tracking system” (3VAC10-30-130 A 2, draft).

- Each establishment implements and maintains an electronic tracking system as prescribed by the CCA (3VAC10-40-40 A, draft).
- All marijuana is identified, monitored and tracked through a unique identifier assigned at seed acquisition or plant propagation (3VAC10-40-40 B, draft).
- Each harvest or production lot is separated and assigned a unique batch identifier traceable in the statewide system (3VAC10-40-40 B, draft).
- All marijuana inventory, including immature plants, seeds and mature plants, is "physically tagged and tracked individually with unique identifier tags that are easily accessible and plainly visible" (3VAC10-40-40 B, draft).
- Before sampling, harvest lots are separated into batches of no more than 50 pounds and concentrate production lots into batches of no more than 20,000 units; each batch number is documented in the tracking system for at least three years (3VAC10-60-40 C, draft).
- Each certificate of analysis is uploaded to the seed-to-sale system (3VAC10-50-20 D, draft).
- The establishment keeps a record of all marijuana through cultivation and processing until transferred, distributed or disposed of under 3VAC10-50-110 (3VAC10-40-40 C, draft).

Inventories (draft)

Inventory	When	Contents	Cite
Initial inventory of all marijuana and products	On commencing operation; if nothing is on hand, that fact is recorded as the initial inventory	Date, summary of findings, name, signature and title of the person conducting it	3VAC10-40-60 A and C 3
Weekly inventory of all plants, seeds, parts of plants and products in stock	Every week after commencing operation	Same minimum contents	3VAC10-40-60 D
Reconciliation of each product	At least monthly	Written explanation for any difference between physical count and theoretical count	3VAC10-40-60 E
Annual record of all plants, seeds, parts and products on hand	On the anniversary of the initial inventory or a date the PIC or responsible party chooses, not more than one year after the prior one	Complete and accurate record	3VAC10-40-60 G

- Ongoing inventory controls and procedures must "enable the facility to detect any diversion, theft, or loss in a timely manner" (3VAC10-40-60 B, draft).
- The responsible party ensures inventories are performed in cultivation and production areas, and the PIC or responsible party in the dispensing area (3VAC10-40-60 C 1, draft).
- Inventories are conducted by a pharmacist, pharmacy technician, responsible party, or designated supervisor who supervises cultivation or production activities (3VAC10-40-60 C 2, draft).
- Inventory tracking of all products received and dispensed shows the physical count of each product on hand at the time of the inventory (3VAC10-40-60 E, draft).

- The record of all products sold, dispensed or otherwise disposed of shows the date, the establishment's name, the name and address of the patient, parent, legal guardian or registered agent if applicable, the kind and quantity sold or disposed of, and the method of disposal (3VAC10-40-60 F, draft).
- All inventories, procedures and related documents are kept on the premises and made available to the Board (3VAC10-40-60 I, draft).
- Inventory records are kept for three years from the date of the inventory (3VAC10-40-60 J, draft).
- When an enforcement officer removes a sample or record, the officer tenders a receipt, which is kept at least three years (3VAC10-40-60 K, draft).

Regulated hemp product retail facilities (draft)

- An initial inventory on commencing operation; inventory controls able to detect diversion, theft or loss; and a complete record of all regulated hemp products, including all required certificates of analysis, "prepared and submitted to the authority monthly," with the same minimum contents as marijuana inventories (3VAC10-40-60 H, draft).
- A record of all regulated hemp products received, transferred, disposed of, sold or otherwise distributed (3VAC10-40-40 D, draft).

Wholesale transfers (draft)

- Product that has passed required tests and is packaged and labeled for sale with an expiration date may be wholesale distributed between establishments; untested, unpackaged product may move only between facilities licensed to process, label and package, labeled under 3VAC10-70-30 (3VAC10-40-50 A and B, draft).
- The distributing establishment creates a transaction record showing (i) the date; (ii) names and addresses of the distributing and receiving establishments; (iii) quantity or weight in each container; (iv) quantity of each type of container; (v) identification of contents, including type or form and strain name as appropriate; (vi) the unique batch identifier; and (vii) dates of harvest and packaging (3VAC10-40-50 D 1, draft). Subsection C lists a parallel set that adds testing, processing and expiration dates (3VAC10-40-50 C, draft).
- The distributor keeps the record with its distribution records, gives a copy to the receiver for its receipt records, and both keep it three years (3VAC10-40-50 C and D 2 and 3, draft).
- The distributor provides the receiver a copy of the lab results or electronic access to them (3VAC10-40-50 E, draft).
- An electronic system used for distribution records must meet 3VAC10-40-70 (3VAC10-40-50 G, draft).

Industrial hemp extract received (draft)

- An establishment acquiring industrial hemp extract ensures receipt of a transaction record showing the date, the names and addresses of the registered hemp dealer or processor and the receiving establishment, and the kind and quantity; the record is kept with receipt records and in the statewide tracking system for three years (3VAC10-50-50 D, draft).

Storage, quarantine and stock rotation (draft)

- Outdated, damaged, deteriorated, misbranded or adulterated product, or product with opened or breached packaging, is kept in a separate quarantined storage area until destroyed (3VAC10-40-80 A 2, draft).
- Written policies and procedures document the chain of custody of all marijuana (3VAC10-40-80 D 3, draft).

- Written policies and procedures for security, storage and inventory include methods for identifying, recording and reporting diversion, theft or loss "and for correcting all errors and inaccuracies in inventories" (3VAC10-40-80 F, draft).
- A procedure ensures "the oldest stock ... are used first," with temporary and appropriate deviation permitted (3VAC10-40-80 F 4, draft).
- Licensees in shared space each comply with all inventory tracking, recordkeeping and security requirements unless the Board authorizes otherwise (3VAC10-40-90 C, draft).
- Initial employee training includes "proper use of the statewide seed-to-sale tracking system" (3VAC10-40-100 A 7, draft).

Record systems (draft)

- An electronic record system guarantees confidentiality, safeguards against erasures and unauthorized changes after entry and verification, and can be reconstructed after a computer malfunction or accident (3VAC10-40-70 A, draft).
- All records relating to inventory, laboratory results, and dispensing or sales are kept three years and made available to the Board on request (3VAC10-40-70 B, draft).
- On a change of ownership, dispensing or sales records for the prior two years go to the new owners on the date of the change (3VAC10-30-20 C 1, draft).
- A licensee under an administrative hold may voluntarily surrender held goods and identifies them in the seed-to-sale system (3VAC10-80-90 D 3, draft).

Reporting discrepancies (draft)

- "Diversion, theft, loss, or discrepancies identified during inventory" require immediate notice to law enforcement and the Board (3VAC10-40-150 A 1, draft), followed within 24 hours of discovery by a signed statement with the circumstances, an accurate inventory of the quantity and registered names of products involved, and confirmation that local law enforcement was notified (3VAC10-40-150 B, draft).
- Any loss or unauthorized alteration of records related to regulated products is also an immediately reportable event (3VAC10-40-150 A 3, draft).

Records and forms the rules name

Inventory record (minimum contents listed in 3VAC10-40-60 C 3, draft; same contents for hemp retail under 3VAC10-40-60 H)

Date of inventory	Type (initial, weekly, annual)	Summary of findings	Name of person conducting	Title	Signature

Monthly reconciliation (3VAC10-40-60 E, draft)

Product	Physical count	Theoretical count	Difference	Written explanation

Sale or disposition record (fields listed in 3VAC10-40-60 F, draft)

Date	Establishment name	Patient, parent, guardian or agent name and address (if applicable)	Kind and quantity	Method of disposal (if disposed)

Wholesale transaction record (fields listed in 3VAC10-40-50 D 1, draft)

Date	Distributor name and address	Receiver name and address	Quantity or weight per container	Number of each container type	Contents, form and strain	Unique batch ID	Harvest date	Packaging date

Daily sales account for retail stores and microbusinesses (§ 4.1-703 B)

Date	Quantities of marijuana products sold	Total price charged

What the law does not say

- The draft rules do not name the tracking system vendor; they require the system "as prescribed by the authority" (3VAC10-40-40 A, draft).
- The draft rules do not set a tolerance for the monthly reconciliation; every difference requires a written explanation (3VAC10-40-60 E, draft).
- The draft rules do not state a deadline for the written explanation beyond the monthly reconciliation itself.

What other states required or scored

Not required in Virginia. Shown so applicants can see what other regulators asked for.

Illinois (410 ILCS 705/15-30; IDFPR dispensary application)

- Illinois scored a "plan for recordkeeping, tracking, and monitoring inventory, quality control, and other policies and procedures" within the 65-point Security and Recordkeeping category (410 ILCS 705/15-30(c)(2)(B)).
- The scored plan included the applicant's strategy to communicate with the Department and the Illinois State Police on destruction and disposal of cannabis (410 ILCS 705/15-30(c)(2)(B)).
- The application's Inventory Monitoring and Recordkeeping Plan (15 pages) covered monitoring of purchases and denials of sale and quality control over those processes (IDFPR Application, Exhibit I).

Massachusetts (935 CMR 500)

- Massachusetts requires real-time inventory of plants, seeds and clones in every phase, product ready for dispensing, all products, and damaged, defective, expired or contaminated product awaiting disposal (935 CMR 500.105(8)(b)).
- A monthly inventory of cannabis in cultivation and finished stored cannabis, and a comprehensive annual inventory, are required (935 CMR 500.105(8)(c)).
- Each inventory record shows the date, a summary of findings, and the names, signatures and titles of those who conducted it (935 CMR 500.105(8)(d)).
- Plant tags go on all cannabis, clones and plants and package tags on all finished products, tracked in the Seed-to-sale system (935 CMR 500.105(8)(e)).
- Failure to enter inventory into the Seed-to-sale system "may result in the suspension or revocation" of the license (935 CMR 500.105(8)(f)).

New York (9 NYCRR Part 125)

- New York requires an electronic real-time inventory tracking system able to show all cannabis released for sale "to allow for a total recall" (9 NYCRR 125.8(a)).
- Records for each activity include product type, weight, volume or count, date, lot identifier, the employee performing the action, and the activity type (9 NYCRR 125.8(a)(6)).
- Scales used before entry into the system are approved for commercial use by the New York State Bureau of Weights and Measures (9 NYCRR 125.8(a)(5)).
- Licensees review authorized system users and remove anyone no longer authorized (9 NYCRR 125.8(a)(7)).
- Planting, moving to canopy, destruction, harvest and pesticide application are recorded within three calendar days, and harvest batches record wet or dry weight and associated waste weight (9 NYCRR 125.8(a)(8)).

New Jersey (N.J.A.C. 17:30)

- New Jersey requires an initial comprehensive inventory on the first day of operations, reported through the Commission's tracking system, including damaged or expired product awaiting disposal with the reason it is held (N.J.A.C. 17:30-9.13(a)2).
- Product inventories are updated at least daily, audited monthly, and comprehensively audited annually (N.J.A.C. 17:30-9.13(a)4-6).
- The business pays any fees for Commission-designated plant tags, product tags or stamps (N.J.A.C. 17:30-9.13(a)1).

Ohio (OAC 1301:18-8-06)

- Ohio requires a responsible party to inspect each incoming delivery against packaging rules and the transfer manifest; nonconforming lots are refused, returned, and reported in writing within 48 hours (OAC 1301:18-8-06(A)).
- Discrepancies are reported in writing with a corrective action plan before any adjustment to the state tracking system (OAC 1301:18-8-06(E)(1)).
- A weekly inventory records amounts on hand, sales since the last count with buyer license and lot numbers, disposals, findings, and who conducted and oversaw it (OAC 1301:18-8-06(E)(2)).

- An annual full manual inventory is compared with the state system's annual inventory report (OAC 1301:18-8-06(E)(3)).

Maryland (COMAR 14.17)

- Maryland growers create a unique identifier for each plant, assign it to a batch, enter it in the seed-to-sale system, and attach an indelible, tamper-evident tag that resists temperature and moisture (COMAR 14.17.10.03C(4)).
- Each cured or dried batch is weighed to update the system, and a physical inventory is compared with the system at least monthly (COMAR 14.17.10.03C(5)).
- Scales are NTEP-approved, calibrated annually by an ISO/IEC 17025 accredited laboratory, and checked at least monthly (COMAR 14.17.10.03B(2)).
- Dispensary procedures track stock in the seed-to-sale system from receipt to sale or transfer, with a monthly physical inventory (COMAR 14.17.12.11A(1)).

Sources checked 2026-11-22.

- 410 ILCS 705/15-30 (FindLaw mirror of Illinois Compiled Statutes)
- IDFPR, Conditional Adult Use Dispensing Organization License Application (rev. 10/11/19)
- Cannabis Control Commission, 935 CMR 500.000 (effective 09-11-26)
- Office of Cannabis Management, Express Terms adopting Parts 118-125 and 131 (9 NYCRR)
- NJ Cannabis Regulatory Commission, N.J.A.C. 17:30 Personal Use Cannabis Rules
- OAC 1301:18-8-06, Dispensary Inventory Control and Storage
- COMAR 14.17.10.03, Cannabis Grower Controls
- COMAR 14.17.12.11, Standard Operating Procedures

Sources: Code of Virginia § 4.1-606 (Regulations of the Board); Code of Virginia § 4.1-611 (Seed-to-sale tracking system); Code of Virginia § 4.1-703 (Records of licensees; inspection); Code of Virginia § 4.1-800 (Marijuana cultivation facility license); Code of Virginia § 4.1-801 (Marijuana processing facility license); Code of Virginia § 4.1-802 (Retail marijuana store license); Code of Virginia § 4.1-803 (Microbusiness license); Code of Virginia § 4.1-804 (Marijuana transporter license); Code of Virginia § 4.1-805 (Marijuana delivery operator license); Code of Virginia § 4.1-806 (Marijuana testing facility license); Code of Virginia § 4.1-1404 (Mandatory testing); HB 30 (2026 Sp. Sess. I, c. 1), Item 4-14 enactment clauses (enactment 18); CCA draft adult-use regulations, Sept. 9, 2026 (proposed, not final): 3VAC10-30, 3VAC10-40, 3VAC10-50, 3VAC10-60.

Waste Disposal SOP

The waste and destruction requirements in the Cannabis Control Act and the CCA draft rules, each cited: tracking to destruction, quarantine, the 51% non-cannabis mix, filmed destruction, the destruction record and its three-year retention, hazardous and solvent waste, failed tests, recalls, seizures and closings.

Who needs it: Cultivation facilities, processing facilities and microbusinesses (green waste and extracts); Retail stores and every other establishment that destroys marijuana or marijuana products. **Rule basis:** Code of Virginia §§ 4.1-611, 4.1-800 B, 4.1-1403, 4.1-1404 D and F, 4.1-904; draft rules 3VAC10-30-190 B, 3VAC10-40-40 C, 3VAC10-40-60 F, 3VAC10-40-80, 3VAC10-40-150 A 2, 3VAC10-50-40, 3VAC10-50-60 A 10 e, 3VAC10-50-110, 3VAC10-50-120, 3VAC10-60-30, 3VAC10-60-40 I, 3VAC10-80-80, 3VAC10-80-90 D (proposed).

Virginia's seed-to-sale law follows marijuana until it is sold, dispensed or destroyed, and the testing statute requires destruction of failed batches that cannot be remediated. The CCA's draft rules set the destruction method (grinding and mixing with at least 51% non-cannabis waste), require destruction on camera with a signed record kept three years, and route chemical and hazardous waste to federal, state and local waste law. Citations to 3VAC10 are to the CCA's draft regulations dated Sept. 9, 2026 (proposed, not final; they may change before adoption).

What Virginia requires

Tracking to destruction (statute)

- The Board's seed-to-sale tracking system tracks marijuana "from either the seed or immature plant stage until the marijuana or marijuana product is sold, dispensed, or destroyed" (Code of Virginia § 4.1-611).
- Each license type tracks product until it is transferred "or is disposed of or destroyed" (§ 4.1-800 B for cultivation; the same phrase appears in §§ 4.1-801 C, 4.1-802 B 6, 4.1-804 C, 4.1-805 B and 4.1-806 E).
- The Board's testing regulations must address "disposal of used, unused, and waste marijuana and marijuana products" (§ 4.1-1403).

Failed tests (statute and draft)

- If a mandatory test shows a product exceeds the allowable THC or contaminant level, the testing facility "shall immediately quarantine, document, and properly destroy" it unless remedial measures can bring it into compliance, and notifies the Board within seven days of completing the test (§ 4.1-1404 D).
- Licensees must destroy harvested batches or product batches whose samples show noncompliance with health and safety standards, unless remediation can bring them into compliance (§ 4.1-1404 F).

- A botanical batch that fails retesting after remediation may be processed into concentrate unless the failure relates to pesticides, in which case it is disposed of under 3VAC10-50-110 (3VAC10-60-30 C 2, draft). Concentrate or botanical product that fails the pesticide test cannot be remediated (3VAC10-60-30 B and D, draft).
- The originating establishment requires the testing facility to immediately return or properly dispose of test samples when testing is complete (3VAC10-60-40 I, draft).

Quarantine and written procedures (draft)

- Product that is outdated, damaged, deteriorated, misbranded or adulterated, or whose packaging has been opened or breached, is stored in a separate quarantined storage area until destroyed (3VAC10-40-80 A 2, draft).
- Written policies and procedures include a process ensuring that outdated, damaged, deteriorated, misbranded or adulterated products are segregated and destroyed, with "written documentation of the ... disposition" (3VAC10-40-80 F 3, draft).
- The establishment keeps a record of all marijuana through cultivation and processing until it is transferred, distributed, "or otherwise disposed of according to 3VAC10-50-110" (3VAC10-40-40 C, draft).
- The record of all products sold, dispensed or otherwise disposed of shows the date of disposition, the establishment's name, the kind and quantity disposed of, and the method of disposal (3VAC10-40-60 F, draft).

Destruction method (draft)

- To mitigate the risk of diversion, an establishment "shall routinely and promptly dispose of undesired, excess, unauthorized, obsolete, adulterated, misbranded, or deteriorated green waste, extracts, and marijuana products" (3VAC10-50-110 A, draft).
- Green waste includes marijuana plants, seeds and parts of plants (3VAC10-50-110 A, draft).
- Green waste "shall be weighed, ground, and combined with a minimum of 51% non-cannabis waste to render the mixture inactive and unrecognizable"; once unrecognizable it is considered agricultural waste and may be disposed of accordingly (3VAC10-50-110 A, draft).
- Disposal of green waste may be by incineration, inert composting, or any other means of disposal or destruction (3VAC10-50-110 C, draft).
- An establishment may sell or otherwise distribute inert composted green waste (3VAC10-50-110 D, draft).

Filming and the destruction record (draft)

- Destruction and disposal are conducted under video surveillance (3VAC10-50-110 B, draft).
- The persons destroying and disposing keep and make available a separate record of each occurrence showing (1) date and time; (2) manner of destruction and disposal; (3) name and quantity of product and green waste destroyed; and (4) signatures of the persons destroying and disposing (3VAC10-50-110 B, draft).
- The record is kept at the establishment for three years from the date of destruction and disposal (3VAC10-50-110 E, draft).

Chemical, dangerous and hazardous waste (draft)

- Disposal of chemical, dangerous and hazardous waste is conducted consistent with federal, state and local statutes and regulations, including any waste product soaked in a flammable solvent (3VAC10-50-120, draft).

- Waste that may be hazardous is treated as hazardous waste for storage, labeling and disposal (3VAC10-50-120 1, draft), or the establishment may test it for elemental impurities (3VAC10-50-120 2, draft).
- Tested material that meets the definition of hazardous waste under the Resource Conservation and Recovery Act (RCRA) or other applicable law is labeled, contained, stored and disposed of under EPA, RCRA and other hazardous waste rules; material below RCRA limits and not otherwise designated hazardous may be disposed of under 3VAC10-50-110 (3VAC10-50-120 2 a and b, draft).
- Establishments using hydrocarbon-based solvents develop standard operating procedures that address "safe and proper disposal of waste created during processes using hydrocarbon-based solvents" (3VAC10-50-60 A 10 e, draft).

Unauthorized destruction (draft)

- Unauthorized destruction of any marijuana or regulated hemp products is a reportable event: immediate notice to law enforcement and the Board, followed by a signed statement within 24 hours of discovery (3VAC10-40-150 A 2 and B, draft).

