

Cannabis Appellations Program Workshop

Office of Agricultural Resilience and Sustainability

California Department of Food and Agriculture

July 22, 2025

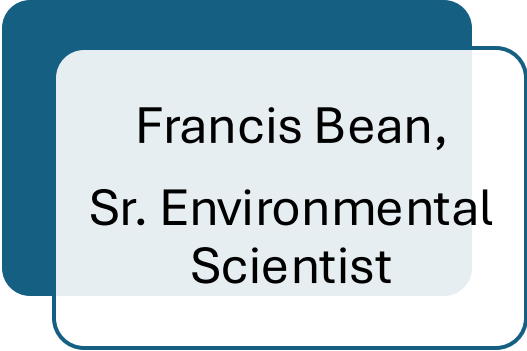
2-4 pm

CDFA HQ, Auditorium



The Office of
**Agricultural Resilience
& SUSTAINABILITY**

Welcome & Introductions

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Francis Bean,
Sr. Environmental
Scientist

A stylized nameplate consisting of a dark blue rounded rectangle at the top and a light blue rounded rectangle below it, both with thin dark blue borders.

Eric Duran,
Environmental
Scientist

Workshop Objectives



Gather input from stakeholders on issues brought up during prior rulemakings for CAP.



Facilitate open discussions on the program and build new networks/connections.



Identify any new issues and solutions

Agenda

Brief overview of appellation petition process

Discussion/Listening Sessions

- Number of petitioners requirement and fees
- Defining “in the ground”
- Name conflict

Conclusion, Follow-up, and Questionnaire

Updates

Rulemaking approval

- July 14, 2025 - proposed revisions to CAP regulations were filed with the CA Secretary of State.
- Requires all cultivation activities (i.e., planting, growing, harvesting, drying, curing, grading, and trimming) to occur within the appellation boundary.
- Clarifies recordkeeping requirements associated with the appellation.
- Requires licensed cultivators to notify CDFA of their use of an appellation.
- Regulations go into effect on October 1, 2025.
- Regulation text is available on CAP's program webpage, Final Statement of Reasons will also be posted soon.

DCC grant funding opportunity for academic grants

- <https://cannabis.ca.gov/about-us/grant-funding/cannabis-academic-research-grants/>

Review of CAP: statutory purpose, process, and requirements

Overview of Program History

Year	Event	Effect
2016 - 2017	Prop 64 / MAUCRSA	Required CDFA to create a process for cultivators to establish appellations .
2019	SB 185	Changed mandate from establishing appellations to establishing appellations of origin . Changed “ grown ” to “ produced ”
2020	SB 67	Limited participation in the appellation program to outdoor, full sun cultivation in the ground, without the use of structures in the canopy area .
2021	AB 141	Transferred authority to create regulations about cannabis cultivation and labelling to the DCC.
2021	Rulemaking	Rulemaking approval of initial set of regulations
2025	Rulemaking	Rulemaking approval of amendments to regulations

Overview of Petition Process



Petition Submission

Minimum of 3 cultivators submit a petition

Must submit petition submission fee



Initial Review

Department conducts an initial review

Completeness and regulatory compliance focused



Notice of Proposed Action

Dept. requests petition proposal fee

Dept. issues NOPA



Public Comment & Tech. Review

Public has 90 days to comment on NOPA

Technical review on petition elements



Notice of Final Decision

Dept. issues final decision after consideration of tech. review and public comments

Petition Submission

- A petitioning organization, made up of 3 individual licensed cultivators, submits a petition to establish appellation of origin with CDFA.
- Must submit petition submission fee of \$2,850.

Initial Review



CDFA reviews petition for completeness and ensure regulatory compliance, e.g. verifies cultivator licenses, proposals compliant with regs, etc.



If CDFA determines petition is incomplete, Dept. will notify petitioning org of what is needed.



Org has 60 days to acknowledge receipt of notice, and 180 days to rectify deficiencies, otherwise petition is abandoned.



Once CDFA determines petition is complete, Dept. will request payment of petition proposal fee to continue review...

Notice of Proposed Action

- Petitioning org has 120 days to submit payment of petition proposal fee, \$14,250, otherwise petition is abandoned.
- Dept. will issue Notice of Proposed Action (NOPA) upon receipt of proposal fee.
- The NOPA will include the complete petition, a map of the proposed appellation boundary, and any standards, practices, and/or cultivar requirements proposed.

Public Comment & Technical Review

- The public will have 90 days to review petition and submit comments.
- Extensions to the review/comment period may be extended in response to a request showing a reasonable basis for extension.
- CDFA, in consultation with Cal Poly Humboldt, will conduct technical review of petition focusing on petition elements:
 - Geographic Features
 - Causal Link
 - Standards, Practices, and Cultivars

Notice of Final Decision

- Staff will review petition in conjunction with technical review opinion and public comments.
- If the petition is deficient, staff will request additional information. Petitioning org. has 60 days to acknowledge the notice and 180 days to provide new information, or the petition is abandoned.
- If staff recommends approval, prepare a Final Recommendation package for legal and executive review.
- Issue Notice of Final Decision to petitioning org, cultivators within appellation boundaries, and public.

