

DEPARTMENT OF HEALTH

IN RE:

OFFICE OF MEDICAL MARIJUANA USE

RULES WORKSHOP

**CERTIFIED
ORIGINAL**

DATE TAKEN: October 28, 2025
TIME: 9:00 AM - 9:46 AM
LOCATION: Holiday Inn
 2003 Appalachia Parkway
 Tallahassee, Florida 32301

- 1 AGENDA ITEMS and ADDITIONAL PANNEL MEMEBERS
- 2 64-4.001 Definitions - Jamie Nobles and Nikki Fringer
- 3 64.4.214 Application for MMTC Licensure - Jamie Nobles
- 4 and Nikki Fringer
- 5 64.4215 Renewal Application Requirements for MMTCs -
- 6 Jamie Nobles and Nikki Fringer
- 7 64.4-216 MMTC Authorization Procedures - Jamie Nobles
- 8 and Nikki Fringer
- 9 64.4-217 MMTC Financial Assurance - Jamie Nobles and
- 10 Nikki Fringer
- 11 64-4.218 MMTC Trade Name and Logo- Jamie Nobles and
- 12 Nikki Fringer
- 13 64-4.219 MMTC packaging and Labeling - Melissa Passet
- 14 and Megan Williams
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1 APPEARANCES:

2 OMMU:

3 MEREDITH HAYES, RULES COORDINATOR

4 ALICIA FRINGER, DEPUTY DIRECTOR

5 JAMIE NOBLES, ASSISTANT DIRECTOR

6 BREANNE RAMM, LEGISLATIVE POLICY ANALYST

7 ALYSSON BRADLEY, INTERNAL GENERAL COUNSEL

8 MELISSA PASSETT, VARIANCE MANAGER

9 MEGAN WILLIAMS, MANAGER

10

11 IN ATTENDANCE:

12 ASHLEY UBALDINI, COMPLIANCE MANAGER, INSD

13 CHARLES BAILEY, SUP OPERATIONS, SUNBURN

14 DEVIN BAXTER, ATTORNEY, BAXTER LAW

15 TIM GUNTHER, COMPLIANCE DIRECTOR, THE FLOWERY

16 JESS ENGLE, SUP COMPLIANCE, GOLDFLOWER

17 TABITHA KROL, REGULATOR AND SENIOR MANAGER,

18 PARALLEL

19 SAVANNAH BAILEY, COMPLIANCE MANAGER, TRULIEVE

20 AMANDA MUSGRAVE, COMPLIANCE DIRECTOR, SUNBURN

21 BRADLEY BUTLER, SR., ATTORNEY, PANZA MAURER

22 MICHELLE FINCH, OPERATIONS AND COMPLIANCE, SURTERRA

23 MICHAEL CMUTS, COO, THE FLOWERY

24 GENE MCGEE, PARTNER, SUNRISE CONSULTANTS GROUP

25

1 IN ATTENDANCE:

2 DOUG BELL, ATTORNEY, CURALEAF

3 AUTUM SANGREY, COMPLIANCE, AYR WELLNESS, INC.

4 RYAN FINGERHUT, PROJECT MANAGER, GREENE STREET

5 TJ MORTON, ATTORNEY, LOCKWOOD LAW FIRM

6 CRAIG SIMPSON, ATTORNEY, LOCKWOOD LAW FIRM

7 JENNIFER TSCHETTER, ATTORNEY, CARLTON FIELDS

8 RON WATSON, LOBBYIST, WATSON STRATAGIES

9 CHRISTINE SENNE, ATTORNEY, FLORIDA MEDICAL

10 MARAJUANA TRADE ASSOICATION

11 JODI JAMES, PRESIDENT, FLORIDA CANABIS ACTION

12 NETWORK

13 JENNIFER MAKRIS, FLORIDA CANNABIS ACTION NETWORK

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1 (Thereupon, the workshop commenced at 9:00 AM.)

2 COORDINATOR HAYES: Good morning. This is a
3 workshop on rules 64-4.001, Definitions; 64-4.214,
4 Application for MMTC Licensure; 64-4.215, Renewal
5 Application Requirements for MMTC; 64-4.216 MMTC
6 Authorization Procedures; 64-4.217, MMTC Financial
7 Assurance; 64-4.218, MMTC Trade Name and Logo; 64-
8 4.219, MMTC Packaging and Labeling.

9 This workshop is being conducted on October
10 28th, 2025, at Holiday Inn Tallahassee East Capitol
11 University, 2003 Apalachee Parkway, Tallahassee,
12 Florida 32301.