Recalls, seizures, holds and closings

- On a recall, affected products are secured, segregated, clearly labeled not for sale or distribution, and separated from other products (3VAC10-50-40 F, draft).
- The establishment coordinates disposal of recalled products with the CCA, which may oversee the disposal (3VAC10-50-40 G, draft).
- A licensee may agree in writing to voluntary destruction of seized product; destruction is at the licensee's expense and conducted with the CCA's approval and under its supervision (3VAC10-80-80 E, draft). Seized items may not be destroyed without the CCA's written approval and removal of the seizure tag (3VAC10-80-80 F, draft). Product from an unlicensed location or source "cannot be corrected and shall be destroyed" (3VAC10-80-80 I, draft).
- While an administrative hold is in effect, the licensee may not destroy the goods subject to the hold (3VAC10-80-90 D 2, draft).
- Product on hand when a license is suspended or revoked may be sold to licensed persons under a Board permit or destroyed by the Board or its designee, and must be placed on administrative hold or disposed of within 60 days (§ 4.1-904 A and C).
- Before closing, the proposed disposition of all marijuana, products and records is reported to the Board (3VAC10-30-190 B, draft).

Records and forms the rules name

Destruction and disposal record, one per occurrence (fields exactly as listed in 3VAC10-50-110 B, draft; kept three years under 3VAC10-50-110 E)

Date and time	Manner of destruction and disposal	Name and quantity of marijuana product and green waste	Signatures of persons destroying and disposing

Disposition entry in the sales and disposition record (fields listed in 3VAC10-40-60 F, draft)

Date of disposition	Name of establishment	Kind and quantity disposed of	Method of disposal

What the law does not say

- The draft rules do not say whether the 51% minimum is measured by weight or by volume (3VAC10-50-110 A, draft).
- The draft rules do not define how often "routinely and promptly" disposal must occur.
- The draft rules do not require a witness or a minimum number of people at a destruction, though the record calls for the "signatures of the persons" destroying and disposing.
- The draft rules do not require advance notice to the CCA before a routine destruction; CCA coordination is required for recalled products (3VAC10-50-40 G, draft).

What other states required or scored

Not required in Virginia. Shown so applicants can see what other regulators asked for.

New York (9 NYCRR 125.11)

- New York requires disposal of cannabis that is expired, damaged, deteriorated, contaminated or otherwise unfit, including plant waste contaminated with solvents such as butane, ethanol or propane (9 NYCRR 125.11(a)).
- Cannabis waste is rendered unusable by grinding and mixing so the mixture is at least 50% non-cannabis waste by weight; any other method needs prior written approval (9 NYCRR 125.11(c)).
- Stalks, stems, fan leaves, root balls and soil media are excluded from the rendering requirement (9 NYCRR 125.11(c)).
- Tier 4 and Tier 5 cultivators within 25 miles of an organic recycling facility may not landfill or burn non-contaminated waste; it is composted, digested or used as a manufacturing input (9 NYCRR 125.11(c)(1)).
- Rendered waste may go to a Department of Environmental Conservation permitted solid waste management facility (9 NYCRR 125.11(d)(1)).
- A separate secure area is designated for temporary storage of cannabis awaiting disposal (9 NYCRR 125.3(b)(4)).

New Jersey (N.J.A.C. 17:30-9.14)

- New Jersey allows waste and expired, returned or recalled items to be incinerated at a Department of Environmental Protection authorized incinerator, or rendered unusable and disposed of as compost or solid waste (N.J.A.C. 17:30-9.14(a)).

- Rendering takes place in a secured, locked area visible to a security camera, by finely shredding or grinding and mixing with soil, cat litter or compostable material to at least 50 percent non-cannabis waste by volume (N.J.A.C. 17:30-9.14(a)2i).
- Mixed waste is held in a secure, locked container, which may be outside if within view of a security camera (N.J.A.C. 17:30-9.14(a)2ii).

Ohio (OAC 1301:18-3-12)

- Ohio requires destruction under video surveillance in a manner that renders cannabis "unusable and non-retrievable" (OAC 1301:18-3-12(A)).
- Cannabis for destruction is weighed, recorded in the state tracking system, separated from viable inventory and kept in a secure location (OAC 1301:18-3-12(B)).
- The mixture is at least fifty-one per cent non-cannabis waste, using paper, cardboard, food, yard, compostable oil waste or compost activators (OAC 1301:18-3-12(D)).
- Each destruction record shows the manner, rationale, date and time, volume or weight, and where applicable product name, production date and tracking information (OAC 1301:18-3-12(F)).
- Destruction occurs in a surveilled, limited access area open only to registered employees (OAC 1301:18-3-12(E)).

Massachusetts (935 CMR 500.105(12))

- Massachusetts requires exterior waste receptacles on the premises to be locked and secured against diversion, theft or loss (935 CMR 500.105(12)(a)).
- Liquid waste containing marijuana is disposed of under state and federal water discharge rules or held in an industrial wastewater holding tank under 314 CMR 18.00 (935 CMR 500.105(12)(b)).
- Organic and recyclable material is redirected from disposal under the state waste bans at 310 CMR 19.017 (935 CMR 500.105(12)(c)1.).

Maryland (COMAR 14.17.10)

- Maryland growers weigh, document and destroy all green waste under their standard operating procedures (COMAR 14.17.10.03B(1)(h)).
- A grower accepts any product returned for destruction and records it as green waste (COMAR 14.17.10.05A).

Illinois (IDFPR dispensary application)

- Illinois applicants filed a Recall, Quarantine, and Destruction Plan (10 pages) describing destruction practices (IDFPR Application, Exhibit G).
- The inventory plan described how the applicant would communicate with the Division and the Illinois State Police on destruction and disposal (IDFPR Application, Exhibit I).

Sources checked 2026-11-22.

- Office of Cannabis Management, Express Terms adopting Parts 118-125 and 131 (9 NYCRR)
- NJ Cannabis Regulatory Commission, N.J.A.C. 17:30 Personal Use Cannabis Rules
- OAC 1301:18-3-12, Waste Disposal

- Cannabis Control Commission, 935 CMR 500.000 (effective 09-11-26)
- COMAR 14.17.10.03, Cannabis Grower Controls
- COMAR 14.17.10.05, Product Returned for Destruction and Disposal of Green Waste
- IDFPR, Conditional Adult Use Dispensing Organization License Application (rev. 10/11/19)

Sources: Code of Virginia § 4.1-611 (Seed-to-sale tracking system); Code of Virginia § 4.1-800 (Marijuana cultivation facility license); Code of Virginia § 4.1-904 (Suspension or revocation; disposition of marijuana on hand); Code of Virginia § 4.1-1403 (Board to establish regulations for marijuana testing); Code of Virginia § 4.1-1404 (Mandatory testing; required destruction); Code of Virginia § 4.1-801 (Marijuana processing facility license); Code of Virginia § 4.1-802 (Retail marijuana store license); Code of Virginia § 4.1-804 (Marijuana transporter license); Code of Virginia § 4.1-805 (Marijuana delivery operator license); Code of Virginia § 4.1-806 (Marijuana testing facility license); CCA draft adult-use regulations, Sept. 9, 2026 (proposed, not final): 3VAC10-30-190, 3VAC10-40, 3VAC10-50, 3VAC10-60, 3VAC10-80.

Recall Plan Template

The recall requirements in the CCA draft rules, each cited: the six required elements of a recall plan, the 48-hour communications plan, mandatory recalls, stopping sales and segregating product, disposal coordinated with the CCA, adverse-event complaints, the serial and batch numbers that make recalls traceable, and related emergency orders.

Who needs it: Every marijuana establishment that sells or distributes product: cultivation, processing, retail, microbusiness; Establishments that send or receive product by wholesale distribution; Licensees using industrial hemp extracts as ingredients. **Rule basis:** Code of Virginia §§ 4.1-1404 G, 4.1-1406 B; draft rules 3VAC10-40-50 D and F, 3VAC10-40-80 A 2 and F 1, 3VAC10-50-40, 3VAC10-50-50 E, 3VAC10-60-50 I, 3VAC10-70-20 B 3 e, 3VAC10-70-30 B 3 e, 3VAC10-80-90 (proposed).

The CCA's draft rules require every marijuana establishment to have written procedures for mandatory and voluntary recalls, list six elements the plan must contain, and set what happens once a recall starts: sales stop, affected product is segregated and labeled, and disposal is coordinated with the CCA. The Cannabis Control Act requires product testing and leaves health and safety standards to the Board. Citations to 3VAC10 are to the CCA's draft regulations dated Sept. 9, 2026 (proposed, not final; they may change before adoption).

What Virginia requires

Statutory baseline

- The Board adopts health and safety regulations for marijuana sold to consumers, including mandatory standards for cultivation, processing and manufacture, and packaging and labeling (Code of Virginia § 4.1-1406 B).
- A licensee complies with all requests for samples for random testing by a state-owned or state-approved laboratory (§ 4.1-1404 G). The CCA may collect and test random samples and compare results with those reported by testing facilities (3VAC10-60-50 I, draft).

Written recall procedures (draft)

- Establishments "shall establish and implement written procedures for the mandatory and voluntary recall" of marijuana and products dispensed, sold or otherwise distributed to the public or other regulated establishments, and make them available for CCA inspection on request (3VAC10-50-40 A, draft).

- A recall plan must include (3VAC10-50-40 B, draft):
    1. Designation of one or more employees as recall coordinators, responsible among other duties for accepting recalled product;
    2. Procedures for identifying and isolating affected product to prevent or minimize distribution to consumers, patients, parents, legal guardians, registered agents, other establishments and approved laboratories;
    3. Procedures to retrieve and dispose of affected product;
    4. A communications plan to notify those affected by the recall, no later than 48 hours from issuing a recall notice;
    5. Procedures for notifying the CCA; and
    6. Procedures for reporting information about the recall in a manner prescribed by the CCA.
- The establishment follows its recall plan unless it has the CCA's prior written approval, and conducts recalls in a manner that "maximizes the recall of affected marijuana or marijuana products and minimizes risks to public health and safety" (3VAC10-50-40 C, draft).
- The general written policies and procedures include a process for handling mandatory and voluntary recalls of products distributed or received by wholesale distribution, adequate for recalls initiated at the Board's request and voluntary actions to (i) remove defective or potentially defective products or (ii) replace products with improved products or packaging to promote public health and safety (3VAC10-40-80 F 1, draft).
- Establishments engaged in wholesale distribution maintain policies and procedures with a process for executing or responding to recalls that complies with 3VAC10-50-40 (3VAC10-40-50 F, draft).
- Establishments acquiring industrial hemp extract maintain storage and handling procedures, including a recall process that complies with 3VAC10-50-40 (3VAC10-50-50 E, draft).

Complaints and mandatory recalls (draft)

- The establishment notifies the CCA upon becoming aware of any complaint by a consumer, patient, parent, legal guardian, registered agent or practitioner reporting an adverse event from product it dispensed or sold, investigates the complaint to determine whether a voluntary recall or other action is required, and notifies the CCA of its findings (3VAC10-50-40 D, draft).
- If the CCA receives information showing a recall is necessary to protect patients, consumers or public health and safety and the establishment does not start a voluntary recall, the CCA may order a mandatory recall until the risk is no longer present (3VAC10-50-40 E, draft).

Once a recall starts (draft)

- On a voluntary recall or a CCA recall order, the establishment ceases dispensing or selling the affected product immediately and makes all reasonable efforts to remove it from commerce (3VAC10-50-40 F, draft).
- Affected products "must be secured, segregated, clearly labeled not for sale or distribution, and separated from any other non-affected marijuana or marijuana products" (3VAC10-50-40 F, draft).
- Product that is outdated, damaged, deteriorated, misbranded or adulterated is held in a separate quarantined storage area until destroyed (3VAC10-40-80 A 2, draft).
- Disposal of recalled products is coordinated with the CCA, which may oversee the disposal (3VAC10-50-40 G, draft).

- The establishment reports information relevant to the recall in a manner prescribed by the CCA (3VAC10-50-40 H, draft).

Traceability built into labels and records (draft)

- Retail product labels carry "a unique serial number that matches the product with the batch number, including the cultivator and processor if obtained through distribution, so as to facilitate any warnings or recalls" (3VAC10-70-20 B 3 e, draft).
- Wholesale labels carry a unique serial number matching the product with the cultivator, manufacturer and batch number "so as to facilitate any warnings or recalls" (3VAC10-70-30 B 3 e, draft).
- Wholesale transaction records include the unique batch identifier "so as to facilitate any warnings or recalls the board or marijuana establishment deem appropriate" (3VAC10-40-50 D 1, draft).

Related CCA emergency orders (draft)

- The CCA may issue an emergency decision and order where marijuana or hemp goods have a reasonable probability of causing serious adverse health consequences or death, or to prevent the sale, transfer or transport of contaminated goods (3VAC10-80-90 A 1 and 2, draft).
- Interim relief may include orders to segregate or isolate specific goods, prohibit their movement, prohibit their sale or prohibit their destruction (3VAC10-80-90 B, draft).
- Under an administrative hold, the licensee physically segregates the designated goods in a limited-access area within 24 hours of notice, safeguards them against tampering, degradation or contamination, and does not sell, donate, transfer, transport, gift or destroy them while the hold is in effect (3VAC10-80-90 D 1 and 2, draft).

Records and forms the rules name

Recall plan elements (each row is a required element under 3VAC10-50-40 B, draft)

Required element	Plan content
1. Recall coordinator(s) designated, responsible for accepting recalled product	
2. Procedures to identify and isolate affected product	
3. Procedures to retrieve and dispose of affected product	
4. Communications plan to notify those affected within 48 hours of issuing a recall notice	
5. Procedures for notifying the CCA	
6. Procedures for reporting recall information as the CCA prescribes	

Adverse-event complaint log (actions required by 3VAC10-50-40 D, draft)

Date complaint received	Complainant type (consumer, patient, parent, guardian, registered agent, practitioner)	Product	CCA notified (date)	Investigation findings	Findings sent to CCA (date)

What the law does not say

- The draft rules do not define classes or levels of recall.
- The draft rules do not set a deadline for notifying the CCA of a voluntary recall; they require procedures for notifying the CCA (3VAC10-50-40 B 5, draft).
- The draft rules do not set a deadline for notifying the CCA of an adverse-event complaint beyond "upon becoming aware" (3VAC10-50-40 D, draft).
- The draft rules do not require mock recalls or recall drills.

What other states required or scored

Not required in Virginia. Shown so applicants can see what other regulators asked for.

New York (9 NYCRR 125.9)

- New York requires written procedures to track quality concerns and complaints and to rapidly notify the supply and distribution chain of a recall, with notice to the Office within 24 hours of a serious adverse event, quality concern or recall (9 NYCRR 125.9(a)).
- Recall procedures identify the factors that trigger a recall and the responsible personnel, notification protocols, return or destruction instructions, and quarantine of recalled product until the Office authorizes next steps (9 NYCRR 125.9(b)).
- Recalled, held or destroy-ordered product is stored securely and separately and may not be sold or transferred (9 NYCRR 125.9(d)).
- Product may not be sold after its printed expiration date (9 NYCRR 125.9(e)).

New Jersey (N.J.A.C. 17:30-9.17)

- New Jersey requires a recall plan covering triggers (including failed lab testing), responsible personnel, notification protocols, and handling of returned product (N.J.A.C. 17:30-9.17(a)).
- A public communication procedure reaches all consumers who have or could have obtained the product, with return instructions and "an offer to pay reimbursement" (N.J.A.C. 17:30-9.17(b)1).
- The procedure includes refunds and outreach "through traditional and social media, as necessary and appropriate" (N.J.A.C. 17:30-9.17(b)4-5).
- Returned items are reviewed by quality control staff, tracked in inventory, and quarantined until the Commission authorizes disposal (N.J.A.C. 17:30-9.17(c)).

- The rule states a business “should periodically conduct a mock recall to assess the effectiveness of the recall plan” (N.J.A.C. 17:30-9.17(d)).

Ohio (OAC 1301:18-9-04)

- Ohio requires a designated recall coordinator trained to manage complaint and product investigations and to keep recall team contact lists current (OAC 1301:18-9-04(A)(1)).
- Recall procedures identify the product, lot and related complaints, review inventory, transfers and sales, set quarantine steps, and include notification templates (OAC 1301:18-9-04(A)(2)).
- Notice goes to associated licensees, patients who likely obtained the product, and customers through a conspicuous posting at each dispensary that sold it (OAC 1301:18-9-04(A)(5)).

Maryland (COMAR 14.17.14.01)

- Maryland requires complaints about product quality or safety, including serious adverse events, to be reported within 24 hours to the Administration and the originating grower, processor or dispensary (COMAR 14.17.14.01B).
- The licensee identifies the batch or lot, investigates deviations from standard operating procedures, and sends part of the retention sample to an independent laboratory (COMAR 14.17.14.01C(1)).
- If the lot fails, the licensee orders a recall, notifies consumers, patients and dispensaries to the extent possible, and pays reimbursement for returned cannabis (COMAR 14.17.14.01C(2)).

Illinois (IDFPR dispensary application)

- Illinois dispensary applicants filed a 10-page Recall, Quarantine, and Destruction Plan describing recall, quarantine and destruction practices (IDFPR Application, Exhibit G).

Sources checked 2026-11-22.

- Office of Cannabis Management, Express Terms adopting Parts 118-125 and 131 (9 NYCRR)
- NJ Cannabis Regulatory Commission, N.J.A.C. 17:30 Personal Use Cannabis Rules
- OAC 1301:18-9-04, Product Alerts and Recalls
- COMAR 14.17.14.01, Complaints, Adverse Events, and Recall
- IDFPR, Conditional Adult Use Dispensing Organization License Application (rev. 10/11/19)

Sources: Code of Virginia § 4.1-1404 (Mandatory testing; random testing); Code of Virginia § 4.1-1406 (Health and safety regulations); CCA draft adult-use regulations, Sept. 9, 2026 (proposed, not final): 3VAC10-40, 3VAC10-50, 3VAC10-60, 3VAC10-70, 3VAC10-80.

Employee Training Plan and Record

The employee and training requirements in the Cannabis Control Act and the CCA draft rules, each cited: the eight initial training topics, annual in-service training, the six-part training record, retail risk training, the under-21 employment bar, felony and marijuana-offense hiring rules, the responsible party, name tags and workplace policy.

Who needs it: Every marijuana establishment and its responsible party; Retail stores and microbusinesses (Board-approved risk training); Dual-use medical operators (pharmacist and pharmacy technician rules). **Rule basis:** Code of Virginia §§ 4.1-604, 4.1-701, 4.1-802 D and E, 4.1-810 B 1 c, 4.1-903 D 3, 4.1-1200 A 7, 4.1-1201; draft rules 3VAC10-30-120 A, -130 G, 3VAC10-40-20, -25, -100, -110, -120, -150 E, 3VAC10-50-60 A 10 and 11, 3VAC10-50-85 E and F, 3VAC10-50-90, -95, 3VAC10-60-40 F (proposed); CCA draft provisions for CPHAC review (Nov. 2026).

The Cannabis Control Act bars employees and volunteers under 21, makes licensees answerable for their employees' violations, and requires retail stores to train staff on the risks of marijuana use. The CCA's draft rules require training on eight topics before an employee starts work, annual in-service training, and a signed training record. Citations to 3VAC10 are to the CCA's draft regulations dated Sept. 9, 2026 (proposed, not final; they may change before adoption). A November 2026 CCA document listing revised provisions for Cannabis Public Health Advisory Council (CPHAC) review is cited separately where its wording differs.

What Virginia requires

Who may work (statute)

- The Board must refuse a license if the applicant, or a 10% owner, general partner, officer or director as listed in the statute, "knowingly employs or allows to volunteer someone younger than 21 years of age" (Code of Virginia § 4.1-810 B 1 c).
- No licensee, agent or employee may "allow a person younger than 21 years of age to be employed by or volunteer for such licensee"; a violation is a Class 1 misdemeanor (§ 4.1-1200 A 7 and B).
- The licensee "may be held liable for any violation of this subtitle or any Board regulation committed by such agents or employees in connection with their employment" (§ 4.1-701).

On-the-job conduct (statute)

- No licensee, agent or employee may use or consume marijuana (i) on the licensed premises, except quality-control sampling allowed by Board regulation, or (ii) while on duty in a position involved in selling marijuana to consumers (§ 4.1-1201 A).
- No licensee, agent or employee may make any gift of marijuana (§ 4.1-1201 B).

