STATE OF CALIFORNIA
Budget Change Proposal - Cover Sheet
DF-46 (REV 10/20)

Fiscal Year	Business Unit	Department	Priority No.
2022-23	4265, 1115	California Department of Public Health, Department of Cannabis Control	

Budget Request Name	Program	Subprogram
4265-153-BCP-2022-GB, 1115-007-BCP-2022-GB	4045 – Public and Environmental Health, 1460 – Department of Cannabis Control	4045059 - Environmental Health, 1460010 – Department of Cannabis Control - Support

Budget Request Description
Industrial Hemp Products (AB 45)

Budget Request Summary
The California Department of Public Health (CDPH) requests eleven (11.0) positions and $1.6 million in 2021-22, and eighteen (18.0) positions and $4 million in 2022-23 from the General Fund, and twenty-five (25.0) positions and $5.1 million in 2023-24 and ongoing expenditure authority from the Industrial Hemp Enrollment and Oversight Fund to implement the regulation of Industrial Hemp (IH) products mandated in Assembly Bill (AB) 45, Chapter 576, Statutes of 2021. The Department of Cannabis Control (DCC) requests two (2.0) positions and $737,000 in 2022-23, and two (2.0) positions and $454,000 in 2023-24 and ongoing in reimbursement authority (Fund 0995) to test IH products for a range of cannabinoids for CDPH through an Interagency Agreement. AB 45 (Chapter 576, Statutes of 2021) contains an urgency clause.

Requires Legislation	Code Section(s) to be Added/Amended/Repealed	
☐ Yes ☒ No		
Does this BCP contain information technology (IT) components? ☐ Yes ☒ No *If yes, departmental Chief Information Officer must sign.*	**Department CIO**	**Date**

For IT requests, specify the project number, the most recent project approval document (FSR, SPR, S1BA, S2AA, S3SD, S4PRA), and the approval date.

Project No. **Project Approval Document:**

Approval Date:

If proposal affects another department, does other department concur with proposal? ☐ Yes ☐ No
Attach comments of affected department, signed and dated by the department director or designee.

Prepared By	Date	Reviewed By	Date
Miren Klein	1/10/2022	Phuong La	1/10/2022
Department Director	**Date**	**Agency Secretary**	**Date**
Brandon Nunes	1/10/2022	Julie Souliere	1/10/2022

Department of Finance Use Only

Additional Review: ☐ Capital Outlay ☐ ITCU ☐ FSCU ☐ OSAE ☐ Dept. of Technology

PPBA	Date submitted to the Legislature
Katherine Lira Clark (CDPH) and Kimberly Harbison (DCC)	1/11/2022

Analysis of Problem

A. Budget Request Summary

The California Department of Public Health (CDPH) requests eleven (11.0) positions and $1.6 million in 2021-22, and eighteen (18.0) positions and $4 million in 2022-23 from the General Fund, and twenty-five (25.0) positions and $5.1 million in 2023-24 and ongoing expenditure authority from the Industrial Hemp Enrollment and Oversight Fund to implement the regulation of Industrial Hemp (IH) products required by Assembly Bill (AB) 45, Chapter 576, Statutes of 2021. The Department of Cannabis Control (DCC) requests two (2.0) positions and $737,000 in 2022-23, and two (2.0) positions and $454,000 in 2023-24 and ongoing in reimbursement authority (Fund 0995) to test IH products for a range of cannabinoids for CDPH through an Interagency Agreement. AB 45 (Chapter 576, Statutes of 2021) contains an urgency clause.

B. Background/History

Over the last several years, IH-derived cannabinoids, including cannabidiol (CBD) in foods, beverages, and cosmetics, have gained significant popularity with consumers. CBD is one of approximately 100 cannabinoid compounds and can be found in both cannabis plants and IH plants. CBD is not psychoactive, and therefore does not produce a "high" in the consumer, unlike tetrahydrocannabinol (THC) found in non-IH cannabis. Scientific evidence regarding the health and safety of CBD for consumption remains inconclusive and additional information continues to be gathered and studied by the scientific and regulatory communities.