13 I'm conducting the workshop for the
14 Department. My name is Meredith Hayes, and I am
15 the Administrative Rules Coordinator for the Office
16 of Medical Marijuana Use. Our address is Florida
17 Department of Health, 4052 Bald Cypress Way, Bin
18 M01 Tallahassee, Florida 32399. I am joined by
19 Alysson Bradley, Interim General Counsel, and
20 Breanne Ramm, OMMU Legislative Analyst.

21 As we move through each rule we will introduce
22 program staff who specialize in the rule subject
23 matter to the panel. These panel members may
24 rotate throughout the workshop based on the rule
25 being discussed.

1 This workshop is being conducted in accordance
2 with section 120.54 Florida Statutes. The notice
3 for this workshop was published in Volume 51,
4 Number 197 of the Florida Administrative Register
5 on October 9th, 2025.

6 The purpose of the workshop is to allow the
7 public to participate in the rule making process.
8 And before we begin, we ask that all comments that
9 include suggested rule language be submitted in
10 writing to the OMMU rules inbox at
11 OMMUrules@FLhealth.gov, before the end of the
12 comment period to be announced at the end of the
13 workshop.

14 Please be advised that this workshop is being
15 transcribed by a court reporter.

16 This rulemaking initiates nonemergency
17 rulemaking to replace the emergency rules adopted
18 by the Department to implement section 381.986
19 Florida Statutes pursuant to chapter 2025-199,
20 Section 14, Laws of Florida. These rules set forth
21 the requirements for MMTC. And the purpose for
22 this workshop will be referencing the existing
23 emergency rules as the Department's development
24 drafts.

25 If you indicated on the sign in sheet that you

1 wish to comment on the rule, you will be called in
2 the order in which you signed in to speak on the
3 subject rule indicated. When your name or
4 affiliation is called, please approach the
5 microphone at the front of the room. We ask that
6 you state your name organization that you
7 represent.

8 And in the interest of time, we ask that you
9 do not repeat the position of the previous
10 speakers. Instead, you may, however, for the
11 record, state that you agree with one or more of
12 the previous speakers. We also ask that you limit
13 your comments to no more than about three minutes.

14 At this time, we would like to open the floor
15 for comments on Rule 64-4.001, Definitions. And we
16 will only be accepting comments on this Rule at
17 this at this time.

18 Joining me, we have Jamie Nobles, Assistant
19 Director, and Alicia Fringer, Deputy Director.

20 First up we have Tim Gunther.

21 MR. GUNTHER: Tim Gunther from Flowery. I'm
22 the Compliance Director. And I'll put this all in
23 writing as well, as requested. The one definition
24 that we are looking to change was definition number
25 "32, Plain," which currently states, "black

1 lettering in Sans Serif font and on a white
2 background with no pictures of graphics other than
3 one image of the Department logo and universal
4 symbol."

5 We are requesting that we strike out Sans
6 Serif because that's been an issue with partners
7 that we do around the country, trademark partners.
8 And we have to change their trademark logos based
9 off the Sans Serif.

10 And just asking that it gets striked (sic)
11 from that, along with the ability to strike out the
12 need for not allowing other pictures within the
13 plain definition. So taking that out. And I'll
14 follow up with an email, as you requested, to the
15 box.

16 Thank you.

17 COORDINATOR HAYES: Thank you. All right.
18 Next up we have Christine Senne.

19 MS. SENNE: Good morning. My name is
20 Christine Senne. I represent the Florida Medical
21 Marijuana Trade Association.

22 We have a few comments on the definitions.
23 First, 381.9868E14 states that the Department shall
24 adopt rules to regulate the types, appearance, and
25 labeling of marijuana delivery devices dispensed

1 from a medical marijuana treatment center. The
2 rules must require marijuana delivery devices to
3 have an appearance consistent with medical use.

4 We've gone several years without this
5 definition, and a lot of the MMTC would appreciate
6 some consistency and predictability around what
7 will constitute a compliant delivery device when
8 they bring it to the Department. We think this
9 will also RAIs and help promote efficiency in the
10 variance request process for the Department. So,
11 this is a win-win for both sides of the aisle.

12 On a similar vein, the term promotes the
13 recreational use of marijuana is undefined. We
14 would like to see a definition there and will be
15 proposing in written comments.

16 In 381.9868H there's reference to both
17 advertising and marketing, and we would like some
18 clarification and definitions of what those two
19 terms mean. Also, for purposes of compliance and
20 keeping efficiencies with the Department.