- A violation of § 4.1-1201 carries a civil penalty of up to $500; on a second or subsequent violation by an employee, the Board requires the licensee to terminate that employee, and the person is barred from obtaining a license or employment at a marijuana establishment (§ 4.1-1201 C).

Retail training (statute)

- Each retail store provides training "established or approved by the Board, to all employees educating them on how to discuss the potential risks of marijuana use with consumers" (§ 4.1-802 E).
- The Board establishes standards and an online course for retail store and microbusiness employees on educating consumers about the potential risks of marijuana use (§ 4.1-604 6).
- Each retail store prominently displays and makes available Board-approved information on the potential risks of marijuana use (§ 4.1-802 D).
- The Board's penalty rules must provide reduced suspensions and civil penalties for a retail store or microbusiness that shows it gave employees "marijuana seller training certified in advance by the Board" (§ 4.1-903 D 3).

Initial training (draft)

- All employees complete training before commencing work, covering at minimum (3VAC10-40-100 A, draft):
  1. Proper use of security measures and controls adopted to prevent diversion, theft or loss;
  2. Procedures and instructions for responding to an emergency;
  3. Professional conduct, ethics, and state and federal statutes and regulations on privacy and confidentiality;
  4. Rules and regulations on legal cultivation, processing, transportation, handling and sale of marijuana in Virginia;
  5. Health and safety education on marijuana use, including health risks, safe and responsible consumption, and responsible service;
  6. Safety and sanitation procedures;
  7. Proper use of the statewide seed-to-sale tracking system; and
  8. Procedures for verifying the identity and age of patients, parents, legal guardians, registered agents or consumers, as applicable to the license type.
- The November 2026 CPHAC review document words the timing as training completed "prior to the employee engaging in regulated operations" (CCA draft provisions for CPHAC review, Nov. 2026: 3VAC10-40-100 A 6).

Continuing training and records (draft)

- The PIC or responsible party ensures continued competency through in-service training at least annually that supplements initial training and includes any guidance the Board specifies (3VAC10-40-100 B, draft).
- The PIC or responsible party keeps a written record of initial and continuing training for each employee with: (1) name of the trainee; (2) dates of training; (3) a general description of topics; (4) name of the person supervising the training; (5) signatures of the trainee and the PIC or responsible party; and (6) attestation that the trainee demonstrates an understanding of the material (3VAC10-40-100 C, draft).
- When the PIC or responsible party changes, the new one reviews and signs the training record (3VAC10-40-100 D, draft).

- The establishment maintains the training record and makes it available in accordance with regulations (3VAC10-40-100 E, draft).
- A copy of the training material covering all topics is accessible to employees at the licensed premises (3VAC10-40-100 F, draft).
- The responsible party ensures all employees working in secured areas are properly trained (3VAC10-40-120 E 1, draft).

Role-specific training (draft)

- Establishments using hydrocarbon-based solvents develop standard operating procedures, good manufacturing practices and a training plan before using them, and anyone using solvents in a closed-loop system is fully trained on the system, has direct access to safety data sheets, and handles and stores solvents safely (3VAC10-50-60 A 10 and 11, draft).
- A designated sample collector is trained on the established sampling policies and procedures (3VAC10-60-40 F 1, draft).
- The retail transaction error quality assurance policies are distributed to all employees, and the responsible party or designated supervisor informs employees of resulting changes and tells them that discovered errors are relayed immediately to the responsible party or designated supervisor (3VAC10-50-95 B and D 1 and 2, draft).
- Pharmaceutical processors and dispensing facilities distribute dispensing error policies to all employees and inform them of changes (3VAC10-50-90 B and D, draft).

Hiring rules tied to criminal history (draft)

- No person convicted of a felony under Virginia law or another jurisdiction's law within the last five years may be a material owner of, be employed by, or act as an agent of a marijuana establishment (3VAC10-30-120 A, draft).
- The CCA will act to suspend or revoke a license if a licensee knowingly employs a person convicted of a felony or a crime involving moral turpitude, and the same subsection addresses positions involved in creating or maintaining required records or preparing required tax returns held by persons convicted of listed felonies (robbery, burglary, larceny, embezzlement, computer crimes, forgery, false pretenses, bad checks, false representations to obtain property or credit, credit card forgery or fraud, money laundering, or similar offenses) (3VAC10-50-85 E, draft).
- To employ a person who violated marijuana laws, the licensee may hire immediately if the offense was more than five years before the employment date, or apply to the CCA for approval if within five years; the CCA may investigate suitability (3VAC10-50-85 F, draft).
- An employee convicted of a felony must be reported to the Board immediately (3VAC10-40-150 E, draft).

Supervision, identification and workplace policy (draft)

- All employees wear name tags or similar identification showing their position while inside the establishment (3VAC10-40-20 C, draft).
- A written alcohol-free, drug-free and smoke-free workplace policy is established, implemented and available to the Board on request (3VAC10-40-20 E, draft).

- A person may be the responsible party for only one establishment at a time, employed full time in a managerial position at that location and actively engaged in daily operations during normal hours (3VAC10-40-120 B, draft).
- The responsible party for a cultivation facility, processing facility or microbusiness has at least two years of verifiable experience cultivating plants or extracting chemicals from plants (3VAC10-40-120 A, draft).
- The responsible party is aware of and knowledgeable about all policies and procedures (3VAC10-40-120 C, draft).
- If the responsible party resigns or leaves, the Board is notified within 48 hours and a change application naming a new responsible party is filed within 14 days (3VAC10-40-120 H, draft).
- A designated supervisor is present and in actual charge whenever the responsible party is not present and the establishment is open; the name is posted conspicuously in letters not less than one inch while that person is in charge (3VAC10-30-130 G, draft).

Dual-use medical operations (draft)

- Only a pharmacist may dispense cannabis products to patients, their parents or legal guardians, or registered agents; a qualified pharmacy technician may assist under direct supervision (3VAC10-40-25 A, draft).
- Pharmacists and pharmacy technicians have their current license or registration available for inspection at all times while at the facility (3VAC10-40-25 C, draft).
- The ratio of pharmacy technicians to pharmacists on duty in production or dispensing areas may not exceed six to one (3VAC10-40-110 A, draft).
- Pharmacy technicians may not counsel patients, consult with the certifying practitioner, interpret clinical data or give medical advice, decide on substitutions, or seek clarification of a certification from the practitioner (3VAC10-40-110 C, draft).

Records and forms the rules name

Training record (contents exactly as listed in 3VAC10-40-100 C, draft)

Name of person trained	Dates of training	General description of topics covered	Name of person supervising the training	Signature of person trained	Signature of PIC or responsible party	Attestation that the trainee demonstrates understanding

Initial training topics checklist (3VAC10-40-100 A 1 to 8, draft)

Topic	Date completed
1. Security measures and controls against diversion, theft or loss	
2. Emergency response procedures	
3. Professional conduct, ethics, privacy and confidentiality law	

Topic	Date completed
4. Virginia rules on cultivation, processing, transportation, handling and sale	
5. Health and safety education on marijuana use and responsible service	
6. Safety and sanitation procedures	
7. Statewide seed-to-sale tracking system	
8. Identity and age verification, as applicable to the license type	

Change of PIC or responsible party review (3VAC10-40-100 D, draft)

New PIC or responsible party	Date training record reviewed	Signature

What the law does not say

- The draft rules do not create a state registration, permit or badge for employees of adult-use marijuana establishments.
- The draft rules do not set a minimum number of training hours.
- The draft rules do not state a retention period for training records.

What other states required or scored

Not required in Virginia. Shown so applicants can see what other regulators asked for.

Illinois (410 ILCS 705/15-30; IDFPR dispensary application)

- Illinois scored "Suitability of Employee Training Plan" at 15 of 250 points (410 ILCS 705/15-30(c)(1)).
- The scored plan showed that employees would understand applicable rules and laws, know the security measures and operating procedures, and be able to "advise purchasers on how to safely consume cannabis" (410 ILCS 705/15-30(c)(1)).
- The application's Agent Training and Education exhibit was limited to 15 pages (IDFPR Application, Exhibit D).

Massachusetts (935 CMR 500.105(2))

- Massachusetts requires agents to complete minimum training before performing job functions and eight hours of role-tailored training annually (935 CMR 500.105(2)(a)1.).
- At least four of the eight hours come from Responsible Vendor Training Program courses; on-the-job training may count toward the rest (935 CMR 500.105(2)(a)2.-3.).

- Staff who enter product into the Seed-to-sale system receive training in a form set by the Commission (935 CMR 500.105(2)(a)4.).
- Training compliance records are kept four years (935 CMR 500.105(2)(a)5.).

New York (9 NYCRR 125.5)

- New York requires a Responsible Workforce Training within 30 days of starting licensed activities, free to the recipient, in English and each recipient's primary language (9 NYCRR 125.5(a)).
- The training includes an Office-set product safety course, a workforce responsibility course, at least one hour of implicit bias or cultural competency training, and at least two hours of safety-related training (9 NYCRR 125.5(c)).
- Training happens during work hours at the employee's usual rate of pay (9 NYCRR 125.5(d)).
- Employees receive the written operating procedures and employee handbook during training, and both stay available on premises (9 NYCRR 125.5(e)).

New Jersey (N.J.A.C. 17:30-9.8)

- New Jersey requires owners and principals who handle cannabis, employees, volunteers and management services contractor staff to complete at least eight hours of ongoing training each calendar year (N.J.A.C. 17:30-9.8(a)).
- Topics include state and federal cannabis law, privacy and confidentiality law, security measures, and emergency procedures "including a robbery or workplace violence" (N.J.A.C. 17:30-9.8(b)).
- Training is delivered through an on-site curriculum or contracted outside resources (N.J.A.C. 17:30-9.8(c)).

Ohio (OAC 1301:18-3-10)

- Ohio requires an employee training program reviewed annually, with evidence of ongoing compliance submitted to the Division (OAC 1301:18-3-10(A)).
- Foundational training before starting covers assigned procedures, the state inventory tracking system, inspection preparation, badge rules, Ohio cannabis law, and responsible use and addiction resources (OAC 1301:18-3-10(B)).
- Security personnel complete additional required training before accessing the security and surveillance area (OAC 1301:18-3-10(C)(1)).

Maryland (COMAR 14.17.15.05)

- Maryland requires training on cannabis law, SOPs, the drug-free workplace policy, diversion prevention, security, and responses to medical emergencies, fire, chemical spills, and robbery or burglary (COMAR 14.17.15.05A).
- Training materials and attendance records are retained for inspection (COMAR 14.17.15.05B).
- Agents complete a registered responsible vendor training program within 90 days of starting and annually after that (COMAR 14.17.15.05C).

Sources checked 2026-11-22.

- 410 ILCS 705/15-30 (FindLaw mirror of Illinois Compiled Statutes)

- IDFPR, Conditional Adult Use Dispensing Organization License Application (rev. 10/11/19)
- Cannabis Control Commission, 935 CMR 500.000 (effective 09-11-26)
- Office of Cannabis Management, Express Terms adopting Parts 118-125 and 131 (9 NYCRR)
- NJ Cannabis Regulatory Commission, N.J.A.C. 17:30 Personal Use Cannabis Rules
- OAC 1301:18-3-10, Employee Training and Qualification Requirements
- COMAR 14.17.15.05, Training

Sources: Code of Virginia § 4.1-604 (Powers and duties of the Board); Code of Virginia § 4.1-701 (To whom privileges conferred by licenses extend; liability); Code of Virginia § 4.1-802 (Retail marijuana store license); Code of Virginia § 4.1-810 (Conditions under which the Board shall or may refuse to grant licenses); Code of Virginia § 4.1-903 (Suspension or revocation; civil penalties); Code of Virginia § 4.1-1200 (Illegal cultivation, etc., by licensees); Code of Virginia § 4.1-1201 (Prohibited acts by employees of licensees); CCA draft adult-use regulations, Sept. 9, 2026 (proposed, not final): 3VAC10-30, 3VAC10-40, 3VAC10-50, 3VAC10-60; CCA, Draft Regulation Provisions for CPHAC Review (Nov. 2026).

Age and ID Verification SOP for Retail

The age, identification and sales-limit requirements in the Cannabis Control Act and the CCA draft rules, each cited: the 21-and-over purchase rule, the statutory list of acceptable IDs, no sales to intoxicated buyers or straw purchasers, the 2-ounce transaction limit and its equivalents, the sales floor, delivery ID checks, medical dispensing checks, and transaction error review.

Who needs it: Retail marijuana stores; Microbusinesses (retail side); Delivery operators and stores that deliver; Dual-use pharmaceutical processors and dispensing facilities. **Rule basis:** Code of Virginia §§ 4.1-606 B 21 and 22, 4.1-802 B, 4.1-805 A, 4.1-1104 (effective July 1, 2027), 4.1-1200 A 2; HB 30 enactments 10 and 17; draft rules 3VAC10-40-20 B, -25 B, -30 J, -100 A 8, -140 L, -255 B, -275, 3VAC10-50-30, -80 A, -85, -95 (proposed); CCA draft provisions for CPHAC review (Nov. 2026).

The Cannabis Control Act sets the minimum purchase age at 21, lists what counts as bona fide evidence of legal age, bars sales to intoxicated persons and to anyone buying for someone under 21, and caps a single transaction at two ounces or the equivalent. HB 30 makes § 4.1-1104 effective July 1, 2027 and bars retail sales by adult-use licensees before that date. The CCA's draft rules add the equivalents, the factors the CCA weighs on age, the sales-floor limits, delivery ID checks and transaction error reviews. Citations to 3VAC10 are to the CCA's draft regulations dated Sept. 9, 2026 (proposed, not final; they may change before adoption).

What Virginia requires

Effective dates (statute)

- Before July 1, 2027, no licensee may engage in retail sale of marijuana, products, immature plants or seeds, except a pharmaceutical processor or cannabis dispensing facility dispensing to patients, registered agents, or the parent or legal guardian of a minor or vulnerable-adult patient under Chapter 16 (HB 30, 2026 Sp. Sess. I, c. 1, enactment 17).
- Sections 4.1-1102 through 4.1-1105, including § 4.1-1104 (persons to whom marijuana may not be sold; proof of legal age), take effect July 1, 2027 (HB 30, enactment 10).

Who may buy (statute)

- A person must be 21 or older to make a purchase in a retail marijuana store (Code of Virginia § 4.1-802 B 1).
- A retail store may not sell to any person when it "knows or has reason to believe" the person is intoxicated or is attempting to purchase marijuana for someone younger than 21 (§ 4.1-802 B 5 b).

- Effective July 1, 2027: no person may sell, give or distribute marijuana to an individual the person knows or has reason to believe is (i) younger than 21 or (ii) intoxicated, except as permitted under Chapter 16 (medical cannabis); a violation is a Class 1 misdemeanor, and on conviction of a licensee, employee or agent the Authority initiates proceedings to consider revoking the license (§ 4.1-1104 A).
- Effective July 1, 2027: selling to an individual younger than 21 without requiring bona fide evidence of legal age showing the individual is 21 or older is a Class 3 misdemeanor; no person may be convicted under both subsections for the same sale (§ 4.1-1104 B and C).
- No licensee, agent or employee may sell marijuana to any person other than a person the license or the Act authorizes; a violation is a Class 1 misdemeanor (§ 4.1-1200 A 2 and B).

Acceptable identification (statute, effective July 1, 2027)

Bona fide evidence of legal age "is limited to" any evidence that is or reasonably appears to be (§ 4.1-1104 B):

- An unexpired driver's license issued by any U.S. state or the District of Columbia;
- A military identification card;
- A United States passport or foreign government visa;
- An unexpired special identification card issued by the Department of Motor Vehicles; or
- Any other valid government-issued identification card bearing the individual's photograph, signature, height, weight and date of birth, or bearing a photograph that reasonably appears to match the purchaser.

"A student identification card shall not constitute bona fide evidence of legal age" (§ 4.1-1104 B).

Board regulations on ID checks (statute)

- The Board's regulations must require licensees, employees and agents to require all individuals to present bona fide evidence of legal age, as described in § 4.1-1104 B, to make a purchase in a retail store, with escalating civil penalties for repeated noncompliance (§ 4.1-606 B 21).
- The Board must establish escalating civil penalties, up to and including license revocation, for repeated sales to persons younger than 21 or intoxicated (§ 4.1-606 B 22).

How the CCA weighs age (draft)

- Under §§ 4.1-606 and 4.1-1104, no regulated establishment or facility may sell a THC product to a person its employees or agents know or have reason to believe is younger than 21 (except as provided in §§ 4.1-1601 and 4.1-1603) or intoxicated (3VAC10-50-85 B, draft).
- In deciding whether an employee had reason to believe a purchaser was underage, the CCA considers (1) whether an ordinary and prudent person would have reason to doubt the purchaser's age based on general appearance, facial characteristics, behavior and manner; and (2) whether the seller demanded, was shown, and acted in good faith on bona fide evidence of legal age containing a photograph and physical description consistent with the purchaser's appearance (3VAC10-50-85 C, draft).
- Bona fide evidence of legal age must meet § 4.1-1104; it is the employee's responsibility to verify the authenticity and validity of any identification presented; identification that has been visibly altered or has expired is not valid (3VAC10-50-85 D, draft).
- A "consumer" is a person 21 or older without non-age-related legal restrictions barring purchase or use of retail marijuana in Virginia (3VAC10-40-10, draft).

Transaction limits (statute and draft)

- A retail store may not sell more than two ounces of marijuana, or an equivalent amount of marijuana products as determined by Board regulation, in a single transaction to one person (§ 4.1-802 B 3).
- The draft sets two ounces of botanical marijuana as equivalent to (1) eight grams of marijuana concentrate or (2) 800 milligrams of THC in an edible product, and applies the limit "except when dispensing an amount authorized by law to a qualifying patient" (3VAC10-50-30, draft).
- The CPHAC review version states the limits apply only to retail sales, not to medical dispensing by a dual-use facility, and adds that a retail establishment "shall deny service to a consumer if an employee or agent knows or should reasonably know that the consumer is attempting to purchase more than two ounces of marijuana or an equivalent amount … within the same business day" and refuses service until the next business day (CCA draft provisions for CPHAC review, Nov. 2026: 3VAC10-50-30 A and C).

How sales may happen (statute and draft)

- Sales to consumers only (i) in a direct, face-to-face exchange; (ii) through a licensed delivery operator; or (iii) by the store's in-person delivery to a residence or business, never by automated dispensing or vending machine or drive-through window (§ 4.1-802 B 2).
- No sales through, or fulfillment of orders referred by, a third-party internet-based sales platform (§ 4.1-802 B 4).
- No giveaways of marijuana, products, immature plants or seeds except as the Act permits (§ 4.1-802 B 5 a).
- No retail sales by drive-through window, curbside pickup, or automated dispensing or vending machine (3VAC10-40-30 J 1 and 2, draft).
- No consumption of any marijuana product or regulated hemp product on the licensed premises (3VAC10-50-85 A, draft).

Access to the sales floor (draft)

- Retail and dispensing establishments limit access to the dispensing area or sales floor to customers at least 21, qualified patients, registered agents, or the parent or legal guardian of a minor or vulnerable-adult patient (3VAC10-40-140 L, draft).
- Customers are not permitted behind the service counter or in secured areas where product is stored (3VAC10-40-20 B 2, draft).

Delivery (statute and draft)

- Delivery operators deliver only in person to consumers at a residence or business, and never to a military base, child day center, school, correctional facility, the State Capitol, a hospital, a Virginia Port Authority marine terminal, or a public gathering place (§ 4.1-805 A).
- The Board's delivery regulations must include "requirements for age verification" (§ 4.1-606 B 2).
- An establishment offering delivery collects each customer's full legal name, date of birth, address, email and telephone, and, if applicable, those details for the parent, legal guardian or registered agent (3VAC10-40-275 A, draft).
- The delivery manifest includes identifying information for each recipient, including name and day and month of birth (3VAC10-40-255 B 2, draft).

- For each delivery, the driver confirms from a valid driver's license or other valid government-issued photo ID that the person accepting is the person who ordered, and if applicable confirms the patient's registration number (3VAC10-40-275 B, draft).
- If identity, age or registration remains in question, the driver immediately alerts the originating facility and returns the product directly after the last scheduled delivery (3VAC10-40-275 C, draft).
- Deliveries only between 6 a.m. and midnight (3VAC10-40-275 D, draft).