The current position of the U.S. Food and Drug Administration (FDA) is that CBD is an unapproved additive, and CBD in dietary supplements and pet food are also unapproved. The FDA does not consider CBD to be Generally Recognized as Safe (GRAS) and identifies it as an Active Pharmaceutical Ingredient (API) in an FDA approved prescription drug product, Epidiolex. The federal Farm Bill of 2018 removed IH from the Schedule I Controlled Substances list and changed the legal landscape for IH by treating it similar to other agricultural commodities and allowing for cultivation of IH. Additionally, it allowed for the transfer of hemp-derived products across state lines. However, the 2018 Farm Bill did not change federal food and drug laws, and the FDA has not yet approved the use of CBD in food, drug, and cosmetics. The FDA continues to gather information and study CBD in order to determine how it will be regulated on a national level. In the meantime, at the federal level CBD from IH in any of those products is considered unapproved, and the FDA appears to only be taking enforcement action against those manufacturing or selling products that make medical/health claims or are linked to a verified complaint.

Absent federal standards for IH CBD, many other states have enacted their own laws to allow the sale of IH products. In California, AB 45 (Chapter 576, Statutes of 2021) authorizes CDPH to establish a program regulating the use of IH and its cannabinoids, extracts, or derivatives in foods, beverages, cosmetics, and pet food products. Further, the statute allows for the manufacture of IH inhalable products only if sold outside California.

CDPH currently licenses and inspects Processed Food Registrations (PFRs) and cosmetic registrations. PFRs include food processors, food warehouses and distributors. CDPH is responsible for conducting inspections and enforcement activities statewide to make sure that these facilities are in compliance with state and federal laws.

To implement AB 45 (Chapter 576, Statutes of 2021), CDPH will add IH firms into its existing PFR and cosmetic registration structure, including licensing, inspecting, and conducting enforcement as needed. Additionally, CDPH must begin licensing and inspecting firms that manufacture inhalable

or smokable products that are sold out of state. AB 45 (Chapter 576, Statutes of 2021) establishes the Industrial Hemp Enrollment and Oversight Fund for the collection of fees, as determined by

CDPH, to pay for the new IH regulatory work, including establishing and maintaining a robust IH registration and inspection program.

Workload History

Workload Measure	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
Develop regulations	N/A	N/A	N/A	N/A	N/A	1
Develop licensing and registration process	N/A	N/A	N/A	N/A	N/A	1
Process applications	N/A	N/A	N/A	N/A	N/A	500
Inspections	N/A	N/A	N/A	N/A	N/A	100-200
Education/outreach	N/A	N/A	N/A	N/A	N/A	200

C. State Level Consideration

Prior to the passage of AB 45 (Chapter 576, Statutes of 2021), CDPH did not have a regulatory framework to license and regulate IH products at the state level. These activities align with objectives described in CDPH's 2019-2022 Strategic Map, which sets forth the department's mission, vision and the strategic direction that the departmental programs follow to achieve the overall objective of building the future of public health.

D. Justification

AB 45 (Chapter 576, Statutes of 2021) contains an urgency clause, and CDPH must begin implementation of the new IH statutory requirements immediately. This is new workload that CDPH cannot absorb with existing resources. CDPH will establish a regulatory structure for food, beverages, cosmetic products, pet food, and out-of-state inhalables containing IH, and limit these products to contain no more than 0.3 percent concentration of THC. CDPH will also provide overall policy guidance and oversight to make sure that IH is implemented in accordance with statutory requirements. CDPH will be responsible for the development of regulations, licensing procedures, and policy issues to license IH manufacturers and their products in California and will conduct outreach to stakeholders to assist with the implementation of AB 45 (Chapter 576, Statutes of 2021).

CDPH's IH program is new and will require time to hire new staff, train, purchase equipment, and research other state's laws, regulations and standards that have similar IH programs. CDPH will also need to begin research and development of regulation packages and identify methods and metrics that will allow the department to monitor activities and gauge performance of these new license types. The purpose of the phase-in approach is to establish a reasonable implementation plan that focuses on the highest priorities in the earliest phases and works towards full program implementation in the final phase. This approach will better allow CDPH to focus on guaranteeing an effective program is implemented immediately in order to bring the newly regulated community into the process and into compliance.

To implement the requirements of AB 45 (Chapter 576, Statutes of 2021), CDPH would be required to license, inspect, investigate, and enforce manufacturers of IH-derived products in California and to do the same for manufacturers of IH inhalables and smokable products for out-of-state sale. This also includes all of the necessary administrative workload to support these activities.

Analysis of Problem

CDPH typically inspects all new applicants and performs periodic inspections of registered processors at a frequency based on the public health risk posed by the firm's operations and compliance history, typically every two to four years. Inspections are broad in scope, covering all aspects of safe processing and good manufacturing practices. Inspections include assessment of suppliers and ingredients; temperature controls for food safety; food storage and transportation practices; employee hygienic practices; facility and equipment design, maintenance, and cleaning; sanitary operations; processing operations and food safety controls; and product labeling and advertising.