21 And that was the extent of my public comments
22 on this one.

23 Thank you very much. Happy to be here.

24 COORDINATOR HAYES: Thank you.

25 All right. Next is Michael Smuts from The

1 Flowery.

2 MR. SMUTS: Hi. Good morning. It's Michael
3 Smuts with The Flowery. And Tim doctor already
4 spoke on our behalf.

5 Thank you.

6 COORDINATOR HAYES: Thank you.

7 Devin Baxter.

8 MS. BAXTER: Good morning. Devin Baxter,
9 Baxter Law, on behalf of multiple MMTCs and CMTL
10 clients. Thanks for having us. Happy to be here
11 to work with the office on a tune up on some of
12 these rules.

13 I would echo Ms. Senne's comments on the need
14 for definition for recreational use and also
15 adherence for consistent medicinal use for devices.

16 We'd also ask that the definitions of
17 cultivation and processing be amended to clarify
18 the delineation between the two activities,
19 specifically as it relates to drying and trimming.
20 Some OMMU inspectors in different regions treat
21 those activities differently, and sometimes that
22 causes confusion in the various process, and we
23 have to figure out which foreplans to amend.

24 I would suggest defining the term "additive"
25 as it is used on page two of the MMTCC to say, "all

1 required data collection documents." That's
2 incorporated by the seed-to-sale tracking
3 procedures. I believe it's intended to refer to
4 substances that help a pesticide adhere to the
5 plant, and not to the plant nutrition or product
6 additives. But there's been some confusion around
7 that. We'd like to see that clarified.

8 I'd also suggest clarifying the definition of
9 "Firmly Affixed," to make clear that a label can't
10 be broken or disturbed upon opening of the product.
11 And the Rule currently says, "damaged." And that
12 has caused some confusion because I think OMMU will
13 reject a product if the label is even broken, even
14 if it kind of reconnects when you close the jar.

15 Thanks.

16 COORDINATOR HAYES: Thank you.

17 Next, we have Michelle Finch.

18 MS. FINCH: Hello, Michelle Finch, Surterra,
19 Operations and Compliance.

20 I agree with Christine Senne's comment asking
21 for clarification on advertising versus marketing.

22 Also, as for an update or clarity on the
23 definition of "Low THC Cannabis." The current
24 definition asking for "0.8 or less THC and more
25 than 10 of cannabidiol weight over weight," we'd

1 like to ask to replace the unachievable absolute
2 threshold with a scientifically reasonable
3 definition, such as low THC cannabis means
4 cannabis, in which total concentration of THC does
5 not exceed 0.8% by weight, or in which the ratio of
6 cannabidiol to THC is at least nine to one ratio
7 calculated on the weight for weight basis in dried
8 flower or final extract or equivalent ratio
9 approved by the Department to ensure non-euphoric
10 effect.

11 Thank you.

12 COORDINATOR HAYES: Thank you.

13 Are there any further comments on the
14 definitions Rule?

15 (Hearing none.)

16 Okay. Next, we will be moving to Rule 64-
17 4.214, Application for MMTC Licensure. And we will
18 only be accepting comments on this Rule at this
19 time.

20 We did not have anyone sign up to comment on
21 this Rule.

22 (No comments from the public.)

23 Okay. Next, we will be moving to Rule 64-
24 4.215, Renewal Application Requirements for MMTCs.
25 And we will only be accepting comments on this Rule

1 at this time.

2 We have Christine Senne.

3 MS. SENNE: Hello, Christine Senne, on behalf
4 of Florida Medical Marijuana Trade Association.

5 We'd like to request some flexibility for
6 submission and certified annual financial
7 statements for licensees whose public securities
8 disclosures are due in the same fiscal quarter as
9 their renewal application. The Department's seen
10 this happen many times where it's just logistically
11 impossible to have certified financials prepared at
12 the same time that you're doing your parent
13 company's audited financial statements for
14 securities disclosures, and then you see a flurry
15 of 120 variance applications, and so on and so
16 forth. So, we're just asking that the Department
17 memorialize a process that's already occurring
18 routinely with these renewals.

19 We also would like to request payment of the
20 renewal fee by wire transfer. Originally this was
21 a certified check for less than \$100,000. Now
22 we're talking about \$1.4 million check that not
23 every MMTC is in Tallahassee, so you've got to
24 figure out some way to get it here. And I can
25 personally attest, former in-house counsel at an

1 MMTC that I did not feel comfortable slipping that
2 in the mail. So, if we could find a way to wire
3 that, I think that would make everybody's lives a
4 lot easier.