Medical dispensing at dual-use facilities (draft)

- Before the first dispensing under each written certification, the pharmacist or pharmacy technician views in person or by audiovisual means a current photo ID of the patient, parent, legal guardian or registered agent, and verifies in the Prescription Monitoring Program or another Board-recognized program that the certification is valid and the date and quantity of the last dispensing (3VAC10-50-80 A 1 b and c, draft).
- Before any later dispensing, the pharmacist or technician verifies the certification has not expired, and an employee or delivery operator views a current photo ID and current registration and keeps a record of that viewing under the facility's policies (3VAC10-50-80 A 3, draft).
- A pharmacist, technician or employee with routine access to confidential patient data who has signed a confidentiality agreement may verify through a Board-recognized source that a registration is current (3VAC10-40-25 B, draft).

Training and error review (draft)

- Initial employee training includes "procedures for verifying the identity and age of qualifying patients, parents, legal guardians, registered agents, or consumers, as applicable to the license type" (3VAC10-40-100 A 8, draft).
- Each establishment implements a written quality assurance program to detect, identify and prevent retail transaction errors, distributes it to all employees and keeps it available on the premises (3VAC10-50-95 A and B, draft).
- The policies include directions for promptly communicating the details of a transaction error and a process to document and assess each error, recording the date and time, product involved, employee involved, description of error, and corrective action taken (3VAC10-50-95 C, draft).
- Errors are relayed immediately to the responsible party or designated supervisor; the responsible party performs a quality assurance review as soon as reasonably possible and no later than two business days after discovery (3VAC10-50-95 D 2 and 3, draft).
- Each review record contains the date and the names and titles of the reviewers; pertinent data on the error; documentation of contact or reasonable attempts to contact the consumer; findings and determinations; and recommended changes to policy, procedure, systems or processes, if any (3VAC10-50-95 D 4, draft).
- The program and all error and review records are kept three years, orderly and filed by date (3VAC10-50-95 E, draft).

Records and forms the rules name

Retail transaction error record (fields listed in 3VAC10-50-95 C 2, draft)

Date and time	Product involved	Employee involved	Description of error	Corrective action taken

Quality assurance review record (fields listed in 3VAC10-50-95 D 4, draft; review within two business days under D 3)

Review date	Names and titles of reviewers	Pertinent data on the error	Consumer contact or attempts	Findings and determinations	Recommended changes, if any

Acceptable ID list for the point of sale (§ 4.1-1104 B, effective July 1, 2027)

ID type	Condition in the statute
Driver's license from any U.S. state or D.C.	Unexpired
Military identification card	
U.S. passport or foreign government visa	
DMV special identification card	Unexpired
Other government-issued ID	Valid, with photo, signature, height, weight and date of birth, or a photo that reasonably appears to match the purchaser
Student ID	Not acceptable

What the law does not say

- Neither § 4.1-1104 nor the draft rules require electronic ID scanning for marijuana sales.
- The draft rules do not set an age (such as "appears under 30") below which ID must be checked; § 4.1-606 B 21 directs regulations requiring all individuals to present bona fide evidence of legal age to make a purchase.
- The draft rules do not require a store to record the ID details of each adult-use purchaser.

What other states required or scored

Not required in Virginia. Shown so applicants can see what other regulators asked for.

New Jersey (N.J.A.C. 17:30-14.3)

- New Jersey requires retailer staff to examine photo identification before allowing entrance and again before each sale (N.J.A.C. 17:30-14.3(a)).
- Accepted IDs are a U.S. or foreign passport, a photo driver's license from any U.S. jurisdiction, a New Jersey MVC ID card, or another government photo ID showing name, date of birth and physical description (N.J.A.C. 17:30-14.3(a)1-4).
- The retailer "shall not keep a copy of the consumer's photographic identification" and may not require personal information beyond the ID (N.J.A.C. 17:30-14.3(b)).
- Staff log in a record that the ID examination and age confirmation occurred, and the record is available for Commission inspection (N.J.A.C. 17:30-14.3(c)).

New York (9 NYCRR 123.10)

- New York bars sales to anyone "actually or seemingly under the age of twenty-one" or visibly intoxicated (9 NYCRR 123.10(d)(1)).
- Accepted IDs include a government driver's license or non-driver ID (including Canadian provincial), IDNYC or other government photo ID showing age, any passport, a consular ID, or a U.S. armed forces ID (9 NYCRR 123.10(d)(2)).
- Staff may perform a transaction scan of the ID before a sale (9 NYCRR 123.10(d)(3)).
- Remote orders include an age attestation, ID is checked at delivery, and when the recipient differs from the orderer both identities are recorded in the point-of-sale system (9 NYCRR 123.10(d)(4)).
- Personal information beyond what a sales transaction typically captures may not be recorded without consent (9 NYCRR 123.10(d)(5)).

Ohio (OAC 1301:18-8-08)

- Ohio requires a registered employee, before any sale or transfer, to review government photo ID with date of birth and confirm age 21 or older, that the ID matches the person, and that it matches any order (OAC 1301:18-8-08(A)(1)).
- Daily adult-use limits are 2.5 ounces of plant material and products totaling no more than fifteen thousand milligrams of THC (OAC 1301:18-8-08(A)(2)).
- Each sale is recorded in the state tracking system and the customer receives a receipt with the dispensary name, license number, address, phone, and time and date of sale (OAC 1301:18-8-08(A)(5), (7)).

Massachusetts (935 CMR 500)

- Massachusetts security rules require "positively identifying individuals" seeking access to the premises or receiving deliveries, to limit access to people 21 or older (935 CMR 500.110(1)(a)).

- Retailers with delivery agreements run a pre-verification process in which the consumer presents valid, unexpired government photo ID in person or through Commission-approved electronic means (935 CMR 500.140(2)(d)).
- Information kept for delivery is limited to listed items such as the consumer's name and date of birth (935 CMR 500.140(2)(e)).
- A licensee website must verify that the visitor is 21 or older (935 CMR 500.105(4)(b)13.).

Maryland (COMAR 14.17.12.02)

- Maryland limits dispensary access to qualifying patients, registered caregivers, and individuals 21 or older (COMAR 14.17.12.02E).
- Children younger than 8 may enter only if accompanied throughout by a qualifying patient or registered caregiver (COMAR 14.17.12.02F).
- The Administration may require conspicuous display of minimum purchase age and identification requirements (COMAR 14.17.12.02C).

Sources checked 2026-11-22.

- NJ Cannabis Regulatory Commission, N.J.A.C. 17:30 Personal Use Cannabis Rules
- Office of Cannabis Management, Express Terms adopting Parts 118-125 and 131 (9 NYCRR)
- OAC 1301:18-8-08, Dispensing Adult-Use Cannabis
- Cannabis Control Commission, 935 CMR 500.000 (effective 09-11-26)
- COMAR 14.17.12.02, Standard Cannabis Dispensary

Sources: Code of Virginia § 4.1-606 (Regulations of the Board); Code of Virginia § 4.1-802 (Retail marijuana store license); Code of Virginia § 4.1-805 (Marijuana delivery operator license); Code of Virginia § 4.1-1104 (Persons to whom marijuana may not be sold; proof of legal age); Code of Virginia § 4.1-1200 (Illegal cultivation, etc., by licensees); HB 30 (2026 Sp. Sess. I, c. 1), Item 4-14 enactment clauses (enactments 10 and 17); CCA draft adult-use regulations, Sept. 9, 2026 (proposed, not final): 3VAC10-40, 3VAC10-50; CCA, Draft Regulation Provisions for CPHAC Review (Nov. 2026).

Packaging and Labeling Compliance Checklist

The packaging, labeling and product registration requirements in the Cannabis Control Act and the CCA draft rules, each cited: required label content, the universal symbol, warnings, the QR code to the certificate of analysis, potency and serving information, expiration dates, child-resistant and light-resistant packaging, edible limits, banned shapes and imitations, wholesale and point-of-sale labels, and product registration.

Who needs it: Cultivation facilities, processing facilities and microbusinesses (product labels and registration); Retail stores (point-of-sale labels and final packaging); Dual-use medical operators (dispensing labels). **Rule basis:** Code of Virginia §§ 4.1-600, 4.1-604 4 and 32, 4.1-606 B 6 and 7, 4.1-1405, 4.1-1406, 4.1-1407; draft rules 3VAC10-20, 3VAC10-40-20 A, -160, 3VAC10-50-20, -50, -70, 3VAC10-70-10 to -55 (proposed); CCA draft provisions for CPHAC review (Nov. 2026).

The Cannabis Control Act lists what a marijuana label must show, how the package must be built, what packaging and labels may not do, the THC limits for edibles, and the product registration process. The CCA's draft rules (Chapter 70 and parts of Chapter 50) add label fields, type size, the universal symbol, packaging standards and wholesale and point-of-sale labels. Citations to 3VAC10 are to the CCA's draft regulations dated Sept. 9, 2026 (proposed, not final; they may change before adoption). A November 2026 CCA document listing revised provisions for Cannabis Public Health Advisory Council (CPHAC) review is cited separately where its wording differs.

Labels for regulated hemp products are listed in the Hemp retail compliance checklist.

What Virginia requires

Consumer label content (statute)

Marijuana and marijuana products sold or offered to a consumer are labeled with (Code of Virginia § 4.1-1405 A):

- Identification of the type of marijuana or product (§ 4.1-1405 A 1).
- Identification of the cultivation facility and processing facility where it was cultivated and processed, as applicable (§ 4.1-1405 A 2).
- A statement of net weight (§ 4.1-1405 A 3).
- In English and in a font no less than 1/16 of an inch: all ingredients; THC, CBD and other cannabinoid content; any allergens required by the Board; the number of servings in the package; and total and per-serving milligrams of THC and CBD for edible and topical products, or total percentage of THC and CBD for inhalable products (§ 4.1-1405 A 4).
- Usage instructions, including the amount that constitutes a single serving and the product's purpose, as applicable (§ 4.1-1405 A 5).

- An expiration date (§ 4.1-1405 A 6).
- A warning statement adopted by the Board, prominently displayed in bold print and in a clear and legible fashion (§ 4.1-1405 A 7).
- A universal symbol stamped or embossed on the packaging (§ 4.1-1405 A 8).
- A QR code or other Board-prescribed means linking to the certificate of analysis, produced by a licensed testing facility, stating the total THC concentration of the product or its batch (§ 4.1-1405 A 9).
- Any other information required by Board regulations (§ 4.1-1405 A 10).
- The Board requires the web address of its resource on responsible consumption and health risks to be included on the label of all marijuana and marijuana products as provided in § 4.1-1405 (§ 4.1-604 32).

Packaging (statute)

- Prepackaged in child-resistant, tamper-evident and resealable packaging that is opaque, or placed in such packaging at the final point of sale (§ 4.1-1405 B 1).
- Packaging for multiserving liquid products includes an integral measurement component (§ 4.1-1405 B 2).
- Packaging complies with any other Board requirements (§ 4.1-1405 B 3).
- "Child-resistant" means significantly difficult for a typical child under five to open and not significantly difficult for a typical adult to open and reseal, and resealable for any multi-use or multi-serving product (§ 4.1-600).

What packaging and labels may not do (statute)

- Bear, without authorization, another manufacturer's trademark, trade name, famous mark or identifying mark, or otherwise violate federal trademark law (§ 4.1-1405 C 1).
- Appeal particularly to persons younger than 21 (§ 4.1-1405 C 2).
- Obscure identifying information on the label (§ 4.1-1405 C 3).
- Use a false or misleading label (§ 4.1-1405 C 4).
- "Depict, model the shape of, or use a label or package that depicts or models the shape of a human, animal, vehicle, or fruit" (§ 4.1-1405 C 5).
- Violate other Board labeling or packaging requirements (§ 4.1-1405 C 6).

Edible products (statute)

Edible marijuana products, and other products the Authority deems applicable (§ 4.1-1406 A):

- Are processed by a processing facility under VDACS inspection as a food manufacturer and in compliance with food manufacturing law (§ 4.1-1406 A 1), and comply with Chapter 51 of Title 3.2; such products are considered food (§ 4.1-1406 A 2).
- Have cannabinoid content and marijuana concentrate homogeneous throughout the product or each element of it (§ 4.1-1406 A 3 and 4).
- Have a universal symbol stamped or embossed on the packaging of each product (§ 4.1-1406 A 5).
- Contain no more than 10 mg of THC per serving and no more than 100 mg of THC per package (§ 4.1-1406 A 6). The Board's maximum THC level may not exceed those amounts (§ 4.1-606 B 7).

- Contain no additives that are toxic or harmful, designed to make the product more addictive, contain alcohol or nicotine, are misleading, or are designed to appeal particularly to persons under 21 (§ 4.1-1406 A 7).
- Do not add marijuana to a trademarked food or drink product, except as a component or ingredient where the product is not advertised or described as containing the trademarked product (§ 4.1-1406 A 8).
- The CPHAC review version of the draft would have the Board refuse to register "any edible marijuana product that exceeds five milligrams of THC per serving or one hundred milligrams of THC per package" (CCA draft provisions for CPHAC review, Nov. 2026: 3VAC10-50-70(D)).

Board authority (statute)

- The Board determines the nature, form and capacity of containers and prescribes the form and content of labels and seals (§ 4.1-604 4).
- The Board establishes health and safety warning labels (§ 4.1-606 B 6) and may adopt additional labeling, packaging and health and safety regulations, including limits on display of products at retail stores and microbusinesses (§ 4.1-1406 B).

Product registration (statute and draft)

- Cultivation facilities, processing facilities and microbusinesses register with the Board all marijuana and products they cultivate or process, on a Board form (§ 4.1-1407 A).
- The application includes total THC and total CBD based on laboratory testing of the formulation; a product name; a proposed package; and a proposed label, which need not show an expiration date at application (§ 4.1-1407 B).
- The Board registers products that meet labeling and packaging standards after receiving the application and fee, or notifies the applicant of the specific reasons for failure (§ 4.1-1407 C).
- No new registration is needed for a THC or CBD deviation of up to 15% (within 0.5 mg for products with 5 mg or less per dose), substantially similar packaging, minor label text, font or design changes, or other insignificant changes (§ 4.1-1407 D); other deviations may be submitted as a modification request (§ 4.1-1407 E).
- Each registered product name is associated with a specific laboratory test including total CBD and total THC, a terpenes profile, and THC, THC-A, CBD and CBDA (3VAC10-50-70 A, draft).
- Two products may share a registered name only within the 15% or 0.5 mg tolerance (3VAC10-50-70 B, draft).
- The Board will not register a product name that is identical or confusingly similar to an existing commercially available product, an unlawful product, or a previously registered product; is obscene or indecent; may promote overconsumption or use by persons under 21; may encourage use for a condition other than the one the practitioner intended to treat; is customarily associated with persons under 18; or relates to benefits, safety or efficacy unless supported by substantial evidence or clinical data (3VAC10-50-70 C, draft).
- The draft lists a $50 fee to register each product for cultivation and processing facilities and $25 for microbusinesses (3VAC10-20-60 E, 3VAC10-20-70 E, 3VAC10-20-90 E, draft).

Product content (draft)

- No marijuana product may contain any other regulated drug or controlled substance, or non-cannabinoid additives that are psychotropic or increase potency, toxicity or addictive properties, including alcohol, caffeine and nicotine; sugar and naturally occurring caffeine (such as in chocolate) are excepted (3VAC10-50-20 A, draft).
- No inhalable product may contain vitamin E acetate (3VAC10-50-20 C, draft).
- The CPHAC review version requires adequate precautions so that production does not contribute to allergen cross-contact or contamination by microorganisms or foreign substances (CCA draft provisions for CPHAC review, Nov. 2026: 3VAC10-50-50(G)).

Retail product label (draft)

- Each container and layer of packaging prominently displays the universal symbol (3VAC10-70-20 A, draft). The CPHAC review version adds that any illustration, sign, mark, symbol or design that resembles and may be mistaken for the universal symbol may not appear on any packaging or label (CCA draft provisions for CPHAC review, Nov. 2026: 3VAC10-70-20(A)).
- Products are unadulterated and processed, packaged and labeled under the FDA dietary supplement current good manufacturing practice rule, 21 CFR Part 111 (3VAC10-70-20 B 1 and 2, draft); the CPHAC review version also allows 21 CFR Part 117 (CCA draft provisions for CPHAC review, Nov. 2026: 3VAC10-70-20(B)(2)).
- Labels show: (a) the establishment's name and address; (b) the registered product name; (c) a description of the product's purpose and instructions for use; (d) child and safety warnings approved by the CCA in a conspicuous font; (e) a unique serial number matching the product with the batch number, including the cultivator and processor if obtained through distribution; (f) the date of testing and packaging; (g) the name and address of the testing laboratory; (h) an expiration date 12 months or less from testing unless supported by stability testing; (i) quantity or weight in each container; (j) a terpenes profile and all active and inactive ingredients, including THC, THC-A, CBD and CBDA; (k) for inhalable products, total percentage of CBD and THC; (l) for edible and topical products, total milligrams of CBD and THC per package and per serving; and (m) a pass or fail rating on required tests or a readable QR code to the certificate of analysis (3VAC10-70-20 B 3, draft).
- The CPHAC review version requires this information "in regular weight and width standard sans serif black font, without italics and a type size no smaller than 6 point," adds storage instructions to item (c), words item (d) as "any necessary cautionary warning statement, as required by the authority," and limits item (m) to a pass rating or a QR code linking to the certificate of analysis and relevant health and safety warnings that "may not link to any other information, unless approved by the authority" (CCA draft provisions for CPHAC review, Nov. 2026: 3VAC10-70-20(B)(3)).
- If the immediate container is too small, an outer layer carries the full label and the immediate container shows: establishment name, phone, and email or website; registered product name; production serial number; a prominently printed expiration date; quantity by weight, volume, or count and weight; active ingredients (THC, THC-A, CBD, CBDA); and a pass or fail rating or QR code (3VAC10-70-20 C, draft).
- Labels may be accordion, expandable, extendable or layered (3VAC10-70-20 D, draft).
- Vaporizer cartridges bear a universal symbol no smaller than 1/4 inch by 1/4 inch, engraved, printed or affixed with a sticker (3VAC10-70-20 E, draft). The CPHAC review version adds that all products intended for human consumption be stamped or imprinted with the universal symbol directly on each single serving (CCA draft provisions for CPHAC review, Nov. 2026: 3VAC10-70-20(E)).

- No product may be labeled “organic” unless grown and produced in compliance with organic standards under 7 CFR Part 205 (3VAC10-70-20 F, draft).

Point-of-sale label (draft)

- The label is unobstructed and conspicuous; all required information is on the outside container or wrapper or legible through it; a separable immediate container is labeled under 3VAC10-70-20 (3VAC10-70-35 A and B, draft).
- In type no smaller than 6 point: (1) a serial number assigned to the sale; (2) the product name on the certificate of analysis; (3) the certificate of analysis product identification number; (4) a terpenes profile and all active and inactive ingredients, including THC, THC-A, CBD and CBDA; (5) a pass rating on microbiological, mycotoxin, heavy metal, residual solvent and pesticide analysis (and water activity and moisture for botanical marijuana) or a readable QR code to the certificate of analysis; (6) any necessary cautionary statement required by the CCA; (7) a prominently printed expiration date; and (8) directions for use and storage understandable by the ordinary individual (3VAC10-70-35 C, draft).

Wholesale label (draft)

- Product for wholesale distribution is not adulterated, is processed, packaged and labeled under 21 CFR Part 111 except as exempted, and is packaged in a tamper-evident container (3VAC10-70-30 A and B 1 and 2, draft).
- Labeled with: names and addresses of the distributing and receiving establishments; quantity or weight; contents, including type or form and strain name as appropriate; the prominent statement “Not Packaged for Final Sale”; a unique serial number matching the product with the cultivator, manufacturer and batch number; and the dates of packaging and testing and, for botanical cannabis, harvest (3VAC10-70-30 B 3, draft).
- Wholesale product complies with all testing and labeling requirements before dispensing (3VAC10-70-30 C, draft).

Packaging standards (draft)

- Products containing THC are sold only in a child-resistant, secure and light-resistant container (3VAC10-40-20 A, draft).
- Child-resistant means meeting the “special packaging” standard in 16 CFR 1700.1(b)(4); the establishment keeps a copy of the certificate showing packaging is child-resistant and complies with 16 CFR 1700.15 and 1700.25 (3VAC10-70-55 A 1, draft).
- Tamper-resistant means one or more indicators or barriers to entry that would show a reasonable person the package was breached (3VAC10-70-55 A 2, draft).
- Light-resistant means entirely and uniformly opaque, protecting the whole contents from light (3VAC10-70-55 A 3, draft).
- Packaging may not bear any reasonable resemblance to trademarked or product-specialized packaging of any commercially available candy, snack, baked good or beverage, or be designed to be especially appealing to persons under 21 (3VAC10-70-55 B, draft).