AB 45 (Chapter 576, Statutes of 2021 requires out-of-state IH extract manufacturers who intend to import their product into California to obtain the same authorization as in-state IH manufacturers. CDPH inspectors will travel and conduct inspections out-of-state to make sure IH manufacturers conform to the requirements of AB 45 (Chapter 576, Statutes of 2021).

CDPH will also focus on fraud investigations and enforcement activities to assist industry stakeholders with bringing their IH product and businesses into compliance. While this activity is not new to CDPH, this is new enforcement workload, and will require additional investigators trained in conducting enforcement, surveillance, and related activities (such as undercover buys) specific to products containing IH. This workload is different from, and in addition to, the inspection workload associated with licensees who are working to be compliant, as demonstrated by applying for registration with CDPH and having their manufacturing premises inspected.

CDPH will need to inspect and perform label reviews to ensure compliance regarding purported health-related claims to their CBD product(s). This includes laboratory analysis to verify CBD concentrations and IH status.

AB 45 (Chapter 576, Statutes of 2021) has several components that require CDPH to undertake, as specified below.

Licensing and Registration

CDPH must register and license IH processors, distributors and inhalable manufacturers. AB 45 (Chapter 576, Statutes of 2021) allows for the manufacture of IH inhalable products if they are to be sold and distributed solely out of state. Until the Legislature passes a tax on inhalable products and states its intent regarding requirements for inhalables, these products are prohibited from being sold in California.

Inspections and Investigations

CDPH must license and inspect IH manufacturers and processors to determine compliance with laws and regulations. CDPH would be required to investigate consumer complaints associated with IH products, and enforce the law and coordinate with other state agencies such as DCC and the California Department of Food and Agriculture (CDFA), and local law enforcement agencies.

Legal and Regulations

The legal implications are significant regarding federal preemption and conflict with federal law, including issues of interstate commerce, labeling and packaging, drug dosage and use, nonprescription drugs, and dormant commerce clause. Thus, substantial legal input will be required during regulation development and program implementation.

Significant regulation development will be undertaken to clarify statute for stakeholders. This will create a new regulatory framework for CDPH that includes:

- Setting the initial regulations that will incorporate the requirements identified in AB 45.

- Any regulation that CDPH deems necessary for the enforcement of this statute, such as incorporation or reference to federal regulations pursuant to federal law when developed;
- Imposing an age requirement for purchasing IH products;
- Establishing recordkeeping standards that shall apply to transporters, manufacturers, and retailers;
- Addressing maximum serving size and number of servings per container for IH and IH products; and
- Establishing and revising the Industrial Hemp Enrollment and Oversight fees.

Testing - (Interagency Agreement with DCC)
AB 45 (Chapter 576, Statutes of 2021) requires IH products to contain no more than 0.3 percent concentration of THC. CDPH would be required to test various IH products, ingredients, and hemp extract to ensure manufacturer compliance and conduct enforcement. CDPH will utilize the assistance of the DCC's Cannabis Testing Laboratory, which has already established expertise in the area of testing for a wide range of cannabinoids in foods, cosmetics, and inhalable products, via an interagency agreement.

The DCC Laboratory has established methods and standards for testing of cannabis and cannabis products. The same type of testing methods can be applied or slightly modified to test IH products to identify cannabinoid content, toxins, and contaminants that may not be safe for consumption.

In order to perform its contractual obligations, the DCC Laboratory will need equipment, lab analytes to conduct testing, and two positions:

- **One (1.0) Research Scientist II (Chemist)** to conduct sample testing analysis and reporting.
- **One (1.0) Laboratory Technician** who will log all the samples received from Public Health, prepare the sample for testing, and make sure that equipment is clean and maintained for hemp testing.

The laboratory equipment requested is a one-time purchase for an Agilent LCMS, a freezer mill, genogrinder, food processor, sonicator, centrifuge, and hemp drying oven. DCC will need annual reagent supplies. DCC requests two (2.0) positions and $737,000 in 2022-23; and two (2.0) positions and $454,000 in 2023-24 and ongoing in reimbursement authority (Fund 0995) to provide these services.