5 Thank you.

6 COORDINATOR HAYES: Thank you.

7 Next we have Jennifer Tschetter.

8 MS. TSCHETTER: Jeniffer Tschetter. I'm a
9 lawyer here in town. I represent more than one
10 MMTC, but here today, on behalf of The Flowery.

11 The suggestion that we'd make today on the
12 renewal fee has to do with its apportionment. So,
13 the statutory section requires that the renewal fee
14 cover the cost of implementing and administering
15 the section. But simply dividing the total costs
16 of the OMMU over a two-year period by the number of
17 licensees, we think there's a more reasonable way
18 to do that in light of the workload associated with
19 each MMTC for the OMMU.

20 For example, MMTC, with 150 facilities,
21 obviously creates a lot more workload for the OMMU
22 than a licensee with 10 facilities. So, our
23 suggestion would be, and I have language that I'll
24 submit, to apportion the renewal fee in a way that
25 more equitably distributes the workload associated

1 with implementing and administering the section.

2 I don't know that it needs to be terribly
3 detailed. I mean, you could get really detailed,
4 right? The background screening section obviously
5 does work for labs; it also does work by MMTC. But
6 even if we just went to facilities, that might be a
7 way. And that's probably the language that I'll
8 submit to you, is just a facility driven
9 apportionment.

10 And the last thing I'd note, on this renewal
11 fee application Rule is somehow if we could create
12 greater transparency, generally with the renewal
13 application fees associated. I mean, they've gone
14 from -- they're obviously much larger now than they
15 were initially. And I know there were reasons for
16 all of that. But, as someone who has to try to
17 explain to clients and justify the \$1.3 million
18 expenditures, the public records responses, which
19 are six cells of the table, are challenging.

20 So, for example, the CMTL renewal Rule just
21 went through, and their renewal application fee is
22 \$78,000, mirrors the language of the MMTC. Yet, I
23 don't know -- it's difficult for me to assure
24 clients that they're not paying for the background
25 screening of CMTLs, or they're not paying for the

1 background screening of inspectors.

2 So, again, just a gentle suggestion that any
3 additional transparency there would be helpful.

4 Thanks.

5 COORDINATOR HAYES: Thank you.

6 Devin Baxter.

7 MS. BAXTER: Devin Baxter, Baxter. Law.

8 Yes, I agree with Mr. Tschetter. The renewal
9 fee. It's a significant financial obstacle,
10 particularly for smaller operators that are that
11 are in the market. So, at a minimum, we would
12 suggest maybe making it payable in installments or
13 something that would make it a little bit easier on
14 smaller operators.

15 And then also, yes, transparency is great.
16 And maybe looking at some other efficiencies such
17 as streamlining the variance process or something
18 that can reduce some of those costs on operators by
19 making the program more efficient.

20 We'd also like to see the Rule made clear that
21 MMTTC may continue to operate as normal while their
22 renewal applications are pending. A lot of times
23 we submit our renewal applications and maybe they
24 don't get approved until a month or two or longer
25 after the end of the effective licensure period.

1 And sometimes that causes a problem with vendors
2 who are under the impression that the license
3 automatically expires. Then we have to ask you
4 guys for a bunch of good standing letters over and
5 over every month. So, if something in the Rule can
6 make that clear that they're good to operate, I
7 think that could eliminate that problem.

8 I'd agree we'd like the ability to wire the
9 renewal fee to the Department. I think it's
10 sometimes a safety risk. I also get nervous
11 carrying a million cashier's check and trying to
12 deliver it.

13 And I also asked because the renewal
14 applications are a lot less sizable than the
15 original applications, if we could deliver them
16 electronically, either via email or through the
17 agency clerk's portal. Particularly the RAI
18 responses, sometimes there are several of them and
19 mailing and hand delivering can be time consuming,
20 especially if it's just a one-page document or
21 something that we need to get in. So, we think we
22 could wrap the process up more quickly and easily
23 if electronic submission was an option.

24 COORDINATOR HAYES: Jodi James.

25 MS. JAMES: Thank you very much. My name is

1 Jodi James, and I represent the Florida Cannabis
2 Action Network. We're actually 27 years old today.
3 The organization has been doing public advocacy and
4 education on cannabis space for more than 27 years.

5 All of my concerns come from the position of
6 the consumer, and the reason that I chose to speak
7 during renewals has to do with how these companies
8 are interacting with consumers. But probably the
9 most important thing that I'm seeing right now is
10 the impact of the licensing fees. Every penny that
11 is generated by an MMTC is generated on the back of
12 a very, very sick person.