- Labeling, packaging and marketing may not appeal to minors through cartoons or mascots, bubble-type or cartoon-like font, imitation of food, candy, soda, drinks, cookies or cereal (cultivar names excepted), the terms “candy” or “candies” and variants such as “kandy” or “kandeez,” symbols, images, characters, public figures, phrases, toys or games commonly used to market to persons under 21, or audio attractive to them (3VAC10-40-160 4, draft).

Dispensing label for medical cannabis products (draft, dual-use)

- The pharmacist or a pharmacy technician under direct supervision affixes a label with: a dispensing serial number; the registered product name; the production serial number; the dispensing date; the quantity dispensed; a terpenes profile and all active and inactive ingredients; a pass rating or QR code; the patient’s name; the certifying practitioner’s name; the amount recommended and directions for use; the dispensing pharmacist’s name or initials; the processor’s or dispensing facility’s name, address and phone; any necessary cautionary statement; a prominently printed expiration date; and recommended conditions of use and storage (3VAC10-70-45 A, draft).
- Items A 6, A 7 and A 14 may be omitted if they appear on the batch label and are clearly visible to the patient (3VAC10-70-45 B, draft). Only a pharmacist or supervised pharmacy technician may alter, deface or remove the label (3VAC10-70-45 C, draft).

Records and forms the rules name

Consumer label check (each row is a field in § 4.1-1405 A or 3VAC10-70-20 B 3, draft)

Field	Source	On label
Product type	§ 4.1-1405 A 1	
Cultivation and processing facility	§ 4.1-1405 A 2	
Establishment name and address	3VAC10-70-20 B 3 a	
Registered product name	3VAC10-70-20 B 3 b	
Net weight; quantity or weight per container	§ 4.1-1405 A 3; 3VAC10-70-20 B 3 i	
Ingredients, cannabinoid content, allergens, servings (1/16 inch, English)	§ 4.1-1405 A 4	
Terpenes profile; THC, THC-A, CBD, CBDA	3VAC10-70-20 B 3 j	
THC and CBD percentage (inhalable) or mg per package and serving (edible, topical)	§ 4.1-1405 A 4; 3VAC10-70-20 B 3 k and l	
Purpose and instructions for use; serving size	§ 4.1-1405 A 5; 3VAC10-70-20 B 3 c	
Board warning in bold; CCA child and safety warnings	§ 4.1-1405 A 7; 3VAC10-70-20 B 3 d	

Field	Source	On label
Universal symbol on each container and layer	§ 4.1-1405 A 8; 3VAC10-70-20 A	
Serial number matching batch (and cultivator, processor)	3VAC10-70-20 B 3 e	
Date of testing and packaging	3VAC10-70-20 B 3 f	
Testing laboratory name and address	3VAC10-70-20 B 3 g	
Expiration date	§ 4.1-1405 A 6; 3VAC10-70-20 B 3 h	
QR code to certificate of analysis (or pass/fail rating)	§ 4.1-1405 A 9; 3VAC10-70-20 B 3 m	
Web address of the Board's consumption and health-risk resource	§ 4.1-604 32	

Package check (§ 4.1-1405 B and C; 3VAC10-70-55, draft)

Requirement	Source	Met
Child-resistant, with 16 CFR 1700 certificate on file	§ 4.1-1405 B 1; 3VAC10-70-55 A 1	
Tamper-evident	§ 4.1-1405 B 1; 3VAC10-70-55 A 2	
Resealable	§ 4.1-1405 B 1	
Opaque (entirely and uniformly)	§ 4.1-1405 B 1; 3VAC10-70-55 A 3	
Integral measuring component (multiserving liquids)	§ 4.1-1405 B 2	
No human, animal, vehicle or fruit shape or depiction	§ 4.1-1405 C 5	
No unauthorized trademark; no resemblance to candy, snack, baked good or beverage packaging	§ 4.1-1405 C 1; 3VAC10-70-55 B	

What the law does not say

- Neither the statute nor the draft rules include the text of the Board's warning statement or the design of the universal symbol; the draft defines the symbol as the image "established by the authority and made available on the authority's website" (3VAC10-70-10, draft).
- The draft rules do not list the allergens that § 4.1-1405 A 4 says the Board may require on labels.

What other states required or scored

Not required in Virginia. Shown so applicants can see what other regulators asked for.

Massachusetts (935 CMR 500)

- Massachusetts requires products sold to consumers to be in child-resistant packaging that is opaque and plain, avoids bright colors and cartoon characters, is resealable for multi-use products, and is certified by a qualified testing firm as meeting 16 CFR 1700 (935 CMR 500.105(6)(a)1.).
- Where child-resistant packaging is "Unreasonably Impracticable," the product goes in a resealable child-resistant exit package (935 CMR 500.105(6)(a)2.).
- Flower labels use wording no smaller than 1/16 inch and show the producer's name, registration number and contacts, packaging date, batch number, net weight in U.S. and metric units, and full cannabinoid profile (935 CMR 500.105(5)(a)1.-5.).
- Labels carry a statement and seal certifying contaminant testing with no adverse findings and the test date (935 CMR 500.105(5)(a)6.).
- The required warning begins "This product has not been analyzed or approved by the FDA" and includes "KEEP THIS PRODUCT AWAY FROM CHILDREN," followed by Commission symbols showing the package contains marijuana and is harmful to children (935 CMR 500.105(5)(a)7.-9.).

New York (9 NYCRR Part 128)

- New York requires retail packaging that is child-resistant for the product's useful life, tamper-evident without obscuring labels after opening, resealable for multiple servings, and fully enclosing (9 NYCRR 128.2(a)).
- Licensees keep documentation that each package meets 16 CFR 1700.15 and 1700.20 (9 NYCRR 128.2(b)).
- Plastic packaging must contain at least 25% post-consumer recycled content, with exceptions for child-resistance mechanisms and items with no recycled-content option; new licensees have twelve months to comply (9 NYCRR 128.3(a)(2)).
- The principal display panel shows THC and CBD per serving and per package (calculated as THC + THCA x 0.877), servings per package, serving size, net quantity and brand name (9 NYCRR 128.5(a)).
- The package also lists ingredients with major allergens, solvents, expiration date, storage conditions, the processor's name, location, license number and contact, a lot number, and a QR or bar code linked to the certificate of analysis (9 NYCRR 128.5(b)).
- The universal symbol appears at a minimum 1.25 inches tall for the square version, and required text is at least 6-point font in English (9 NYCRR 128.5(b)(6), (c)).

New Jersey (N.J.A.C. 17:30-16)

- New Jersey requires packaging that is fully enclosed, opaque, "of a single color," light resistant, child-resistant under 16 CFR Part 1700, and resealable unless single-serving (N.J.A.C. 17:30-16.2(f)).
- Containers meet United States Pharmacopeia container standards, and packaging is done on food-grade stainless steel tables in a secure area (N.J.A.C. 17:30-16.2(a)-(b)).
- Usable cannabis packaged for retailers may be in any increment up to one ounce (28.35 grams) (N.J.A.C. 17:30-16.2(d)).

- Once the seal on a retail-ready item is broken, the item is deemed unusable (N.J.A.C. 17:30-16.2(g)).
- Businesses "shall make a good faith effort" to use biodegradable packaging (N.J.A.C. 17:30-16.2(h)).

Maryland (COMAR 14.17.18)

- Maryland requires retail packaging that is tamper evident, child resistant and opaque; soft-sided packages are at least 4 mil thick (COMAR 14.17.18.02B).
- Four warning statements are required, including "This package contains cannabis. Keep out of reach of children and animals," plus the Maryland Poison Center number (COMAR 14.17.18.03C).
- Label text is no smaller than 6-point font or 1/12 inch (COMAR 14.17.18.03B(2)).
- Cannabinoid concentrations under 1 percent are printed with a leading zero, and the label names the manufacturer and phone number for adverse event reports (COMAR 14.17.18.03D(1)).
- Prohibited elements include resemblance to commercial candy or snack packaging, images of food or fruit, cartoons, animals, neon colors, mascots, anthropomorphic graphics, depictions of consumption, and medical claims (COMAR 14.17.18.07A).

Ohio (OAC 1301:18-4-20)

- Ohio requires Division approval before a licensee uses any packaging or label intended for direct customer sale (OAC 1301:18-4-20(A)(1)).
- Each package displays net weight, the registered product name, the universal THC symbol, the Division of Cannabis Control seal, and for edibles "cannabis-infused" or "marijuana-infused" (OAC 1301:18-4-20(B)).
- Plant material labels add harvest and packaging dates, product registration number, strain name matching the tracking system, weight in grams and ounces, THC range, and the testing laboratory's name and license number (OAC 1301:18-4-20(C)(1)).

Sources checked 2026-11-22.

- Cannabis Control Commission, 935 CMR 500.000 (effective 09-11-26)
- Office of Cannabis Management, 9 NYCRR Parts 128 and 129 (adopted packaging, labeling, marketing and advertising rules)
- NJ Cannabis Regulatory Commission, N.J.A.C. 17:30 Personal Use Cannabis Rules
- COMAR 14.17.18.02, General Packaging Requirements
- COMAR 14.17.18.03, General Labeling Requirements
- COMAR 14.17.18.07, Prohibited Packaging and Labeling
- OAC 1301:18-4-20, Packaging and labeling requirements for cannabis intended for direct customer sale

Sources: Code of Virginia § 4.1-600 (Definitions); Code of Virginia § 4.1-604 (Powers and duties of the Board); Code of Virginia § 4.1-606 (Regulations of the Board); Code of Virginia § 4.1-1405 (Labeling and packaging requirements; prohibitions); Code of Virginia § 4.1-1406 (Other health and safety requirements for edible marijuana products); Code of Virginia § 4.1-1407 (Product registration requirements); CCA draft adult-use regulations, Sept. 9, 2026 (proposed, not final): 3VAC10-20, 3VAC10-40, 3VAC10-50, 3VAC10-70; CCA, Draft Regulation Provisions for CPHAC Review (Nov. 2026).

Advertising Compliance Checklist

The advertising requirements in the Cannabis Control Act and the CCA draft rules, each cited: required statements, audience thresholds, banned content and placements, the 500-foot outdoor buffer, on-site signs, website and social media age gates, permitted listings and content, health claims, giveaways, and practitioner endorsements.

Who needs it: Every marijuana establishment that advertises or has a sign, website or social media account; Regulated hemp product retail facilities (named in the draft advertising rules). **Rule basis:** Code of Virginia §§ 4.1-606 B 16, 4.1-802 B 4, 4.1-1201 B, 4.1-1204, 4.1-1401, 4.1-1402; draft rules 3VAC10-40-10, 3VAC10-40-30 A, 3VAC10-40-35 A, 3VAC10-40-160 to -190, 3VAC10-50-20 E (proposed); CCA draft provisions for CPHAC review (Nov. 2026).

The Cannabis Control Act sets general advertising rules (§ 4.1-1401) and outdoor advertising rules (§ 4.1-1402) for marijuana and products containing synthetic THC, and directs the Board to regulate outdoor advertising. The CCA's draft rules add requirements and prohibitions that name both marijuana establishments and regulated hemp product retail facilities. Where the statute and the draft set different thresholds, both are listed. Citations to 3VAC10 are to the CCA's draft regulations dated Sept. 9, 2026 (proposed, not final; they may change before adoption).

What Virginia requires

Scope (statute)

- No person may advertise in or send advertising into Virginia regarding marijuana, marijuana products, or any substance containing synthetic THC or a synthetic derivative of THC other than those that may be legally sold in Virginia under the Cannabis Control Act or Article 4.2 of the Drug Control Act (Code of Virginia § 4.1-1401 A).
- Section 4.1-1401 does not apply to noncommercial speech (§ 4.1-1401 D).
- The Board's outdoor advertising regulations must be "reasonable restrictions … so that such advertising displaces the illicit market and notifies the public of the location of marijuana or hemp establishments," adopted in accordance with § 4.1-1402 (§ 4.1-606 B 16).
- The draft defines "marijuana product advertising" as providing consideration for publication, dissemination, solicitation or circulation of visual, oral or written communication to directly induce any person to patronize a particular establishment or buy particular approved products, and states that advertising includes marketing (3VAC10-40-10, draft).

What every ad must include (statute and draft)

- Compliance with the Cannabis Control Act, Board regulations, Chapter 12 (§ 33.2-1200 et seq.) of Title 33.2 and the Commonwealth Transportation Board regulations under it, and federal law (§ 4.1-1401 B 1).
- Accurate and legible identification of the person responsible for its content (§ 4.1-1401 B 2); the draft words this as the marijuana establishment or hemp retail facility responsible for its content (3VAC10-40-190 A, draft).
- The statement "For use by adults 21 years of age and older" (§ 4.1-1401 B 3). The draft requires a statement that products "are for use by patients and persons 21 years of age or older only" (3VAC10-40-190 A, draft).
- For direct, individualized communication or dialogue, a method of age affirmation verifying that the recipient is 21 or older before the communication (§ 4.1-1401 B 4).

Audience and placement

Rule	Source
No broadcast through any means unless at least 71.6% of the audience is reasonably expected to be 21 or older, based on reliable, up-to-date audience composition data	§ 4.1-1401 C 1
No advertising through any means unless at least 85% of the audience is reasonably expected to be 18 or older, based on reliable, up-to-date audience composition data	3VAC10-40-170 A, draft
No advertising "on television or the radio at any time outside of regular school hours for elementary and secondary schools" (wording as published in the draft)	3VAC10-40-170 A, draft
No digital pop-ups	§ 4.1-1401 C 1; 3VAC10-40-180 A, draft
No display on a billboard or at a sporting event	§ 4.1-1401 C 5; 3VAC10-40-170 E, draft
No advertising on or in a public transit vehicle, transit shelter, bus stop, taxi stand, transportation waiting area, train station, airport or similar transit location	3VAC10-40-170 F, draft
No ad displaying products or product images where visible to the public from any street, sidewalk, park or other public place	3VAC10-40-170 B 1, draft

Content that is prohibited (statute)

Ads may not (§ 4.1-1401 C):

- Be misleading, deceptive or false (§ 4.1-1401 C 2).
- Target or appeal particularly to persons younger than 21, including by use of cartoons (§ 4.1-1401 C 3).
- Imply that the products enhance athletic prowess or are government endorsed (§ 4.1-1401 C 4).
- Make any reference to the intoxicating effects of the products (§ 4.1-1401 C 6).
- Promote overconsumption or consumption by persons younger than 21 (§ 4.1-1401 C 7).
- Depict a person consuming the products or depict any person younger than 21 (§ 4.1-1401 C 8).

Content that is prohibited (draft)

Marketing may not (3VAC10-40-160, draft):

- Include false or misleading statements (3VAC10-40-160 1, draft).
- Promote excessive consumption (3VAC10-40-160 2, draft).
- Depict a person younger than 21 consuming marijuana or a THC hemp product (3VAC10-40-160 3, draft).
- Appeal to minors through labeling, packaging, advertising or marketing that uses cartoons or mascots; bubble-type or other cartoon-like font; similarities to products commonly associated with or marketed to persons under 21, including imitation of food, candy, soda, drinks, cookies or cereal (cultivar names excepted); the terms “candy” or “candies” or variants such as “kandy” or “kandeez” (cultivar names excepted); symbols, images, characters, public figures, phrases, toys or games commonly used to market to persons under 21; or audio attractive to them, including children’s or cartoon voices (3VAC10-40-160 4, draft).
- Contain any seal, flag, crest, coat of arms or other insignia likely to mislead the public into believing the product is endorsed, made or used by the Commonwealth, except where specifically authorized (3VAC10-40-160 5, draft).
- “Cartoon” is defined to include depictions with comically exaggerated features, human characteristics given to animals, plants or objects, animal, plant or object characteristics given to humans, or unnatural or extra-human abilities (3VAC10-40-10, draft).

Health, safety and efficacy claims (draft)

- Any ad about benefits, safety or efficacy, including therapeutic or medical claims, must be “supported by substantial, current clinical evidence or data” and include information on side effects or risks (3VAC10-40-190 B, draft).
- The CPHAC review version adds that the evidence or data be “provided to the authority upon request in a manner prescribed by the board” (CCA draft provisions for CPHAC review, Nov. 2026: 3VAC10-40-160(C)).

Giveaways, coupons and merchandise

- No licensee or its agent or employee may make any gift of marijuana (§ 4.1-1201 B).
- Ads may not include coupons, giveaways of free product, or distribution of merchandise displaying anything other than the facility name and contact information (3VAC10-40-170 B 2, draft).
- No advertising through free promotional items, including gifts and “free” or “donated” product (3VAC10-40-170 G, draft).
- No establishment may provide product samples containing active cannabinoids to customers, patients or agents (3VAC10-50-20 E, draft).
- No person subject to the Board’s jurisdiction may induce, attempt to induce, or consent to a licensee selling, renting, lending, buying for or giving any person advertising materials or decorations under circumstances prohibited by Title 4.1 or Board regulations; violations carry a civil penalty under § 4.1-903 (§ 4.1-1204).

Online sales platforms (statute)

- A retail store may not sell or market marijuana, products, paraphernalia, immature plants or seeds through an internet-based sales platform operated by a third party, or fulfill any order referred by such a platform (§ 4.1-802 B 4).

Outdoor advertising and the 500-foot buffer

- No outdoor advertising within 500 linear feet on the same side of the road, and parallel to it, measured from the nearest edge of the sign face to the nearest edge of a building or structure on the property of (i) a church, synagogue, mosque or other place of religious worship; (ii) a public, private or parochial school or institution of higher education; (iii) a public or private playground or similar recreational facility; (iv) a substance use disorder treatment center; or (v) a dwelling used for residential use (§ 4.1-1402 A).
- If a playground has no building or structure, the measurement is to its property line; if a K-12 school is across the road, the measurement is to the nearest edge of a building on that property (§ 4.1-1402 B).
- The draft lists (i) a school or daycare, (ii) a public or private playground or similar recreational or child-centered facility, and (iii) a substance use disorder treatment facility, with the same measurement method (3VAC10-40-170 C, draft).
- If circumstances change after an ad was lawfully placed, the Board permits it to remain for the rest of any written advertising contract, but no more than one year from the change (§ 4.1-1402 C).
- The Board may grant a variance from the distance requirements on a finding that the placement will not unduly expose children to the advertising (§ 4.1-1402 D).
- The distance and zoning restrictions do not apply to signs in VDOT's Integrated Directional Sign Program (§ 4.1-1402 E).
- Section 4.1-1402 does not authorize billboard signs with marijuana advertising on agricultural, residential or unzoned property, or new billboards that state or local law would prohibit (§ 4.1-1402 G).
- All lawfully erected outdoor signs comply with the Cannabis Control Act, Board regulations, and Chapter 12 of Title 33.2 and its regulations; directional signs on highway rights of way also comply with VDOT's Integrated Directional Sign Program (§ 4.1-1402 H).
- All outdoor signage complies with local or state requirements (3VAC10-40-190 D, draft).

Signs on the establishment's own property

- Outdoor signs on an establishment's property may not (i) display imagery of marijuana or its use, (ii) target or appeal particularly to persons under 21, including by cartoons, or (iii) draw undue attention to the facility, but may be designed to help consumers find it (§ 4.1-1402 F).
- The draft applies the same limits to marijuana establishments and hemp retail facilities, covering imagery of marijuana or regulated hemp products and their use (3VAC10-40-170 D, draft).

Websites, social media, listings and education (draft)

- Any website or social media site owned, managed or operated by an establishment or hemp retail facility employs a neutral age-screening mechanism verifying the user is at least 21 or a qualified patient, such as an age gate, age screen or age verification (3VAC10-40-190 C, draft).
- An establishment may list its business in public telephone books, business directories, search engines or other places where a business reasonably maintains an informational presence (3VAC10-40-180 A, draft).
- A website or social media site may display: name and location; contact information; hours and days open; laboratory results; product information and pricing; directions; and educational materials on use of marijuana products supported by substantial, current clinical evidence or data (3VAC10-40-180 B, draft).
- An establishment may communicate and engage for educational purposes with practitioners, patients, parents, legal guardians, registered agents and the general public, including information permitted by 3VAC10-40-160 and educational materials (3VAC10-40-180 C, draft).