Coordination
AB 45 (Chapter 576, Statutes of 2021) requires CDPH, in consultation with DCC and CDFA if necessary, to develop a process to share license, registration, cultivar, and enforcement information to facilitate educating the regulated community, compliance, and taking action against unlicensed IH manufacturers or the sale of illegal IH.

Phase-in Approach
Due to the uncertainty of the overall size and scope of the IH products manufacturing market, CDPH will use a phase-in approach to implement the statute over approximately three fiscal years. During that time, CDPH will evaluate revenue and funding collected to determine sustainability of the IH program. In order to meet these new mandates, the details of each phase and positions needed is outlined below:

Analysis of Problem

Phase One (2021-22):
In Phase One, beginning in the 2021-22, CDPH is requesting funding and position authority to immediately recruit and hire the following eleven (11.0) positions that will focus on implementing the highest-priority tasks to rapidly initiate the program and conduct critical workload. This includes writing new regulations and standards for IH product manufacturers and IH inhalable manufacturers, establishing the licensing process and fees, conducting outreach and education to stakeholders, and inspecting IH manufacturers.

One (1.0) Attorney III: Studies, interprets and applies laws, court decisions and other legal authorities. Responds to, and assists with, legal issues for implementation, enforcement, complaints, public records act requests, media and legislative inquiries, and other operational issues such as enforcement actions or complaints. Advises CDPH on implementation of the approval, denial and revocation of applications, discipline actions, and enforcement actions for civil penalties and fines related to CBD. Assists the program with the development of policies and procedures that meet statutory and due process requirements. Coordinates internal reviews of regulations, informal stakeholder engagement, and posting of regulation onto CA Registry Notice. Coordinates and reviews program response to formal public comments. Updates regulations as needed. Reviews, coordinates, and takes action regarding litigation challenges to the implementation and enforcement. Conducts and arranges administrative hearings due to legal challenges. Serves as primary liaison and provides assistance to the Attorney General's office on any litigation regarding challenges to enforcement of IH.

One (1.0) Staff Services Manager II (Supervisory): Oversees regulations development, planning and directing regulations required for IH products. Oversees policy development for implementation of the licensing desk and application review for IH products. Coordinates with inspection and enforcement staff for work plan activities. Represents CDPH at meetings and conferences with other departments, agencies, state and stakeholders.

One (1.0) Health Program Specialist I: Provides technical expertise in the promulgation of regulations and standards as it pertains to the licensing of manufacturers and enforcement of IH products. Develops criteria to evaluate out-of-state food safety programs to determine equivalency with California standards. Prepares policy documents and other related work products. Assists in the annual work plan and training development.

One (1.0) Associate Governmental Program Analyst: Assists with the promulgation of regulations and standards as it pertains to the licensing of manufacturers and enforcement of IH products. Assists in annual work plan and training development.

One (1.0) Associate Governmental Program Analyst: Works with the Office of Regulations in the Office of Legal Services and assists in the movement of regulation packages for IH and stakeholder engagement. Works with program and the Attorney III to finalize rulemaking packages and moves them to the Office of Administrative Law.

Two (2.0) Associate Governmental Program Analyst: Reviews and analyzes IH licensing applications and other required documents. Searches existing master data file for information on the licensee and analyzes data for consistency with new applications. Identifies and notifies applicants of deficiencies and/or other outstanding violations identified by the investigators via written correspondence. Verifies license eligibility based on compliance with statutory and regulatory requirements. Prepares licenses in accordance with unit procedures. Monitors license status by gathering confidential information from a variety of sources. Analyzes personal disclosure statements submitted by drug manufacturer applicants.

Analysis of Problem

Three (3.0) Environmental Scientist: Inspects IH product manufacturers, reviews records to determine compliance, process paperwork generated from the inspection of firms, conduct reinspection of IH manufacturers, as needed.

One (1.0) Associate Governmental Program Analyst: Public health general administrative functions including activities such as budget building, human resources, contracting, purchasing, and conducting all other analytical and administrative support needs.

Phase Two (2022-23):
In Phase Two, CDPH will continue with critical work identified in Phase I, and will begin additional work that will involve finalizing emergency regulations, increasing licensing and inspections, and hiring investigators to conduct investigations and enforcement. CDPH will evaluate the number of licensees, revenue and workload as it begins implementation of Phase Two. For this phase, CDPH will hire the following seven (7.0) additional staff:

Three (3.0) Environmental Scientist: Inspects additional IH product manufacturers, reviews records to guarantee compliance, processes paperwork generated from the inspection of firms, conducts reinspection of IH manufacturers.