13 So, when I look at the OMMU budget and I see a
14 \$60 million surplus because you collected \$38
15 million from license holders, I go, whoa, it's not
16 costing that. And so, at the end of the day, we
17 want you guys to be friends to the consumer and
18 advisors to the MMTC.

19 And I understand that there is a regulatory
20 function that you serve, but at the end of the day,
21 that service is to the people who use this program.
22 And I bring that up because we're seeing that some
23 of the MMTC continue to have a license and yet
24 they're not producing product, they're not meeting
25 minimum requirements.

1 And then I say, well, wait a minute. If
2 they're not meeting minimum requirements, why are
3 we not hearing about fines? Why are we not hearing
4 about violations? And why do they continue to get
5 renewed?

6 So, this is a very competitive space. There
7 are some really, really great actors. And then
8 there's some folks who are not doing what I believe
9 they were charged to do by the Florida legislature.
10 And as a consumer advocacy organization, we want
11 fabulous products from fabulous producers who are
12 really thinking about the bottom line for their
13 investor and the best possible care for their
14 clients.

15 Thank you very much.

16 COORDINATOR HAYES: Thank you.

17 Are there any further comments?

18 (None Heard.)

19 Next we will be moving to Rule 64-4.216, MMTC
20 Authorization Procedures.

21 We will only be accepting comment on this Rule
22 at this time.

23 Devin Baxter.

24 MS. BAXTER: I did encourage the Department to
25 consider eliminating this Rule, which I think

1 imposes unnecessary costs on both the Department
2 and MMTC operators. The authorization timeline is
3 very difficult for MMTCs to meet, and what ends up
4 happening in practice is that they have to quickly
5 stand up some type of temporary facility or drop
6 pods, or something, to meet the requirements of the
7 Rule.

8 But in that short amount of time, you really
9 can't put up a facility that's able to produce
10 products. It's kind of a waste of time and energy,
11 and then they have to go back and start over
12 building their primary facility.

13 38.19868B already says that the Department may
14 not renew the license of an MMTC that has not begun
15 to cultivate, process, and dispense marijuana by
16 the renewal date. I understand that the goal here
17 is to make sure that MMTC's are operating their
18 license, that they don't just sit on them. And I
19 think that that's sufficient.

20 So, they can be given their entire first
21 licensure period to get up and running with a
22 functional facility. And I think that elimination
23 of the authorization Rule would actually get us
24 there faster because they skip that first, you
25 know, scramble of a few months trying to put up a

1 temporary facility and can focus on a permanent
2 facility that could actually serve patients.

3 Thanks.

4 COORDINATOR HAYES: Thank you.

5 Jennifer Makris.

6 MS. MAKRIS: Good morning. Jennifer Markis
7 with the Florida Cannabis Action Network and the
8 Cannabis Cash Consultants. I would like to
9 respectfully waive my time for public comment for
10 both of the election rules that I selected on the
11 sign-in sheet.

12 Thank you.

13 MS. JAMES: Jodi James. I spoke about this in
14 my previous testimony. I want to make sure these
15 licenses are getting moved forward.

16 COORDINATOR HAYES: Are there any further
17 comments on this Rule?

18 MS. TSCHETTER: Jennifer Tschetter again. One
19 thing I would just ask the Department to consider
20 is in subsection nine where there's all those
21 requirements on dispensing, authorization, and that
22 the Department will inspect within 14 days. And
23 they have done that consistently, which is great.

24 Then the MMTTC has to respond in seven days. I
25 would ask you to consider, just a sign of good

1 faith, that the Department will use its best
2 efforts to provide a feedback, or an approval, or a
3 something within a certain amount of time. I will
4 say the dispensary openings are the most
5 challenging because you hire staff, once they're
6 ready, you've spent, you know, a year/year and a
7 half getting them right with the lease and the
8 build out.

9 And then you call for an inspection, and you
10 have staff hired, right, anticipating. And so, in
11 that section specifically if there was an
12 opportunity, and I appreciate you don't need to
13 hold yourself to it, but best efforts or something
14 would be great.

15 Thanks.

16 COORDINATOR HAYES: Thank you.

17 Next we will be moving to Rule 64-4.217, MMTC
18 Financial Assurance and we will only be accepting
19 comment on this Rule at this time.