Practitioners (draft)

- No marijuana establishment or hemp retail facility may endorse or promote a practitioner, or provide anything of value, directly or indirectly, to a practitioner (3VAC10-40-30 A 5 and 6; 3VAC10-40-35 A 5 and 6, draft).
- "Endorse" includes sharing information online and hosting or facilitating events that promote a particular practitioner's services above others; patient education events are permitted if clearly focused on patient education and offering information about multiple practitioners without favor (3VAC10-40-10, draft).

Records and forms the rules name

Ad review checklist (each row is a requirement above)

Requirement	Source	Met
Identifies the person or establishment responsible	§ 4.1-1401 B 2; 3VAC10-40-190 A	
"For use by adults 21 years of age and older"	§ 4.1-1401 B 3	
Statement that products are for patients and persons 21 or older only	3VAC10-40-190 A	
Age affirmation before any one-to-one communication	§ 4.1-1401 B 4	
Broadcast audience at least 71.6% age 21+ (audience data on file)	§ 4.1-1401 C 1	
Audience at least 85% age 18+ (audience data on file)	3VAC10-40-170 A	
No pop-up, billboard, sporting event or transit placement	§ 4.1-1401 C 1 and 5; 3VAC10-40-170 E and F; 3VAC10-40-180 A	
No product images visible from a public place	3VAC10-40-170 B 1	
No youth appeal, cartoons, candy terms or imitation of food or drinks	§ 4.1-1401 C 3; 3VAC10-40-160 4	
No reference to intoxicating effects, athletic prowess, government endorsement or overconsumption	§ 4.1-1401 C 4, 6, 7; 3VAC10-40-160 2 and 5	
No depiction of consumption or of anyone under 21	§ 4.1-1401 C 8	
Benefit or safety claims backed by substantial, current clinical evidence and listing risks	3VAC10-40-190 B	
No coupons, giveaways, free product or branded merchandise beyond name and contact information	3VAC10-40-170 B 2 and G	
Outdoor placement outside the 500-foot buffer	§ 4.1-1402 A and B; 3VAC10-40-170 C	
Website and social accounts age-gated	3VAC10-40-190 C	

What the law does not say

- Neither § 4.1-1401 nor the draft rules define “undue attention” for on-site signs.
- The draft rules do not say how the audience-composition data is to be documented or kept.
- The statute’s 71.6%-age-21 broadcast threshold and the draft’s 85%-age-18 threshold are separate tests; the draft does not state how they relate.

What other states required or scored

Not required in Virginia. Shown so applicants can see what other regulators asked for.

Massachusetts (935 CMR 500)

- Massachusetts prohibits advertising on television, radio, internet, mobile apps, social media, billboards or print unless at least 85% of the audience is reasonably expected to be 21 or older, based on “reliable and current audience composition data” (935 CMR 500.105(4)(b)2.).
- Ads may not portray anyone under 21 or use mascots, cartoons or celebrity endorsements deemed to appeal to people under 21 (935 CMR 500.105(4)(b)3.-5.).
- Claims that products are safe or have curative or therapeutic effects are prohibited unless supported by substantial evidence or clinical data (935 CMR 500.105(4)(b)7.).
- Illuminated or external signage is limited to the period from 30 minutes before sundown until closing (935 CMR 500.105(4)(b)9.).
- Vehicles with radio or loudspeakers and in-store loudspeaker advertising are prohibited (935 CMR 500.105(4)(b)10.-11.).
- Brand sponsorship of charitable, sporting or similar events is allowed only where participants are reasonably expected to be 21 or older and safeguards keep the ads from reaching younger people (935 CMR 500.105(4)(b)12.).
- A licensee website must verify that the visitor is 21 or older (935 CMR 500.105(4)(b)13.).

New York (9 NYCRR Part 129)

- New York permits advertising only where the share of the audience 21 and older is expected to meet or exceed the state’s 21-and-older population share under Census estimates, and “the burden of proof of the audience composition lies with the licensee” (9 NYCRR 129.2(g)).
- Ads may not be within or readily observed within 500 feet of a school ground, playground, child day care provider, public park or library, and may not appear in transit vehicles or stations or on public property (9 NYCRR 129.2(b)(6)-(8)).
- Prohibited content includes billboards, depicting consumption, smoking or vaping imagery, promoting potency, medical or wellness claims, and claims that products are safe because they are regulated (9 NYCRR 129.2(b)(5), (9), (11)-(13), (15)).

- Terms such as “vegan,” “kosher,” “gluten-free,” “craft” and “organic” are restricted to products meeting the cited definitions (9 NYCRR 129.2(b)(16)-(20)).
- Unsolicited internet pop-ups or banners are prohibited except on age-restricted sites for consenting adults 21 and older (9 NYCRR 129.2(b)(25)).
- Visual ads carry the statement “For use only by persons 21 years of age and older. Keep out of reach of children and pets,” and most ads also carry a rotating warning such as “Cannabis can be addictive.” (9 NYCRR 129.2(c)-(d)).

New Jersey (N.J.A.C. 17:30-17)

- New Jersey requires reliable evidence that at least 71.6 percent of the audience is reasonably expected to be 21 or older (N.J.A.C. 17:30-17.2(a)).
- Product ads carry a set warning beginning “This product contains cannabis. For use only by adults 21 years of age or older,” and every ad discloses that the facility is licensed by the State of New Jersey (N.J.A.C. 17:30-17.2(b)-(c)).
- Television, streaming and radio ads are barred between 6:00 A.M. and 10:00 P.M.; online ads have no hour limit (N.J.A.C. 17:30-17.2(d)2).
- Ads in any medium within 200 feet of elementary or secondary school grounds are prohibited, except inside a retailer’s premises (N.J.A.C. 17:30-17.2(d)3).
- Event sponsorship requires evidence that no more than 20 percent of the event audience is expected to be under 21 (N.J.A.C. 17:30-17.2(d)5).
- Billboards are prohibited except on the business’s own property, and location-based device ads are allowed only through an adult-installed app with an opt-out (N.J.A.C. 17:30-17.2(d)4, 6).

Ohio (OAC 1301:18-4-22)

- Ohio requires every advertisement to be submitted to the Division of Cannabis Control and approved in writing before it is created, used or disseminated (OAC 1301:18-4-22(A)).
- Requested modifications to a denied ad are resubmitted within ten business days (OAC 1301:18-4-22(A)(2)(c)).
- Prohibited content includes cartoon or pop culture characters aimed at youth, depictions of consumption, slang departures from the registered product name, health or therapeutic claims, and implied state endorsement (OAC 1301:18-4-22(B)).
- Ads may not be placed on a medium with “a high likelihood of reaching persons under the age of twenty-one” (OAC 1301:18-4-22(C)(1)).

Maryland (COMAR 14.17.14.06)

- Maryland applies the statutory advertising rules in Alcoholic Beverages and Cannabis Article, §§36-901 to 36-903 to all cannabis advertisements (COMAR 14.17.14.06A).
- Fines escalate from $1,000 for a first violation to $10,000, $25,000 and $50,000 for repeat violations within 24 months (COMAR 14.17.14.06B).

Sources checked 2026-11-22.

- Cannabis Control Commission, 935 CMR 500.000 (effective 09-11-26)

- Office of Cannabis Management, 9 NYCRR Parts 128 and 129 (adopted packaging, labeling, marketing and advertising rules)
- NJ Cannabis Regulatory Commission, N.J.A.C. 17:30 Personal Use Cannabis Rules
- OAC 1301:18-4-22, Advertising
- COMAR 14.17.14.06, Advertising

Sources: Code of Virginia § 4.1-606 (Regulations of the Board); Code of Virginia § 4.1-802 (Retail marijuana store license); Code of Virginia § 4.1-1201 (Prohibited acts by employees of licensees); Code of Virginia § 4.1-1204 (Illegal advertising materials; civil penalty); Code of Virginia § 4.1-1401 (General advertising restrictions); Code of Virginia § 4.1-1402 (Outdoor advertising restrictions; limitations; variances); Code of Virginia § 4.1-903 (Suspension or revocation of licenses; civil penalties); CCA draft adult-use regulations, Sept. 9, 2026 (proposed, not final): 3VAC10-40-10, -30, -35, -160 to -190, 3VAC10-50-20; CCA, Draft Regulation Provisions for CPHAC Review (Nov. 2026).

Testing and Sampling SOP

The testing requirements in the Cannabis Control Act and the CCA draft rules, each cited: the mandatory test panel, testing facility licensing and accreditation, batch size limits, sample collection on camera, sample labels and chain of custody, holds while results are pending, pass limits, remediation, certificates of analysis, failed-result reporting and random testing.

Who needs it: Cultivation facilities, processing facilities and microbusinesses (batches tested before sale); Testing facilities (licensing, sample collection and reporting); Retail stores (certificates of analysis on request). **Rule basis:** Code of Virginia §§ 4.1-606 B 4, 4.1-703 C, 4.1-806, 4.1-1403, 4.1-1404, 4.1-1405 A 9, 4.1-1407 B; draft rules 3VAC10-40-30 F, 3VAC10-40-50, 3VAC10-50-20 D, -50 C, -70, 3VAC10-60-10 to -50, 3VAC10-70-20 B 3 h and m (proposed); CCA draft provisions for CPHAC review (Nov. 2026).

The Cannabis Control Act bars a licensee from selling marijuana to a consumer or another licensee until a representative sample passes mandatory testing for contaminants and label accuracy, sets the minimum test panel, and requires testing facilities to hold ISO/IEC 17025 accreditation. The CCA's draft rules (Chapter 60) set batch sizes, sampling procedures, pass limits and certificate of analysis handling. Citations to 3VAC10 are to the CCA's draft regulations dated Sept. 9, 2026 (proposed, not final; they may change before adoption). A November 2026 CCA document listing revised provisions for Cannabis Public Health Advisory Council (CPHAC) review is cited separately where its wording differs; the CCA states the whole of Chapter 60 is under CPHAC review.

Testing rules for regulated hemp products sold at retail are in the Hemp retail compliance checklist.

What Virginia requires

Mandatory testing (statute)

- The Board establishes a testing program for marijuana, marijuana products and regulated hemp products (Code of Virginia § 4.1-606 B 4).
- Before selling or distributing to a consumer or another licensee, a licensee submits a representative sample, "not to exceed an amount of the total harvest or batch as established by the Board," to a licensed testing facility (§ 4.1-1403).
- The Board's regulations set testing practices, methods and standards; quality control; equipment certification and calibration; testing facility recordkeeping; disposal of waste; reporting of results; the contaminants tested for; and the maximum allowable level of each (§ 4.1-1403).
- A licensee may not sell or distribute marijuana to a consumer or another licensee unless mandatory testing has shown (i) it does not exceed the maximum allowable level of any contaminant injurious to health for which testing is required and (ii) its labeling is correct (§ 4.1-1404 A).

- Mandatory testing includes at minimum: residual solvents (not required for botanical marijuana), heavy metals, microbiological contaminants, mycotoxins, pesticide chemical residue, and active ingredient analysis; testing is performed "on the final form in which the marijuana or marijuana product will be consumed" (§ 4.1-1404 B).
- A licensee keeps a record of all mandatory testing, with a description of the product provided, the identity of the testing facility, and the results (§ 4.1-1404 C).
- If results exceed the allowable THC or contaminant level, the testing facility immediately quarantines, documents and properly destroys the product unless remediation can bring it into compliance, and notifies the Board within seven days of completing the test; research-and-development tests (with prior notice to the facility) and tests for non-licensees are exempt from the notice (§ 4.1-1404 D).
- Product tested at another licensee's direction may be sold without retesting if it passed, the testing is documented, tracking from immature plant to retail sale has been maintained, and it has not been further processed or altered (§ 4.1-1404 E).
- Licensees destroy batches whose samples show noncompliance unless remediation can bring them into compliance (§ 4.1-1404 F).
- Licensees comply with all requests for samples for random testing by a state-owned or state-approved laboratory (§ 4.1-1404 G).
- Labels carry a QR code or other Board-prescribed means linking to the certificate of analysis from a licensed testing facility stating the total THC of the product or batch (§ 4.1-1405 A 9).
- A product registration application includes total THC and total CBD "based on laboratory testing results for the marijuana or marijuana product formulation" (§ 4.1-1407 B 1).

Testing facility licensing (statute and draft)

- A testing facility may develop, research, transport or test marijuana and other substances (§ 4.1-806 A), for itself, another licensee, or a person testing marijuana for lawful personal use (§ 4.1-806 B).
- To be licensed, a testing facility obtains and maintains ISO/IEC 17025 accreditation from a third-party accrediting body (§ 4.1-806 D).
- A person with an interest in a testing facility license may not have any interest in a cultivation, processing, transporter, retail or microbusiness license (§ 4.1-806 F).
- Testing facilities keep the names and addresses of all licensees or persons who submit marijuana for testing (§ 4.1-703 C).
- The draft adds that a testing facility license requires: independence from all persons in the Virginia marijuana and hemp industry (no direct or indirect financial interest in a pharmacist, certifying practitioner, marijuana establishment, hemp grower or processor, hemp retailer or other entity that may benefit); a person overseeing testing with a master's degree in chemical or biological sciences and two years of post-degree lab experience, or a bachelor's degree and four years; a controlled substances registration under § 54.1-3423; proof of ISO/IEC 17025 accreditation or of an application for it; and compliance with a transportation protocol (3VAC10-60-20 1 to 5, draft).
- Accreditation must be received within 18 months of applying, with extensions for good cause; proof of accreditation is sent to the Board within five business days; nonaccredited methods may be used only while an accreditation application is pending and not beyond 18 months; loss of accreditation is reported within 24 hours and testing stops immediately (3VAC10-60-20 4 a to d, draft).

- The CPHAC review document adds that the facility reports to the CCA any quality-related issues or other information reported to its accrediting body, within 24 hours of the original notification to that body (CCA draft provisions for CPHAC review, Nov. 2026: 3VAC10-60-20 (6)).
- Testing facility staff may enter an establishment solely to identify and collect test samples (3VAC10-40-30 F, draft).

Batches and sample collection (draft)

- Before sale of concentrate, a test sample from each homogenized batch is made available for testing for microbiological contaminants, mycotoxins, heavy metals, residual solvents and pesticide chemical residue, plus an active ingredient analysis and terpenes profile (3VAC10-60-40 A, draft).
- Before sale of botanical marijuana, a test sample from each harvest batch is made available for testing for microbiological contaminants, mycotoxins, heavy metals, pesticide chemical residue, water activity and moisture content, plus an active ingredient analysis and terpenes profile (3VAC10-60-40 B, draft).
- The CPHAC review version requires the originating establishment, at least 24 hours before sample collection, to notify the testing facility and receive confirmation that it is prepared to receive the samples once collected and entered into the seed-to-sale system, and allows samples to be collected by either the originating establishment or the testing facility (CCA draft provisions for CPHAC review, Nov. 2026: 3VAC10-60-40 (A)).
- Harvest lots are separated into batches of no more than 50 pounds, and concentrate production lots into batches of no more than 20,000 units; each batch gets a unique batch number documented in the seed-to-sale system for at least three years (3VAC10-60-40 C, draft).
- The establishment keeps policies and procedures for obtaining representative homogenous samples while maintaining sample integrity (3VAC10-60-40 D, draft).
- The testing facility sets the minimum sample size, which is at least 0.5% of the batch mass; if reserve samples are required, primary and reserve samples are collected at the same time and homogenously (3VAC10-60-40 D 1, draft).
- Sample collection is conducted under video surveillance; the designated sample collector keeps the recording for 30 days and a separate record of each sampling with the date and time, the business name and license number of origin, the unique batch number of each batch sampled, and the collector's name (3VAC10-60-40 D 2, draft).
- Sampling policies and procedures include: (1) a consistent, statistically valid sample selection method appropriate to the matrix; (2) sampling practices and equipment, including aseptic technique, sanitized tools, personal protective equipment and sampling containers; (3) documentation of observations and procedures; (4) containers sealed immediately after collection that indicate tampering and compromised integrity; (5) sample labels; (6) transport that does not endanger sample integrity and follows CCA transport requirements; and (7) chain of custody documentation for each sample, kept at least three years (3VAC10-60-40 E, draft).
- Each sample label shows the product's name, unique sample identification number, license number of the sampling location, batch number, date the sample was taken, identity of the collector, sample weight, and a "FOR TESTING PURPOSES ONLY" label (3VAC10-60-40 E 5, draft).

- The designated sample collector is trained on the sampling procedures, has access to restricted areas and to the entire batch, completes chain of custody paperwork including entering sample details in the seed-to-sale system, and follows any additional CCA guidance (3VAC10-60-40 F, draft). The CPHAC review version provides that the collector may be employed by the originating establishment or by the testing facility performing the tests (CCA draft provisions for CPHAC review, Nov. 2026: 3VAC10-60-40 (E)).
- The testing facility visually inspects samples for homogeneity and rejects heterogeneous samples (3VAC10-60-40 G, draft).
- From sampling until results are provided, the entire batch (except the samples) is segregated and withheld from use and kept in a secure, cool and dry location (3VAC10-60-40 H, draft).
- The originating establishment requires the testing facility to immediately return or properly dispose of samples after testing (3VAC10-60-40 I, draft).

Pass limits (draft)

Test	Concentrate	Botanical marijuana	Cite
Microbiological	Table 1 of Section 1111 of the United States Pharmacopeia	Most current American Herbal Pharmacopoeia Cannabis Inflorescence Standards	3VAC10-60-50 B 1, C 1
Mycotoxins	Sum of aflatoxins B1, B2, G1, G2 and ochratoxin A under 20 ppb	Same	3VAC10-60-50 B 2, C 2
Arsenic	Under 10 ppm	Under 10 ppm	3VAC10-60-50 B 3, C 3
Cadmium	Under 4.1 ppm	Under 4.1 ppm	3VAC10-60-50 B 3, C 3
Lead	Under 10 ppm	Under 10 ppm	3VAC10-60-50 B 3, C 3
Mercury	Under 2 ppm	Under 2 ppm	3VAC10-60-50 B 3, C 3
Pesticide chemical residue	Most stringent tolerance for any food item in 40 CFR Part 180, Subpart C	Same	3VAC10-60-50 B 4, C 4
Residual solvents	290 ppm or less hexane; 5,000 ppm or less of other Board-approved solvents	Not listed	3VAC10-60-50 B 6
Water activity and moisture	Not listed	Water activity not over 0.65 Aw; moisture not over 15%	3VAC10-60-50 C 6
Active ingredients	THC, THC-A, CBD and CBDA	Total THC and total CBD	3VAC10-60-50 B 5, C 5

- The CPHAC review document states that the pesticide provisions list the specific pesticides rather than citing 40 CFR Part 180 (CCA draft provisions for CPHAC review, Nov. 2026: 3VAC10-60-50 (B)(4) and (C)(4)); the list itself is not reproduced in that document.

Remediation (draft)

- Concentrate that fails the microbiological, mycotoxin, heavy metal or residual solvent test may be remediated by further processing and then retested for microbiological, mycotoxin, heavy metal, pesticide residue and residual solvents, with an active ingredient analysis and terpenes profile (3VAC10-60-30 A, draft).
- Concentrate that fails the pesticide residue test cannot be remediated (3VAC10-60-30 B, draft).
- Botanical marijuana that fails the microbiological, mycotoxin, heavy metal, water activity or moisture test may be remediated and retested on the full botanical panel; if it fails retesting it may be processed into concentrate, which must meet all concentrate standards, unless the failure relates to pesticides, in which case it is disposed of (3VAC10-60-30 C, draft).
- Botanical marijuana that fails the pesticide residue test cannot be remediated (3VAC10-60-30 D, draft).

After results (draft)

- A licensed testing facility handles, tests or analyzes regulated products (3VAC10-60-50 A, draft).
- If a sample passes all required tests, the entire batch may be used for packaging and labeling for sale; an expiration date is assigned based on validated stability testing, except that stability testing is not required for an expiration date 12 months or less from the testing date; no product may require time and temperature control for safety (3VAC10-60-50 D, draft). Labels show an expiration date of 12 months or less from testing unless supported by stability testing (3VAC10-70-20 B 3 h, draft).
- The testing facility provides a certificate of analysis to the originating establishment, which uploads it to the seed-to-sale system; the certificate is made available to patients or consumers on request (3VAC10-60-50 E and 3VAC10-50-20 D, draft).
- The establishment requires the testing facility to file with the Board an electronic copy of each result for any batch that fails, at the same time it sends the results to the establishment; the facility keeps results available to the Board (3VAC10-60-50 F, draft).
- “Under no circumstances” may an establishment sell a product before the testing facility has completed testing and provided a certificate of analysis (3VAC10-60-50 G, draft).
- Each establishment has lab results available on request to patients, parents, legal guardians, registered agents, certifying practitioners, consumers, the Board or its agent (3VAC10-60-50 H, draft).
- The CCA may collect and test random samples and compare its results with those reported by testing facilities (3VAC10-60-50 I, draft).
- Labels show a pass or fail rating based on required tests or a readable QR code to the certificate of analysis (3VAC10-70-20 B 3 m, draft).