One (1.0) Senior Environmental Scientist (Supervisory): Supervises, trains and directs environmental scientists for IH inspections. Prepares IH work plan for the unit. Reviews and evaluates inspection reports. Collaborates with other regulatory agencies. Analyzes inspection data to determine the annual work plan.

Two (2.0) Investigator: Conduct IH complaint investigations, including IH consumer fraud and unlicensed manufacturing, and on-site investigations, review written corrective actions, draft regulatory correspondence, prepare, file and monitor case documents. Also, additional work is anticipated for investigations that result in administrative penalties or criminal cases. Coordinate with CDPH's legal department.

One (1.0) Associate Governmental Program Analyst: Public health general administrative functions including activities such as budget building, human resources, contracting, purchasing, and conducting other analytical and administrative support needs.

Phase Three (2023-24):
In Phase Three, CDPH will continue building upon critical work identified in Phases I and II by increasing licensing and inspections, and hiring additional investigators to conduct an expected increase in investigations and enforcement. CDPH will evaluate the number of licensees, revenue and workload as it begins implementation of the third and final phase. For this phase, CDPH will hire the following seven (7.0) additional staff.

One (1.0) Senior Environmental Scientist (Specialist): Independently identifies problems, develops recommendations and/or procedures to resolve the problem(s), and conducts critical and/or sensitive scientific investigations and studies of IH investigations of manufacturers. This person may also prepare guidance, policy, and planning, or regulatory documents, and act as mentor to lower-level staff, and as a consultant to management and other agencies.

One (1.0) Supervising Food and Drug Investigator: Supervises, trains and directs investigations of field staff, reviews IH investigation and complaint reports and oversees daily IH investigation and enforcement activities, and oversees evidence and evidence-control procedures.

Four (4.0) Investigator: Conduct IH complaint investigations, including IH consumer fraud and unlicensed manufacturing, on-site investigation, review written corrective actions, draft regulatory correspondence, and prepare, file and monitor case documents. Also, additional work is anticipated for investigations that result in administrative penalties or criminal cases. Coordinate with CDPH's Legal department.

One (1.0) Environmental Scientist: Conduct inspections and enforce provisions as they relate to IH inhalable products, testing provisions, advertising and labeling provisions, and the provisions relating to the manufacture and sale of IH inhalable products.

In addition, CDPH will need to purchase safety equipment, provide training for new peace officers, ongoing peace officer training, and vehicles. Information on specifics are below:

Operating Expenses and Equipment

Resource	2021-22	2022-23	2023-24
Safety equipment for peace officers (one time cost of $2,000 each)		$4,000	$10,000
New Peace Officer Standards Training (POST) Course (one time cost of $15,000 each)		$30,000	$60,000
Vehicle leases (peace officers $12,000 each and environmental scientists $10,000 each) annual and ongoing	$30,000	$84,000	$152,000

E. Outcomes and Accountability

The requirements of AB 45 (Chapter 576, Statutes of 2021) are intended to provide CDPH with the authority to establish a regulatory program for the purposes of allowing industrial hemp to be legally permitted in the retail marketplace for consumers to purchase. CDPH will begin to issue licenses and inspect IH processors, investigate consumer complaints, coordinate with DCC, CDFA and local law enforcement agencies to share data, and conduct outreach and education with industry to implement the program requirements. CDPH will conduct these activities to promote public health and safety while not requiring an onerous process for licensure.

Analysis of Problem
Projected Outcomes

Workload Measure	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27
Develop documents for regulation packages	1	1	1	1	1	1
Process IH manufacturing applications	400-500	500-600	650-750	850-900	900-1,000	900-1,000
IH licenses issued	350-450	480-540	600-675	760-815	815-869	875-929
Inspections of IH food and cosmetic manufacturers	100-200	400-600	600-750	850-900	900-1,000	900-1,000
Inspections of IH inhalable manufacturers	50-100	75-100	125-200	240-300	240-300	240-300
Education of stakeholders to bring processors into compliance, investigation of IH products complaints, fraud, enforcement, and coordination with other state and local law enforcement agencies	150-200	225-275	500-549	500-549	500-549	500-549
Number of samples to be analyzed for enforcement and compliance purposes	50-100	100-500	750-1,000	1,000-2,000	1,000-2,000	1,000-2,000

F. Analysis of All Feasible Alternatives

Alternative 1: Approve eleven (11.0) positions and $1.6 million in 2021-22, and eighteen (18.0) positions and $4 million in 2022-23 from the General Fund, and twenty-five (25.0) positions and $5.1 million in 2023-24 and ongoing expenditure authority from the Industrial Hemp Enrollment and Oversight Fund to implement the regulation of Industrial Hemp (IH) products mandated in Assembly Bill (AB) 45, Chapter 576, Statutes of 2021. Approve DCC's request for two (2.0) positions and $737,000 in 2022-23, and two (2.0) positions and $454,000 in 2023-24 and ongoing in reimbursement authority (Fund 0995) to test IH products for a range of cannabinoids for CDPH through an Interagency Agreement.