20 Devin Baxter.

21 MS. BAXTER: My only comment on this Rule is
22 that we'd like to see the language soften in
23 paragraph nine, which states that, "the Department
24 will revoke the MMTC license if financial assurance
25 is canceled, revoked, withdrawn." Seems pretty

1 rigid there. It doesn't allow for a circumstance
2 where maybe there's a clerical error or something.

3 So, we request that it be revised just to say,
4 "may revoke", indicate that it's discretionary, and
5 perhaps provide, a business daytime for MMTCs to
6 make a correction in the instance of a clerical
7 error or something that's outside of their control.

8 COORDINATOR HAYES: Thank you.

9 Next we will be moving to Rule 64-4.218, MMTC
10 Trade Name and Logo. And we will only be accepting
11 comments on this Rule at this time.

12 MR. GUNTHER: Tim Gunther from The Flowery.
13 I'm going to defer to Mike Smuts, who I also marked
14 on the sheet because we're going to debating who
15 was going to talk about that. So, he'll come up on
16 my behalf.

17 COORDINATOR HAYES: Michael Smut's.

18 MR. SMUTS: Thank you.

19 We'll submit in writing. But I think, as an
20 operator organization across the whole vertical
21 trying to do patient outreach and create connected
22 community, the lack of the language or verbiage of
23 an icon, in this definition or potentially making
24 logo plural to include an "S," logos. Many of the
25 operators and MMTCs here in the state have multiple

1 brands and licensing agreements and partners, that
2 would positively benefit and helps allow
3 clarification for the patients as well,
4 understanding all the different products that are
5 available to them.

6 COORDINATOR HAYES: Thank you.

7 Michael Fingerhut.

8 MR. FINGERHUT: Apologies for my handwriting.
9 Ryan Fingerhut here for Healing Greene Florida,
10 d/b/a/ Greene Street.

11 I'm here to comment on, specifically section
12 two, where it says, "wording or images commonly
13 associated with marketing targeting towards
14 children." That definition includes multiple
15 things, including initials, acronyms, phrases.
16 Specifically, and I'll submit written comment, we'd
17 like the words color, color combinations, and
18 concepts removed for being vague and ambiguous.

19 You know, a Christmas tree is very easily
20 something targeted towards children, whether or not
21 red and green itself in a logo or trade name would
22 cross that line becomes much more difficult. We
23 think those words are very broad. They go well
24 beyond the definitions in the law around what's
25 attractive to children. And it just becomes very

1 restrictive and very broad.

2 Thank you.

3 COORDINATOR HAYES: Thank you. Are there any
4 further comments on this Rule?

5 Okay. Lastly, we will be moving to Rule 64-
6 4.219, MMTC Packaging and Labeling. And we will
7 only be accepting comments on this Rule at this
8 time.

9 Joining the panel now is Melissa Pasek,
10 Variance Manager, and Megan Williams, General
11 Operations Manager.

12 MR. GUNTHER: Tim Gunther, again, from The Flowery.

13 On this Rule we're requesting a strikethrough
14 on the definition of receptacle where it talks
15 about the depictions of the product and
16 strikethrough "any graphics or images" because
17 right now you're not allowed to do anything else
18 but plain depiction on the receptacle. We're
19 taking out the graphics and images part of that
20 other than the Department approved logo.

21 So that as we have branding relationships
22 around the country, and again, trying to recognize
23 and not take away from other copyrights from brand
24 partners because that's a challenge we have with
25 them trying to explain to them why we have to

1 change their lettering, why they can't have a logo
2 depicting what their product is. And that's
3 medicine around the country that's being done in
4 other states that have medical clients as well.

5 COORDINATOR HAYES: Thank you.

6 Christine Senne.

7 MS. SENNE: Hello, Christine Senne, Florida
8 Medical Marijuana Trade Association.

9 On "Packaging and Labeling" we'll have more
10 fulsome comments than what I'm going to provide
11 today because a lot of this gets really technical
12 and in the weeds. But generally, if we could get
13 some more clarification on the distinction between
14 a receptacle and a package.

15 More and more often, especially for smaller
16 concentrate type products, you have a receptacle
17 within a receptacle that finally goes inside of a
18 package, and it seems to be unclear sometimes where
19 the label can go. And I can say as an asthmatic
20 patient who's a frequent flier with bronchitis that
21 when I get antibiotics, they have a receptacle
22 within a receptacle situation like I see a lot of
23 MMTCs have and the outer box is an easier place to
24 put all the patient label and information.

25 And so, what we're asking for is something

1 similar to what's already being done with
2 prescription medication, where you can put your
3 labels on the outside of the box where it's easier
4 to see and read and it's more accessible for
5 patients. Instead of having to do a NASCAR
6 situation on a really small jar that goes inside
7 the box.

