

# CANNABIS RETAILER (NON-STOREFRONT) FACT SHEET



**RETAILER (NON-STOREFRONT):** Sells cannabis goods to customers exclusively through delivery. A retailer non-storefront must have a licensed premises to store the cannabis goods for delivery. The premises of a non-storefront retailer shall not be open to the public.

## RETAILER (NON-STOREFRONT) REQUIREMENTS

- **Hours of operation**
  - A licensed retailer may only engage in sales and deliveries between the hours of 6:00 a.m. and 10:00 p.m. Pacific Time.
- **Cannabis goods for sale**
  - A licensed retailer may only sell cannabis goods, cannabis accessories, and licensees' branded merchandise or promotional materials.
  - A licensed retailer may only receive cannabis goods for sale from a licensed distributor.
  - All cannabis goods must comply with all packaging and labeling requirements.
  - A licensed retailer may not sell cannabis goods that are expired.
- **Delivery**
  - All delivery customers must provide a valid proof of identification.
    - Persons 21 years of age or older may purchase adult-use cannabis goods.
    - Persons 18 years of age or older may purchase medicinal cannabis goods with a valid physician's recommendation.
    - Delivery employees must verify the age by inspecting a valid form of identification of all delivery customers, in person, before they complete delivery of the cannabis goods.
  - Delivery must be made to a physical address in any jurisdiction within California that is not on publicly owned land, a school, a day care, or a youth center.
  - During delivery, the employee must carry a copy of the retailer's license, the employee's government-issued identification, and an identification badge provided by the licensed retailer.
  - The delivery employee shall not carry cannabis goods valued in excess of \$5,000 at any time, with no more than \$3,000 of cannabis goods that are not already part of a customer order that was processed prior to leaving the premises.
  - A delivery request receipt must be prepared for each delivery of cannabis goods and contain all the items listed in section 5420 of the Bureau's regulations.
  - Delivery must be made in person by a direct employee of the licensed retailer. An independent contractor, third-party courier service, or an individual employed through a staffing agency would not be considered directly employed by the licensed retailer.
  - Delivery must be made using an enclosed motor vehicle equipped with a GPS device and secure storage for cannabis goods.
  - A vehicle used by a licensed retailer for delivery purposes is not required to be owned by the licensee.
- **Customer returns**
  - A licensed retailer may accept customer returns but may not resell the returned cannabis goods. The returned cannabis goods may be destroyed or, if defective, returned to the distributor from which they were obtained.



• **Cannabis goods packaging, labeling, and exit packaging**

- A licensed retailer may not accept, possess, or sell cannabis goods that are not packaged for final sale. A retailer may not package or label cannabis goods.
- All cannabis goods sold must be in an opaque exit package before delivery to the customer.
- Through December 31, 2019, all cannabis goods must either be in a child-resistant package or in a child-resistant exit package. All cannabis goods packaging shall be tamper-evident; and resealable if it contains more than one serving.
- Beginning January 1, 2020, a package containing cannabis goods shall be resealable, tamper-evident, and child resistant.
- Immature cannabis plants and seeds sold by a licensed retailer are not required to be placed in resealable, tamper-evident, child-resistant packaging.

• **Shipments and inventory**

- Licensed retailers can only receive shipments from licensed distributors between the hours of 6:00 a.m. and 10:00 p.m. Pacific Time.
- Licensed retailers must be able to account for all inventory of cannabis goods and provide the Bureau with inventory records upon request.

• **Retailer to retailer transfer**

- Cannabis goods may be transported by a licensed distributor from one retail location to another retail location if the retail licenses for both locations are held by the same licensee.

• **Records**

- A licensed retailer must maintain financial records, personnel records, training records, contracts, permits, security records, destruction records, data entered into track-and-trace, and an accurate record of all sales for seven years. All records must be made available to the Bureau upon request.

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# CANNABIS RETAILER (STOREFRONT) FACT SHEET



**RETAILER (STOREFRONT):** Sells cannabis goods to customers at its premises or by delivery. A retailer must have a licensed physical location (premises), including an address where commercial cannabis activities are conducted.