Testing tied to distribution and registration (draft)

- Tested, packaged and labeled product may be wholesale distributed between establishments; untested product may move only between facilities licensed to process, label and package (3VAC10-40-50 A and B, draft).

- A wholesale distributor provides the receiver a copy of the lab results or electronic access to them (3VAC10-40-50 E, draft).
- Each registered product name is associated with a specific laboratory test that includes total CBD and total THC, a terpenes profile, and all active ingredients (THC, THC-A, CBD, CBDA) (3VAC10-50-70 A, draft).
- Two products may carry the same registered name only if each listed active ingredient varies by no more than 15%, or within 0.5 mg per dose where total THC or CBD is 5 mg or less per dose (3VAC10-50-70 B, draft).
- Industrial hemp extract used in marijuana products is subject to the same third-party testing as marijuana extract, verified by a Virginia-licensed testing facility, and the hemp dealer or processor provides results before the extract is acquired (3VAC10-50-50 C, draft).

Records and forms the rules name

Mandatory testing record (contents listed in § 4.1-1404 C)

Description of product provided to the testing facility	Identity of the testing facility	Results of the mandatory test

Sampling record (fields listed in 3VAC10-60-40 D 2, draft)

Date and time of sample collection	Business name and license number of origin	Unique batch number of each batch sampled	Name of designated sample collector

Sample label (fields listed in 3VAC10-60-40 E 5, draft)

Field	Entry
Product name	
Unique sample identification number	
License number of the sampling location	
Batch number	
Date the sample was taken	
Identity of the person who collected the sample	
Sample weight	
“FOR TESTING PURPOSES ONLY”	

What the law does not say

- The draft rules do not set a turnaround time for testing facilities.
- The draft rules do not set a potency tolerance between labeled and tested THC other than the registration deviation limits in § 4.1-1407 D and 3VAC10-50-70 B.
- The draft rules do not set separate contaminant limits for edible products; the pass limits are written for concentrate and botanical marijuana.

What other states required or scored

Not required in Virginia. Shown so applicants can see what other regulators asked for.

Massachusetts (935 CMR 500.160)

- Massachusetts requires testing by an Independent Testing Laboratory under Commission protocols, including the Protocol for Sampling and Analysis of Finished Marijuana and Marijuana Products (935 CMR 500.160(1)).
- Tests cover the cannabinoid profile and contaminants including mold, mildew, heavy metals, plant growth regulators and pesticides; vaporizer products are also screened for heavy metals and Vitamin E Acetate (935 CMR 500.160(2)).
- A written policy governs failing results, including notice to the Commission within 72 hours when contamination cannot be remediated and the batch is disposed of (935 CMR 500.160(4)(a)).
- Both the establishment and the laboratory notify the Commission separately, and the establishment's notice proposes a plan for destruction and for assessing the contamination source (935 CMR 500.160(4)(b)-(c)).
- Test results are kept at least one year and are valid for one year; product with a test date over one year old is expired until retested (935 CMR 500.160(5)).
- Seeds are exempt from testing, and clones are tested but exempt from metals testing (935 CMR 500.160(6)-(7)).

New Jersey (N.J.A.C. 17:30-19)

- New Jersey requires every batch of usable cannabis and every lot of cannabis products to be tested by a licensed testing laboratory (N.J.A.C. 17:30-19.2(a)).
- Product is sampled and tested before packaging, held in secure segregated storage, and released only after a written lab report confirms it meets specifications (N.J.A.C. 17:30-19.2(b)).
- A retention sample of each released batch or lot is kept in the distribution container under label storage conditions (N.J.A.C. 17:30-19.5(a)).
- Portions of the retention sample go to the lab for stability testing at six and 12 months to check potency and "support or debunk the listed expiration date" (N.J.A.C. 17:30-19.5(b)-(c)).

Maryland (COMAR 14.17)

- Maryland requires finished products to be tested by an Administration-authorized independent laboratory before any sale, distribution or dispensing (COMAR 14.17.13.04A).
- Growers hold cannabis in secure, segregated storage until release and obtain a certificate of analysis for each batch (COMAR 14.17.10.03D(3)-(4)).
- A batch produced with a deviation from SOPs may be released only after independent testing shows it meets the variety specification and that determination is recorded (COMAR 14.17.10.03D(1)(d)).
- A batch that fails action limits may be reworked under SOPs and must then be resampled and retested (COMAR 14.17.10.03D(5)(b)).
- After a quality or safety complaint, part of the retention sample is sent to an independent laboratory (COMAR 14.17.14.01C(1)(c)).

New York (9 NYCRR Part 125)

- New York's inventory system records all samples sent to independent laboratories, unused portions returned, and quality assurance test results (9 NYCRR 125.8(a)(2)(iv)).
- Laboratory testing results for each lot or batch are kept as records for at least five years (9 NYCRR 125.13(a), (c)(8)).

Sources checked 2026-11-22.

- Cannabis Control Commission, 935 CMR 500.000 (effective 09-11-26)
- NJ Cannabis Regulatory Commission, N.J.A.C. 17:30 Personal Use Cannabis Rules
- COMAR 14.17.13.04, Product Testing
- COMAR 14.17.10.03, Cannabis Grower Controls
- COMAR 14.17.14.01, Complaints, Adverse Events, and Recall
- Office of Cannabis Management, Express Terms adopting Parts 118-125 and 131 (9 NYCRR)

Sources: Code of Virginia § 4.1-606 (Regulations of the Board); Code of Virginia § 4.1-703 (Records of licensees); Code of Virginia § 4.1-806 (Marijuana testing facility license); Code of Virginia § 4.1-1403 (Board to establish regulations for marijuana testing); Code of Virginia § 4.1-1404 (Mandatory testing); Code of Virginia § 4.1-1405 (Labeling and packaging requirements); Code of Virginia § 4.1-1407 (Product registration requirements); CCA draft adult-use regulations, Sept. 9, 2026 (proposed, not final): 3VAC10-40, 3VAC10-50, 3VAC10-60, 3VAC10-70; CCA, Draft Regulation Provisions for CPHAC Review (Nov. 2026).

Record Retention Schedule

Every record the Cannabis Control Act and the CCA draft rules tell a Virginia licensee to keep, with the retention period where the source sets one (three years, two years, 90 days, 30 days) and the records for which no period is stated, each cited.

Who needs it: Every marijuana establishment and its responsible party; Dual-use medical operators (dispensing records); Regulated hemp product retail facilities (inventory and sales records). **Rule basis:** Code of Virginia §§ 4.1-606 B 8 and 9, 4.1-703, 4.1-1000 L, 4.1-1008 A, 4.1-1404 C; draft rules 3VAC10-30-20, -190, 3VAC10-40-30, -40, -50, -60, -70, -100, -120, -140, -245, -265, 3VAC10-50-50, -60, -80, -90, -95, -110, 3VAC10-60-40, 3VAC10-70-55 (proposed).

The Cannabis Control Act directs the Board to set "the form, content, and retention of all records and accounts" for licensees and hemp sellers, and names a few records directly. The CCA's draft rules set retention periods for most operating records, mostly three years, with shorter periods for video and vehicle GPS data; some required records have no stated period. Citations to 3VAC10 are to the CCA's draft regulations dated Sept. 9, 2026 (proposed, not final; they may change before adoption).

What Virginia requires

Statutory framework

- The Board's regulations must establish "requirements for the form, content, and retention of all records and accounts by all licensees and by any person selling a regulated hemp product" (Code of Virginia § 4.1-606 B 8).
- The regulations must provide alternative methods to maintain and store business records subject to Board inspection, "including methods for Board-approved electronic and offsite storage" (§ 4.1-606 B 9).
- Every establishment keeps complete, accurate and separate records of all marijuana it cultivated, purchased, processed, sold, developed, researched, tested or shipped, in accordance with Board regulations (§ 4.1-703 A).
- Retail stores and microbusinesses keep purchase records (prices and sellers' names and addresses), preserve purchase invoices "for a period as specified by Board regulations," and keep an accurate account of daily sales; electronic records may be stored off-site if readily retrievable for inspection at the premises (§ 4.1-703 B).
- Testing facilities keep the names and addresses of all licensees or persons who submit marijuana to them (§ 4.1-703 C).
- Records of stores and microbusinesses not available for inspection outside reasonable hours are provided to a Board agent within 24 hours of a request (§ 4.1-703 D).
- Licensees keep a record of all mandatory testing, with a description of the product submitted, the identity of the testing facility, and the results (§ 4.1-1404 C).

- All licensees file and maintain with the Board a current, accurate record of the information required under § 4.1-1000 C and notify the Board of changes under Board regulations (§ 4.1-1000 L).
- Marijuana taxes are assessed within three years of the due date, or within six years for a false or fraudulent return or failure to file; the Authority does not examine records beyond the three-year period unless it has reasonable evidence of fraud or reasonable cause to believe a required return was not filed (§ 4.1-1008 A).

Records with a retention period in the draft rules

Record	Retention period	Cite
All records relating to inventory, laboratory results, and dispensing or sales	3 years; available to the Board on request	3VAC10-40-70 B
Inventory records (initial, weekly, annual, reconciliations)	3 years from the date of the inventory	3VAC10-40-60 J
Receipt given by an enforcement officer who removes a sample or record	At least 3 years	3VAC10-40-60 K
Wholesale distribution transaction records (distributor and receiver)	3 years	3VAC10-40-50 C and D 3
Industrial hemp extract receipt records	3 years	3VAC10-50-50 D
Destruction and disposal records	3 years from destruction, kept at the establishment	3VAC10-50-110 E
Batch numbers in the seed-to-sale system	At least 3 years	3VAC10-60-40 C
Chain of custody records for each test sample	At least 3 years	3VAC10-60-40 E 7
Retail transaction error quality assurance program and records of errors and reviews	3 years, orderly and filed by date	3VAC10-50-95 E
Medical dispensing records	3 years from dispensing	3VAC10-50-80 C
Documentation of verbal or written authorization of botanical cannabis for a minor	3 years from dispensing	3VAC10-50-80 F
Dispensing error quality assurance program and records (processors and dispensing facilities)	3 years, orderly and filed by date	3VAC10-50-90 E
Copy of each patient's written certification	2 years, on site or electronically	3VAC10-50-80 A 2

Record	Retention period	Cite
Dispensing or sales records handed to new owners on a change of ownership	The two years immediately before the change	3VAC10-30-20 C 1
Vehicle GPS data for the entire duration of each transport	Not less than 90 days	3VAC10-40-265 I
Video recordings from all cameras	At least 30 days; unaltered copy kept longer during a known pending investigation or legal proceeding	3VAC10-40-140 F 4
Video of test sample collection	30 days from sampling unless the Board instructs otherwise	3VAC10-60-40 D 2

Records the draft rules require with no stated retention period

Record	Cite
Visitor log (name, date, time, purpose; log in and out)	3VAC10-40-30 I 3
Record of all regulated hemp products received, transferred, disposed of, sold or distributed (hemp retail)	3VAC10-40-40 D
Monthly hemp inventory with certificates of analysis, submitted to the CCA	3VAC10-40-60 H
Employee training record (initial and continuing)	3VAC10-40-100 C and E
Current list of people with access to the surveillance room	3VAC10-40-140 I
Vehicle registration and insurance documents	3VAC10-40-245 A
Current list of people with access to vehicle security equipment and records	3VAC10-40-245 D
Daily vehicle inspection records (“shall maintain all inspection records”)	3VAC10-40-265 C
Record of communications about an unscheduled stop	3VAC10-40-265 H
Separate sampling record (date and time, business name and license number, batch numbers, collector)	3VAC10-60-40 D 2
Safety data sheet for each hydrocarbon solvent, stored on premises	3VAC10-50-60 A 9
Reports from the designated industrial hygienist or professional engineer on flammable solvents	3VAC10-50-60 D
Certificate showing packaging is child-resistant under 16 CFR 1700.15 and 1700.25	3VAC10-70-55 A 1
Record of viewing photo ID and registration before subsequent medical dispensing	3VAC10-50-80 A 3
Written alcohol-free, drug-free and smoke-free workplace policy	3VAC10-40-20 E

Record	Cite
Recall procedures, available for CCA inspection	3VAC10-50-40 A

Record systems and handling (draft)

- An electronic record system guarantees confidentiality, safeguards against erasures and unauthorized changes after entry and verification by the pharmacist or responsible party, and can be reconstructed after a computer malfunction or accident (3VAC10-40-70 A, draft).
- All inventories, procedures and documents required by the inventory section are kept on the premises and made available to the Board (3VAC10-40-60 I, draft).
- The responsible party is responsible for ensuring that "all record retention requirements are met" (3VAC10-40-120 E 2, draft).
- Any loss or unauthorized alteration of records related to regulated products or qualifying patients must be reported immediately to law enforcement and the Board (3VAC10-40-150 A 3, draft).
- On a change of ownership, the previous owner is responsible for the proper and lawful transfer of records on the date of the transfer (3VAC10-30-20 C 2, draft).
- Before closing, the proposed disposition of dispensing records, patient information records and other required records is reported to the Board (3VAC10-30-190 B, draft).
- The Board's right of access includes copying "any materials, books, or records" of a licensee (3VAC10-80-30 A 4, draft).

What the law does not say

- Neither § 4.1-703 B nor the draft rules state the retention period for retail purchase invoices; the statute leaves it to Board regulations and the draft does not set one.
- The draft rules do not state a retention period for the visitor log, training records, vehicle inspection records or the other records in the second table above.

What other states required or scored

Not required in Virginia. Shown so applicants can see what other regulators asked for.

New York (9 NYCRR Part 125)

- New York requires required records to be kept at least five years from creation unless the Office sets a shorter period, and to be "readily retrievable" (9 NYCRR 125.13(a)-(b)).
- Covered records include floor plans, financial records including true parties of interest, personnel and training records, contracts, advertising and marketing records, operating procedures, lab results, and equipment maintenance logs naming the mechanic and date (9 NYCRR 125.13(c)).

- Security test records and visitor logs are each kept five years (9 NYCRR 125.3(c)(6), (d)(3)).

New Jersey (N.J.A.C. 17:30-9.7)

- New Jersey requires a confidential record of all sales showing buyer business, quantity, variety, form and cost, kept four years on or off premises (N.J.A.C. 17:30-9.7(b)).
- Retailers may not collect consumer personal information beyond what a Class C alcohol retailer typically acquires in a transaction (N.J.A.C. 17:30-9.7(b)2).
- Every written testing laboratory report is retained, and documentation of reportable inventory-loss events is kept in auditable form for at least two years (N.J.A.C. 17:30-9.7(c), (g)).
- The Commission may require an audit of financial records by an approved independent CPA at the business's cost (N.J.A.C. 17:30-9.7(f)).

Ohio (OAC 1301:18-3-14)

- Ohio requires records to be kept on the licensed premises unless the Division approves otherwise, in an auditable format immediately available for inspection (OAC 1301:18-3-14(A)(1)-(2)).
- Electronic systems must guarantee confidentiality, guard against erasures and unauthorized changes, support an administrative hold, and be reconstructable after a malfunction (OAC 1301:18-3-14(A)(3)).
- Documentation is retained for the current and preceding calendar year, including SOPs, cleaning, waste, inventory, security, production, packaging, testing, transport and recall records (OAC 1301:18-3-14(B)).

Maryland (COMAR 14.17.14.02)

- Maryland requires a searchable, secure, tamper-evident record of each distribution kept independent of the seed-to-sale system (COMAR 14.17.14.02A(1)).
- Licensees keep production and distribution records and daily checklists for each batch and lot, test records, a visitor log, and "a duplicate set of all records at a secure, off-site location" (COMAR 14.17.14.02A(2)-(5)).
- Unless otherwise specified, records are retained for 2 years (COMAR 14.17.14.02B).

Massachusetts (935 CMR 500.105(9))

- Massachusetts requires financial records kept under generally accepted accounting principles and available to the Commission on request (935 CMR 500.105(9)).
- Each agent's personnel record, including references, training documentation with signed attendance statements, evaluations and discipline, is kept at least 12 months after the agent leaves (935 CMR 500.105(9)(d)2.).
- After an establishment closes, all records are kept at least two years at the establishment's expense (935 CMR 500.105(9)(g)).
- Video recordings are kept at least 90 calendar days (935 CMR 500.110(5)(a)5.).

Sources checked 2026-11-22.

- Office of Cannabis Management, Express Terms adopting Parts 118-125 and 131 (9 NYCRR)
- NJ Cannabis Regulatory Commission, N.J.A.C. 17:30 Personal Use Cannabis Rules
- OAC 1301:18-3-14, Cannabis Entity Record Keeping

- COMAR 14.17.14.02, Records
- Cannabis Control Commission, 935 CMR 500.000 (effective 09-11-26)

Sources: Code of Virginia § 4.1-606 (Regulations of the Board); Code of Virginia § 4.1-703 (Records of licensees; inspection); Code of Virginia § 4.1-1000 (Applications for licenses); Code of Virginia § 4.1-1008 (Statute of limitations; past-due taxes); Code of Virginia § 4.1-1404 (Mandatory testing; recordkeeping); CCA draft adult-use regulations, Sept. 9, 2026 (proposed, not final): 3VAC10-30 to 3VAC10-80.

Hemp Retail Compliance Checklist

The requirements for selling edible or smokable hemp products at retail in Virginia, each cited: the per-location registration and fee, the THC limits, packaging, labels, certificates of analysis, banned shapes and imitations, topical labels, under-21 sales of smokable hemp, inspections, penalties, the move to Title 4.1 on July 1, 2027, CCA guidance, and what the CCA draft rules would add.

Who needs it: Businesses that offer for sale or sell regulated hemp products (edible or smokable) at retail in Virginia; Businesses selling at retail products advertised or labeled as containing hemp-derived cannabinoids.
Rule basis: Code of Virginia §§ 3.2-4122 to 3.2-4126 (in force until repeal July 1, 2027), 4.1-600, 4.1-604 33, 4.1-1004 A 4, 4.1-1106.1, 4.1-1700 to 4.1-1704 (effective July 1, 2027), 18.2-371.2; HB 30 enactments 9, 10, 27 to 29; CCA hemp guidance pages; draft rules 3VAC10-20-130, 3VAC10-30-135, -145, -200, 3VAC10-40-20, -35, -40 D, -60 H, -70, -120, -150, -160 to -190, 3VAC10-50-20, -85, 3VAC10-60-60, 3VAC10-70-60, -70 (proposed); CCA draft provisions for CPHAC review (Nov. 2026).

Retail sale of regulated hemp products in Virginia is governed today by Article 4 of Chapter 41.1 of Title 3.2 (§§ 3.2-4122 to 3.2-4126), which HB 30 repeals effective July 1, 2027 and which the Cannabis Control Authority administers until then. On July 1, 2027, Chapter 17 of Title 4.1 (§§ 4.1-1700 to 4.1-1704) takes effect with substantially the same requirements under the CCA Board. Sales of smokable hemp to persons under 21 are governed by § 18.2-371.2. The CCA's draft rules would add operating requirements for registered hemp retailers. Citations to 3VAC10 are to the CCA's draft regulations dated Sept. 9, 2026 (proposed, not final; they may change before adoption). CCA guidance pages are cited as agency guidance, with the date checked.

What Virginia requires

Which law applies and who administers it (statute)

- Article 4 of Chapter 41.1 of Title 3.2 (§§ 3.2-4122 through 3.2-4126) is repealed, and Chapter 17 of Title 4.1 (§§ 4.1-1700 through 4.1-1704) takes effect, on July 1, 2027 (HB 30, 2026 Sp. Sess. I, c. 1, enactment 10).
- The amended § 3.2-4126 took effect Aug. 15, 2026 (HB 30, enactment 9).
- The CCA "shall be vested with all the powers and duties held by the Department of Agriculture and Consumer Services prior to July 1, 2027" in administering Article 4 (HB 30, enactment 27).
- Any valid, active registration issued under § 3.2-4122 before July 1, 2027 remains valid until its expiration date and is considered issued by the CCA Board (HB 30, enactment 28).
- The VDACS regulations in 2VAC5-595 on products containing industrial hemp extracts for human consumption remain in effect, administered by the CCA, until the CCA Board adopts regulations on the sale of regulated hemp products (HB 30, enactment 29).