8 The other thing we'd like to request is the
9 statute requires that a patient package insert be
10 included with each product in the package. And
11 it's very inefficient to have to print out or have
12 ready an insert every single time. The statute
13 doesn't specify what form that insert has to take.
14 So, we'd like to propose having the ability to
15 include in the QR code on the packaging a link to
16 the package insert. So long as we have the ability
17 as a backup to provide a hard copy if the patient
18 wants it.

19 Thank you.

20 COORDINATOR HAYES: Thank you.

21 Michael Smuts.

22 Autumn?

23 MS. SANGREY: I don't have any additional
24 comments beyond what's already been said.

25 COORDINATOR HAYES: Okay, thanks.

1 Devin Baxter.

2 MS. BAXTER: Just to quickly follow up on what
3 Ms. Senne said about the patient package insert, I
4 know we're up against some statutory language there
5 that requires a patient package insert to be
6 included in the package. But I think that there's
7 an argument that a QR code or something that goes
8 inside of the package would satisfy that statutory
9 requirement. And that way we don't have to force
10 patients, repeat patients, to take the paper when
11 they're tired of it and may complain about it.

12 A clean up point on the Rule, I believe right
13 now the OMMU does allow the QR code and the SKU
14 code on the receptacle, but the Rule only reflects
15 it being allowed on the package. So, we'd just
16 like to clean that up, saying it go on either.

17 We'd love to shorten the variance process for
18 updates, particularly to packaging and labeling.

19 So, for example, it frequently happens that we
20 have an approved product and maybe our supplier ran
21 out of the receptacle, we just need to swap it out
22 for a new one, or we're just updating the label.
23 It's a lot of work for you all, and for us, to
24 resubmit that whole product package. So, we'd love
25 just a shorter variance path to get just a small

1 change to packaging approved.

2 White lids should be allowed with any color or
3 with clear receptacles. I think the Department in
4 the past has gone both ways on that, so there's
5 been a little bit of confusion, but we think a
6 white lid should be able to clear or any color.

7 38.1986 makes clear that "product names can't
8 contain wording commonly associated with products
9 that are attractive to children or promote the
10 recreational use of marijuana." We still don't
11 have a good definition of "what promotes the
12 recreational use" means, and then we're often left
13 to guess, and we have to submit a lot of variances
14 to try to get things approved. So, we'd like a
15 definition that tracks what's in the MMTCs logo
16 Rule. Basically, you can't refer to intoxication
17 or use slang words or marijuana.

18 We believe the restriction on graphics and
19 logos on derivative products that are not flowers
20 and edibles should be removed, and that MMTCs
21 should be allowed to use graphics and logos on
22 those products. I think the statute supports that,
23 and those products should be able to use different
24 colored receptacles, provided that they're not
25 attractive to children and don't encourage

1 recreational use.

2 Currently the statute only restricts the use
3 of colors for edibles and for flowers. And I
4 believe OMMU does allow the substitution of brand
5 partner logos on derivative non-edible products.
6 So, we want to see that formally incorporated into
7 the Rule.

8 And we'd also like to be allowed to include
9 informative graphics, such as graphics that relate
10 to the identification of allergens, the kosher
11 symbol, vegan symbol, things that both improve
12 patient safety and allow patients to make informed
13 decisions more easily about their products.

14 have one client that was recently denied
15 approval for a translucent blue glass tincture
16 bottle. And the feedback we got was that the
17 bottle could either be translucent or blue, not
18 both. I don't think clear is a color. So if clear
19 receptacles are allowed, I would argue that
20 translucent blue or translucent green or something
21 like that should be permitted. And maybe we need
22 some clarification in the Rule on that one.

23 Also, I would like a little bit more clarity
24 around the fonts just to ensure that it is
25 consistently applied between submissions and

1 between MMTCs.

2 Thanks.

3 COORDINATOR HAYES: Thank you.

4 Michelle Finch.

5 MS. FINCH: Hello Michelle Finch, Surterra
6 Wellness, Operations and Compliance.

7 I agree with Christine Senne's remarks about
8 the PPI QR code that could go in the bag. We are
9 plant people, and we'd like to save the plants and
10 the trees from all the paper, please.

11 Secondly, the current statutory definition of
12 low THC cannabis creates an implausible threshold
13 for naturally occurring cannabis sativa cultivars.
14 This is a second path. If the redefinition I
15 offered earlier isn't plausible, to possibly allow
16 hemp derived CBD as an input ingredient such as
17 terpenes. We can submit our language that we
18 proposed, on electronic comment after.