Stakeholders requested CDFA address:

The Petition Process

- Requirement of 3 cultivators for petitioning and fee structure

Baseline Practices


- Defining “in the ground”

The Review Process

- Name Conflict



Discussion Topic #1: Number of cultivators required to submit a petition and fees



Petition requirement of 3 cultivators

Why is it 3? Minimum # to define an area

(e) “Petitioning organization” means one or more ~~a group of~~ *licensed* cultivator(s) ~~representing one three or more unique business(es)~~ within the geographical area of the proposed appellation of origin .

Any other considerations?

E.g., Outdoor licensees only?

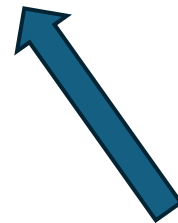
Are there types of organizations that should be allowed to petition?

Appellation Fees

	CDFA		
<i>Developing petition</i>	<i>Submittal fee</i>	<i>Proposal fee</i>	<i>Using an appellation</i>
Estimated \$ 20,000 – \$100,000	\$ 2,850	\$14,250	FREE (Must keep records of compliance and file Notice of Use)

Considerations

- Established by Economic study
- New cost require new study = time
- New study may conclude higher costs are needed



Petition Review and Proposal Fees

Conclusion: CDFA does not have a good basis for revisiting now

Discussion Topic #2: Defining “in the ground”

Defining “in the ground”

CDFAs current approach – the petition must define their specific practice of planting “in the ground”

Key Assessment Criteria: Is the causal link maintained?

Baseline participation = in the ground
+ **Your appellation-specific** standards,
practices and cultivars
(e.g., **planting in native soil**, starting from
seed, dry farming)

Are regulation needed to achieve your goals?



Example based on stakeholder input

(e) “In the ground” means the cannabis was cultivated in native soil and without barriers between the root system and the soil (e.g., geo pots).

CDFA Concern:

A baseline of native soil might be overly restrictive, severely limiting participation and ultimately hurting the success of the program

(However, this could be a practice specific to your appellation)

Discussion Topic #3: Name conflicts

The Petition to Establish an Appellation of Origin.

- (a) Petitioner information; (b) 3 licensee information;
- (c) General description and location;

(d) Evidence of name use (9104);

(e) A description and documentation of the boundary (9105);

(f) geographical features affecting cannabis (9106);

(g) Standard, practice, and cultivar requirements (9107);

(h) The legacy, history, reputation, and economic importance of cannabis;

(i) If overlapping or nested, how distinct; and

(j) Practice requirements ensuring planted in the ground and without structures and any artificial light in the canopy .

← WHERE

← HOW

Appellation specific

← HOW

Program baseline

§ 9104. Evidence of Name Use.

Describe the name and history of the proposed appellation of origin, including:

(a) how the name has been used in the geographical area, supported by evidence of name usage...

(b) **Evidence of name:** 

- (1) appropriately **cross-referenced** in the petition;
- (2) **demonstrate** the proposed name is directly associated with an area in which licensed cannabis cultivation exists;
- (3) **Evidence** to support the proposed name shall come from sources independent of the petitioner; and
- (4) Appropriate **source examples**: historical and modern government or commercial maps, books, newspapers, magazines, tourist and other promotional materials, local business or school names, and road names.

§ 9203. Denial of Petition for Appellation of Origin.

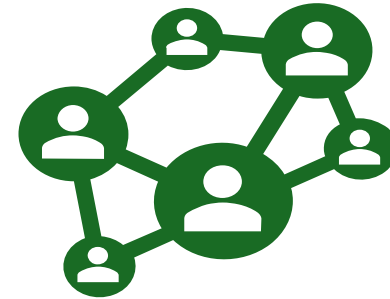
b) **Evidence is not sufficient** to demonstrate that the proposed appellation name has been used in direct association with a cannabis production area

Conflict with existing use of the proposed name



The Federal approach

From the TTB (reviews petitions for American Viticultural Areas)



“And perhaps more importantly, where a conflict arises between a proposed AVA name and an established brand name, we do not believe that, in the context of the labeling provisions of the FAA Act, it is an appropriate government role to make choices between competing commercial interests, ***if such choices can be avoided.***”
(Federal Registrar Vol 74. No 234 12/8/2009)

CDFA Approach

Petition Development	Petitioners should research and attempt to address. But not required to resolve.	
Petition Review	Will assess for conflict with DCC 17408 and 17409, overly generic, or conflict with existing use. Alternative names and modifiers will be recommended when appropriate. Conflict will not necessarily preempt approval of a name.	

For consideration in 2025 regulations

Post Appellation Approval	Exiting regulations	No delays in enforcement upon approval
	General Grace period	No enforcement against misuse in general for a specific time
	Limited Grace Period (TM Transition)	The Grace Period applies only to pre-2020 TM holders (or Ca SOS)
	Grandfather Clause	No enforcement for specific existing users

Closing & Follow-up

- Post workshop Questionnaire:
- Additional workshops on other topics?