- A “regulated hemp product” means “a hemp product intended for smoking or an edible hemp product” (Code of Virginia § 4.1-600).

Registration (statute)

- No person may offer for sale or sell at retail (i) a regulated hemp product or (ii) a substance intended for human consumption, orally or by inhalation, that is advertised or labeled as containing an industrial hemp-derived cannabinoid, without a regulated hemp product retail facility registration (§ 3.2-4122 A; same text in § 4.1-1700 A from July 1, 2027).
- A nonrefundable annual registration fee of $1,000 is required with each application (§ 3.2-4122 B; § 4.1-1700 B).
- Each registration is valid for one year from issuance and may be renewed annually with the fee (§ 3.2-4122 C; § 4.1-1700 C).
- A registration is required for each location that offers for sale or sells regulated hemp products at retail (§ 3.2-4122 D; § 4.1-1700 D).
- The application includes at minimum: (1) the applicant’s name and mailing address; (2) the physical address of the facility, and the registration authorizes sales only at that location; (3) written consent allowing the regulator or its designee to enter the location to ensure compliance; (4) if edible hemp products will be sold, a copy of the permit issued under § 3.2-5100; (5) any other information required; and (6) payment of a nonrefundable application fee (§ 3.2-4122 E; § 4.1-1700 E).
- The registration section does not apply to FDA-approved products scheduled in the Drug Control Act or to products dispensed under Article 4.2 of the Drug Control Act (§ 3.2-4122 F; § 4.1-1700 F).

THC limits (statute)

- A civil penalty applies to offering or selling at retail a substance intended for human consumption, orally or by inhalation, that “(a) contains a total tetrahydrocannabinol concentration that is greater than 0.3 percent or (b) contains more than two milligrams of total tetrahydrocannabinol per package” (§ 3.2-4126 B (iii), version effective Aug. 15, 2026; same limits in § 4.1-1704 B (iii) from July 1, 2027).
- “Total tetrahydrocannabinol” means the sum, after any necessary conversion factor, of the percentage by weight of THC and of THC acid (§ 4.1-600).

Packaging, labels and certificates of analysis (statute)

No person may offer for sale or sell at retail a regulated hemp product unless it is (§ 3.2-4123 A; § 4.1-1701 A):

- Contained in child-resistant packaging, as defined in § 4.1-600, if it contains THC (§ 3.2-4123 A 1);
- Labeled in English, in a font no less than 1/16 of an inch, with (i) all ingredients; (ii) the amount that constitutes a single serving; (iii) the total percentage and milligrams of all THC in the product and the milligrams of THC per serving; and (iv) if it contains THC, that the product may not be sold to persons younger than 21 (§ 3.2-4123 A 2); and
- Accompanied by a certificate of analysis from an independent laboratory accredited to ISO/IEC 17025 by a third-party accrediting body, stating the total THC concentration of the product or its batch; the laboratory’s ISO/IEC 17025 accreditation certificate “shall be available for review at the location at which the regulated hemp product is offered for sale or sold” (§ 3.2-4123 A 3).
- “Child-resistant” means significantly difficult for a typical child under five to open, not significantly difficult for a typical adult to open and reseal, and resealable for any multi-use or multi-serving product (§ 4.1-600).

- No regulated hemp product may depict or be in the shape of a human, animal, vehicle or fruit (§ 3.2-4123 B; § 4.1-1701 B).
- No regulated hemp product may, without authorization, bear or be packaged in a container bearing another manufacturer's trademark, trade name, famous mark or identifying mark (§ 3.2-4123 C; § 4.1-1701 C).

Topical hemp products (statute)

- A topical hemp product offered or sold at retail must bear a label stating it is not intended for human consumption; the civil penalty is up to $500 per day; products documented as manufactured before July 1, 2023 are excepted (§ 3.2-4124 A to C; § 4.1-1702 from July 1, 2027).

Smokable hemp and persons under 21 (statute)

- No person may sell to, distribute to, purchase for, or knowingly permit the purchase by anyone younger than 21, knowing or having reason to believe the person is under 21, any tobacco product or hemp product intended for smoking (§ 18.2-371.2 B, version effective Oct. 1, 2026).
- No person may sell hemp products intended for smoking from a vending machine (§ 18.2-371.2 B).
- No person may sell a hemp product intended for smoking to an individual who does not show, by a driver's license or similar government-issued photo ID, that the individual is at least 21; mail-order and internet sales are excepted if age is verified through a commercially available database and delivery requires the signature of a person at least 21 (§ 18.2-371.2 C).
- Civil penalties: $500 for a first violation and $2,500 for a second or subsequent violation within three years; for an employee's violation, the penalty is assessed against the establishment plus $100 against the employee (§ 18.2-371.2 D).
- Hemp products intended for smoking are sold only in sealed packages provided by the manufacturer, with the required health warning, and every retail establishment selling them posts a conspicuous sign stating that sale to anyone under 21 is prohibited by law (§ 18.2-371.2 E 1).

Inspections and penalties (statute)

- The regulator has access during business hours to registered facilities, and to any business selling at retail a substance for human consumption advertised or labeled as containing a cannabinoid, to inspect and to secure samples for examination or laboratory analysis (§ 3.2-4125 A; § 4.1-1703 A; see also § 4.1-604 33).
- A registration may be denied, suspended or revoked for violating Article 4 or for repeatedly selling marijuana, or marketing or labeling products as marijuana, on the registered premises without displaying the decal required by § 4.1-1106.1 (§ 3.2-4126 A; § 4.1-1704 A).
- A civil penalty of up to $10,000 per day applies to selling without a registration, selling after suspension or revocation, selling over the THC limits, selling in violation of § 3.2-4123, selling a substance labeled as containing a hemp-derived cannabinoid without a registration, or repeated decal violations (§ 3.2-4126 B; § 4.1-1704 B).
- No person may sell marijuana or market or label products as marijuana without a Board-issued decal prominently displayed; the civil penalty is $10,000 per day (§ 4.1-1106.1 A).
- The state marijuana tax in § 4.1-1004 A does not apply to the sale of a hemp product (§ 4.1-1004 A 4).

CCA guidance (agency web pages, not statute or regulation)

- The CCA states that a separate application and $1,000 fee is required for each location, that applicants "should expect a decision within four to five weeks," that applications without payment are not processed, and that the CCA may conduct a pre-registration inspection reviewing storage and sales areas, age-restriction procedures and point-of-sale controls, inventory, and potency, packaging, labeling and testing compliance (CCA, Hemp Registrations and Renewals, checked Nov. 22, 2026).
- The CCA states that manufacturers, wholesalers and distributors doing only business-to-business sales, and not selling online or directly to consumers, do not need a retail registration (CCA, Hemp Registrations and Renewals, checked Nov. 22, 2026).
- The CCA states that total THC is calculated as (0.877 x THCA) + delta-9 THC + other delta-9 isomers, that "no tolerance is given above the 0.3% limit; measurement uncertainty is not considered," and that "<0.3% THC" is not an acceptable label statement (CCA, Hemp Labeling and Packaging, checked Nov. 22, 2026).
- For edible hemp products, the CCA lists: an approved-source manufacturer under food safety inspection; a certificate of analysis whose batch number or unique identifier matches the product label, not modified outside the issuing laboratory; a statement of identity and net quantity in U.S. and metric units; serving size by weight or volume; an ingredients list with common names and declared allergens; the manufacturer's or distributor's name and physical address (no P.O. box); a batch code; milligrams of total THC per serving and per package and the percentage of total THC; an age restriction statement; no disease claims; and only cannabinoids meeting the 2VAC5-595-10 definition of extract, with no synthetic cannabinoids or THC isomers other than delta-9 THC (CCA, Hemp Labeling and Packaging, checked Nov. 22, 2026).
- For inhalable hemp products, the CCA lists a certificate of analysis from an ISO 17025 lab stating total THC of the batch, a batch code on the label matching the certificate, child-resistant packaging that is resealable for multiple servings, the statutory label items, the 0.3% and 2 mg limits, and no synthetic derivatives of THC (CCA, Hemp Labeling and Packaging, checked Nov. 22, 2026).

What the CCA draft rules would add (draft)

- Fees: $1,000 application and $1,000 annual registration (3VAC10-20-130, draft).
- Application: facility name and address, material owners' names and addresses, the responsible party's name and signature, and security plan details; an inspection before registration; compliance with state and local law; no registration for a private dwelling (3VAC10-30-135 A to D, draft).
- The board may deny an application that fails to disclose violations, enforcement actions or compliance issues related to a previous VDACS hemp retail registration (3VAC10-30-145 A 3, draft).
- A responsible party or designated supervisor on duty at all times during declared hours once the facility holds product; the designated supervisor's name posted conspicuously in letters not less than one inch (3VAC10-30-135 E and F, draft).
- Operational within 180 days of registration; immediate notice of application changes; an application and fee before a name change, acquisition, or change of location, structure or approved security system; 30 days' notice to the board and a posted notice before closing; disposition of products and records reported (3VAC10-30-200 B to J, draft).
- Products containing THC sold only in a child-resistant, secure and light-resistant container (3VAC10-40-20 A, draft); immediate notice of closures longer than two business days (3VAC10-40-20 D, draft); a written alcohol-free, drug-free and smoke-free workplace policy (3VAC10-40-20 E, draft).

- No operations outside the registered address; no facility may “produce or manufacture regulated hemp products for use” (the draft clause ends there); no samples; no endorsing or giving anything of value to practitioners; the sales area closed unless the owner, responsible party or designated supervisor is present; only employees behind the counter or in storage areas; no drive-through, curbside or vending-machine sales (3VAC10-40-35, draft).
- A record of all products received, transferred, disposed of, sold or distributed (3VAC10-40-40 D, draft); an initial inventory and a complete record of all products with all certificates of analysis “prepared and submitted to the authority monthly” (3VAC10-40-60 H, draft); electronic records that are confidential, protected against unauthorized changes and recoverable (3VAC10-40-70 A, draft).
- The responsible party serves only one facility, full time and on site; posts the registration and the price of all products; and the board is notified of the responsible party’s departure within 48 hours with a replacement named within 14 days (3VAC10-40-120 B, E 5, H, draft).
- Reportable events: theft, diversion, loss, inventory discrepancies, unauthorized destruction and lost or altered records reported immediately with a signed statement within 24 hours; alarm responses, breaches and alarm outages over eight hours reported by the next business day with a written report within 10 business days (3VAC10-40-150, draft).
- Advertising rules in 3VAC10-40-160 to -190 name regulated hemp product retail facilities; see the Advertising compliance checklist.
- No THC product may contain other controlled substances or added alcohol, caffeine or nicotine (sugar and naturally occurring caffeine excepted); no hemp product intended for smoking or vaporizing may contain vitamin E acetate (3VAC10-50-20 A and C, draft).
- No consumption on the premises; no sale of a THC product to a person known or reasonably believed to be under 21 or intoxicated; ID must meet § 4.1-1104, and altered or expired ID is not valid (3VAC10-50-85 A to D, draft).
- A certificate of analysis for every product offered, from an independent laboratory meeting 2VAC5-595-50 E; products pass total THC (no more than 0.3% and no more than 2 mg per package), microbiological, mycotoxin (under 20 ppb), heavy metal (arsenic and lead under 10 ppm, cadmium under 4.1 ppm, mercury under 2 ppm), residual solvent (a 22-solvent table) and pesticide standards; certificates available to consumers and the board on request; the CCA may collect random samples (3VAC10-60-60, draft).
- Labels in type no smaller than 6 point with: product name and certificate of analysis ID and test date; serving size; terpenes profile and all active and inactive ingredients, including THC, THC-A, CBD and CBDA; total percentage and milligrams of THC per serving and per product; a pass rating or QR code to the certificate; any cautionary statement the CCA requires; a prominently printed expiration date; and directions for use and storage; inhalable cartridges bear a universal symbol at least 1/4 inch square; no “organic” claim without 7 CFR Part 205 certification (3VAC10-70-60, draft).
- Packaging that is child-resistant (16 CFR 1700.1(b)(4)), tamper-resistant and light-resistant, and does not resemble candy, snack, baked good or beverage packaging or appeal to persons under 21 (3VAC10-70-70, draft).
- The CPHAC review version would add the universal symbol stamped on each single serving of THC hemp products, limit QR codes to the certificate and health warnings, and require the label notice “WARNING: This product contains THC and may have intoxicating effects” in no less than 6-point font (CCA draft provisions for CPHAC review, Nov. 2026: 3VAC10-70-60(C)(7), (E), 3VAC10-70-70(E)).

Records and forms the rules name

Registration application contents (§ 3.2-4122 E)

Item	Ready
Applicant name and mailing address	
Physical address of the facility	
Written consent to entry for compliance inspections	
Copy of the § 3.2-5100 permit (if selling edible hemp products)	
Any other information required	
Nonrefundable application fee	

Label check (§ 3.2-4123 A 2)

Item	On label
All ingredients	
Amount that constitutes a single serving	
Total percentage and milligrams of all THC	
Milligrams of THC per serving	
“May not be sold to persons younger than 21” statement (if it contains THC)	
English, font no less than 1/16 inch	

At the point of sale (§ 3.2-4123 A 3; § 18.2-371.2 E 1)

Item	Present
Certificate of analysis for each product or batch, stating total THC	
Laboratory’s ISO/IEC 17025 accreditation certificate available for review	
Under-21 sign (stores selling hemp products intended for smoking)	

What the law does not say

- § 4.1-604 43 directs the CCA to create a decal for retail marijuana stores, microbusinesses, pharmaceutical processors and cannabis dispensing facilities; that subdivision does not name regulated hemp product retail facilities.
- Article 4 of Title 3.2 does not set a minimum age for buying edible hemp products; the label must state that THC products may not be sold to persons younger than 21 (§ 3.2-4123 A 2), and § 18.2-371.2 addresses hemp products intended for smoking.
- The statute does not set a processing time for registrations; the CCA's four-to-five-week figure is agency guidance.

What other states required or scored

Not required in Virginia. Shown so applicants can see what other regulators asked for.

New York (9 NYCRR Part 114, cannabinoid hemp)

- New York requires cannabinoid hemp retailers to sell only products manufactured, packaged, labeled and tested under Part 114 (9 NYCRR 114.11(a)).
- Retailers may not sell products labeled or advertised for smoking, such as cigarettes, cigars, pre-rolls, or products packaged with smoking accessories (9 NYCRR 114.11(b)).
- Products with more than 0.5 milligrams of total THC per serving, concentrated products for inhalation, and flower products may not be sold to anyone under 21, and retailers keep safeguards to confirm the person presenting proof of age matches the ID (9 NYCRR 114.11(b); 114.16(a)).
- The retail license and required signs are posted conspicuously at each location (9 NYCRR 114.11(c)).
- Cannabinoid hemp products are displayed "in a manner that distinguishes them from non-cannabinoid hemp products" (9 NYCRR 114.11(d)).
- Retailers keep records of where products were purchased, and the Office may inspect retail locations and take samples (9 NYCRR 114.11(e)-(f)).
- Retailers may not sell a product that is a "potentially hazardous food" or a product to be added to food at the point of sale (9 NYCRR 114.16(b), (d)).
- Laboratory testing caps total THC concentration at 0.3% and bars sale of products with contaminants above permitted levels (9 NYCRR 114.10(d), (g)).

New Jersey (P.L.2025, c.215 as amended by P.L.2026, c.7; CRC interim guidance)

- New Jersey's Cannabis Regulatory Commission states that from April 13, 2026, products exceeding 0.4 milligrams of total THC per container, or hemp above 0.3 percent total THC dry weight, are treated as cannabis (NJ CRC, Intoxicating Hemp-Derived Products FAQ).
- Cannabinoids that are not naturally produced by the plant, or that were chemically synthesized, are prohibited (NJ CRC, Intoxicating Hemp-Derived Products FAQ).

- Selling any hemp-derived product or intoxicating hemp beverage online, and selling intoxicating hemp beverages through vending machines, are prohibited (NJ CRC, Intoxicating Hemp-Derived Products FAQ).
- Selling or distributing to a person under 21 any product for human consumption with "any detectable amount" of THC is unlawful (NJ CRC, Intoxicating Hemp-Derived Products FAQ).
- Hemp-derived cannabinoid products within the new limits may be sold by licensed Class 5 Cannabis Retailers if they meet the Commission's testing, packaging and labeling rules (NJ CRC, Intoxicating Hemp-Derived Products FAQ).
- Intoxicating hemp beverages may be sold by certain alcohol licensees or Class 5 retailers until November 13, 2026, with caps from May 31, 2026 of 5 milligrams total THC per serving and 10 milligrams per container (with a stated exception for certain 750 ml resealable bottles) (NJ CRC, Intoxicating Hemp-Derived Products FAQ).
- The Commission describes the FAQ as "interim guidance on the new law until the Commission issues regulations" (NJ CRC, Intoxicating Hemp-Derived Products FAQ).

Ohio (OAC 1301:18-11-01)

- Ohio's Division of Cannabis Control, with the Department of Agriculture, publishes lists of cannabinoids for purposes of R.C. 928.01, including tetrahydrocannabinol class cannabinoids naturally occurring in the plant and "all other known cannabinoids with similar effects to, or marketed to have similar effects to," THC class cannabinoids (OAC 1301:18-11-01(A)).
- The listed THC-type cannabinoids include delta-9 and delta-8 tetrahydrocannabinol forms and their acids (OAC 1301:18-11-01(A)(1)(a)-(b)).

Sources checked 2026-11-22.

- 9 NYCRR 114.11, Requirements for cannabinoid hemp retailers (Cornell LII mirror)
- 9 NYCRR 114.16, Cannabinoid hemp retailer prohibitions (Cornell LII mirror)
- 9 NYCRR 114.10, Laboratory testing requirements for cannabinoid hemp (Cornell LII mirror)
- NJ Cannabis Regulatory Commission, Intoxicating Hemp-Derived Products FAQ
- OAC 1301:18-11-01, Ohio Revised Code 928.031 Cannabinoids

Sources: Code of Virginia § 3.2-4122 (Regulated hemp product retail facility registration; fee; repeal effective July 1, 2027); Code of Virginia § 3.2-4123 (Product packaging, labeling, and testing; repeal effective July 1, 2027); Code of Virginia § 3.2-4124 (Topical hemp products; repeal effective July 1, 2027); Code of Virginia § 3.2-4125 (Access to retail facilities; repeal effective July 1, 2027); Code of Virginia § 3.2-4126 (Civil penalties; version effective Aug. 15, 2026); Code of Virginia § 4.1-600 (Definitions); Code of Virginia § 4.1-604 (Powers and duties of the Board); Code of Virginia § 4.1-1004 (Marijuana taxes; exceptions); Code of Virginia § 4.1-1106.1 (Selling without decal; civil penalty); Code of Virginia § 4.1-1700 (Regulated hemp product retail facility registration; effective July 1, 2027); Code of Virginia § 18.2-371.2 (Tobacco and hemp products intended for smoking; persons under 21; version effective Oct. 1, 2026); Code of Virginia § 4.1-1104 (Persons to whom marijuana may not be sold; proof of legal age; effective July 1, 2027); Code of Virginia § 4.1-1701 (Product packaging, labeling, and testing; effective July 1, 2027); Code of Virginia § 4.1-1702 (Topical hemp products; effective July 1, 2027); Code of Virginia § 4.1-1703 (Authority access to retail facilities; effective July 1, 2027); Code of Virginia § 4.1-1704 (Civil penalties; effective July 1, 2027); HB 30 (2026 Sp. Sess. I, c. 1), Item 4-14 enactment clauses (enactments 9, 10, 27, 28, 29); CCA: Regulated Hemp Products Labeling and Packaging Information (checked Nov. 22, 2026); CCA: Hemp Registrations and Renewals (checked Nov. 22, 2026); CCA draft adult-use regulations, Sept. 9, 2026 (proposed, not final): hemp retail provisions in 3VAC10-20 to 3VAC10-70; CCA, Draft Regulation Provisions for CPHAC Review (Nov. 2026).