19 Thank you.

20 COORDINATOR HAYES: Thank you.

21 Jodi James.

22 MS. JAMES: Thank you. Representing Florida
23 Cannabis Action Network.

24 Packaging and labeling, we've actually
25 introduced legislation in the last three years,

1 with Republican and Democratic co-sponsors in the
2 House and Senate, about packaging and labeling.
3 It's not sexy. It doesn't go anywhere.

4 I use, from gummies from time to time -- I'm
5 sorry. Chewables. I use chewables from time to
6 time. Each company puts it in a white receptacle
7 with all of my information on the outside. And on
8 the inside is an opaque container containing
9 nothing but the THC symbol. So, I heard comments
10 now about doing more of that, but I'd like to see
11 less of that if that gets out from its original
12 receptacle I have no way of telling who the
13 producer was.

14 I have, and I believe this is an
15 interpretation of the Rules, I believe that the
16 opaque container that's on the outside could
17 contain the rest of the stuff and the THC symbol.

18 We know what the legislature was getting at
19 with that, and that was not wanting cartoon animals
20 and things that look like gummies. I assure you we
21 were there for that discussion in the beginning.

22 But that opaque, we are talking about track
23 and trace, and once you get more than one, not only
24 do you not know if you are getting nighttime or
25 daytime, but you don't know what manufacturer it

1 came from.

2 As a consumer I read labels. And I have noted
3 that we are getting a little lax in making sure
4 that every product has a QR code that goes to a
5 certificate of analysis. And I understand the
6 manufacturers in this room have bottom line; I get
7 that. But at the end of the day, we are talking
8 about product and consumer safety is our objective.

9 I have great concern about cannabis that is
10 being remediated. If it is being remediated, it
11 may be remediated with radiation, it may be
12 remediated with ozone. I want that on my label. I
13 want to know these are plants, that if they are not
14 treated right, and nobody knows the long-term
15 effect of radiation on this medicine. Is it
16 degrading something in the irradiation project that
17 is an important part of what made that medicine
18 great to begin with?

19 We don't know enough.

20 The difference between science and magic is
21 experimentation, and there is still a lot of magic
22 in this plant. If we're going to even consider
23 taking away the paperwork and, God knows that I
24 definitely, package inside a package inside a
25 package. I don't love that. But unfortunately,

1 that is traditional medicine. And we can't have it
2 both ways. If you're going to let them do QR
3 codes, they need to go to a certificate of
4 analysis, and we can't have any sort of fooling
5 around with that.

6 I'm very concerned about the ingredients that
7 are allowed to be used and the lack of disclosure
8 in ingredients. The life cycle of my medicine is
9 important. As consumers, we're starting to learn
10 that that pill that you take may not be the best
11 thing for you because of all the fillers, right. A
12 little bit of medicine, a big pill. Please don't
13 let them do this to this product. We need to know
14 if plant growth hormones are being used.

15 As a consumer whose been in this space more
16 than a minute, I can tell the difference between a
17 super tight bud and an untight bud, and I can tell
18 what's been put on that plant. I am an educated
19 consumer. And we do not have enough people out
20 there like my organization, making sure that the
21 rest of the 900,000 people are getting products
22 that are going to deliver what I have been
23 promising people with legal medical marijuana for
24 30 years.

25 Thank you for your consideration.

1 COORDINATOR HAYES: Thank you. Are there any
2 further comments?

3 (None heard.)

4 COORDINATOR HAYES: If there are no further
5 comments, we would like to thank all of you for
6 your participation in today's workshop. We will
7 accept written comments and material until 5:00 PM
8 November 12th, 2025. Please submit your written
9 comments to include any suggested rule language to
10 OMMUrules@FLhealth.gov.

11 There being no further comments, I would like
12 to inform you that this workshop is closed.

13 Thank you.

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15 (Thereupon, the workshop ended at 9:46 AM.)

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REPORTER'S CERTIFICATE

THE STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

I, MARTHA SUTHERLAND-VIDAL, Court Reporter and
Notary Public, certify that this transcript is a true and
complete record of my notes.

I further certify that I am not a relative,
employee, attorney, or counsel of any of the parties, nor
am I a relative or employee of any of the parties'
attorney or counsel with the action, nor am I financially
interested in the action.

DATED on this 28th day of October 2025.



MARTHA SUTHERLAND-VIDAL, Court Reporter