### RETAILER (STOREFRONT) REQUIREMENTS

• **Hours of operation**

- A licensed retailer may only engage in sales and deliveries between the hours of 6:00 a.m. and 10:00 p.m. Pacific Time.

• **Access to the licensed premises**

- Retail area—all customers must provide a valid proof of identification.
  - o Only persons 21 years of age or older may access adult-use retailers.
  - o Persons 18 years of age or older may access medicinal retailers with a valid physician's recommendation.
  - o Retail employees must verify the age and valid proof of identification of all customers before granting access.
- Limited access areas—all persons must be at least 21 years of age and have a business reason for entering the limited access area; non-employees with authorized access must be escorted, and an access log must be maintained.
- Retail premises must be secured while not open for business.

• **Cannabis goods for sale**

- A licensed retailer may only sell cannabis goods, cannabis accessories, and licensees' branded merchandise or promotional materials.
- A licensed retailer may only receive cannabis goods for sale from a licensed distributor.

- All cannabis goods must comply with all packaging and labeling requirements.
  - A licensed retailer may not sell cannabis goods that are expired.
- **Delivery**
- All delivery customers must provide a valid proof of identification.
    - o Persons 21 years of age or older may purchase adult-use cannabis goods.
    - o Persons 18 years of age or older may purchase medicinal cannabis goods with a valid physician's recommendation.
    - o Delivery employees must verify the age by inspecting a valid form of identification of all delivery customers, in person, before they complete delivery of the cannabis goods.
  - Delivery must be made to a physical address in any jurisdiction within California that is not on publicly owned land, a school, a day care, or a youth center.
  - During delivery, the employee must carry a copy of the retailer's license, the employee's government-issued identification, and an identification badge provided by the licensed retailer.
  - The delivery employee shall not carry cannabis goods valued in excess of \$5,000 at any time, with no more than \$3,000 of cannabis goods that are not already part of a customer order that was processed prior to leaving the premises.
  - A delivery request receipt must be prepared for each delivery of cannabis goods and contain all the items listed in section 5420 of the Bureau of Cannabis Control's regulations.
  - Delivery must be made in person by a direct employee of the licensed retailer. An independent contractor, third party courier



service, or an individual employed through a staffing agency would not be considered directly employed by the licensed retailer.

- Delivery must be made using an enclosed motor vehicle equipped with a GPS device and secure storage for cannabis goods.
- A vehicle used by a licensed retailer for delivery purposes is not required to be owned by the licensee.
- **Customer returns**
  - A licensed retailer may accept customer returns but may not resell the returned cannabis goods. The returned cannabis goods may be destroyed or, if defective, returned to the distributor from which they were obtained.
- **Cannabis goods packaging, labeling, and exit packaging**
  - A licensed retailer may not accept, possess, or sell cannabis goods that are not packaged for final sale. A retailer may not package or label cannabis goods.
  - All cannabis goods must leave the licensed premises in an opaque exit package.
  - Through December 31, 2019, all cannabis goods must either be in a child-resistant package or in a child-resistant exit package. All cannabis goods packaging shall be tamper-evident; and resealable if it contains more than one serving.
  - Beginning January 1, 2020, a package containing cannabis goods shall be resealable, tamper-evident, and child resistant.
- Immature cannabis plants and seeds sold by a licensed retailer are not required to be placed in resealable, tamper-evident, child-resistant packaging.
- **Shipments and inventory**
  - Licensed retailers can only receive shipments between the hours of 6:00 a.m. and 10:00 p.m. Pacific Time.
  - Licensed retailers must be able to account for all inventory of cannabis goods and provide the Bureau with inventory records upon request.
- **Retailer to retailer transfer**
  - Cannabis goods may be transported by a licensed distributor from one retail location to another retail location if the retail licenses for both locations are held by the same licensee.
- **Records**
  - A licensed retailer must maintain financial records, personnel records, training records, contracts, permits, security records, destruction records, data entered into track-and-trace, and an accurate record of all sales for seven years. All records must be made available to the Bureau upon request.

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