Pros:

- Provides CDPH authority, resources, and funding to establish a robust IH safety program that will register, license, and inspect IH processors;
- Build upon CDPH's ability to protect the public's health by making sure that the IH industry is complying with safety requirements for IH products;
- Allows CDPH to protect consumers from fraudulent products by investigating complaints;
- Allows CDPH to establish regulations and standards for IH industry;
- Allows CDPH to develop statutory mandates and regulations to enforce inhalable products and the testing, manufacture, labeling, advertising, and sale of inhalable products; and
- Provides regulatory oversight to an industry that is currently not regulated and offers no consumer protections.

Cons:

- Increase in industry fees

Alternative 2: Establish twenty-five (25.0) positions and $5.1 million in 2022-23 from the General Fund and ongoing from the Industrial Hemp Enrollment and Oversight Fund to allow CDPH to register, license, inspect and investigate IH manufacturers, and distributors. Approve DCC's request for two (2.0) positions and $737,000 in 2022-23, and two (2.0) positions and $454,000 in 2023-24 and ongoing in reimbursement authority (Fund 0995) to test IH products for a range of cannabinoids for CDPH through an Interagency Agreement.

Pros:

- Provides CDPH authority, resources, and funding to establish an IH safety program that will register, license, and inspect IH processors;
- Build upon CDPH's ability to protect the public's health by making sure that the IH industry is complying with safety requirements for IH products;
- Allows CDPH to protect consumers from fraudulent products by investigating complaints;
- Allows CDPH to establish regulations and standards for IH industry;
- Allows CDPH to develop statutory mandates and regulations to enforce inhalable products and the testing, manufacture, labeling, advertising, and sale of inhalable products; and
- Provides regulatory oversight to an industry that is currently not regulated and offers no consumer protections.

Cons:

- Increase in industry fees;
- Delayed regulation development until 2022-23 will cause confusion to regulated industry; and
- Delayed implementation will expose consumers to unsafe and substandard IH products.

Alternative 3: Take no action.

Pros:

- No fees assessed to industry.

Cons:

- IH products will be allowed in California but with little to no regulatory oversight since this will be an unfunded mandate;
- CDPH may need to redirect resources from other program areas to address statutory requirements. Redirection will result in increased public health risks in other commodity areas, and increased complaints due to redirected resources;
- Regulations will not be developed to standardize requirements for the industry and will cause confusion within the industry and among consumers; and
- Risk of adulterated products reaching the marketplace and fraudulent practices due to lack of regulatory oversight.

G. Implementation Plan

AB 45 (Chapter 576, Statutes of 2021) contains an urgency clause, and hiring of requested positions will be implemented in three phases across three fiscal years.

Analysis of Problem

Timeline and Activities

Time Period	Activity
11/1/2021 – 6/30/2022	• Initiate coordination with the DCC and CDFA to develop a process to share license, registration, cultivar, and enforcement information to facilitate compliance and enforcement against unlicensed IH manufacturers or the sale of IH • Enter into an IAA with DCC for testing samples • Advertise and hire Phase One positions • Develop regulations • Advertise Phase Two positions • Coordinate with stakeholders(ongoing) • Begin accepting IH and IH Inhalable Products Manufacturers applications
7/1/2022–6/30/2023	• Hire Phase Two positions • Advertise Phase Three position • Continue accepting IH and IH Inhalable Products Manufacturers applications • Train new inspection staff • Initiate IH inspections • Initiate IH complaint investigations • Develop regulations (ongoing)
7/1/2023 – Ongoing	• Hire Phase Three positions • Finalize emergency regulations • Adopt and develop any new regulation packages needed • Perform focused inspections of manufacturers • Perform out-of-state IH processor inspections • Transition from GF to the Industrial Hemp Enrollment and Oversight Fund

H. Supplemental Information

Attachment A - CDPH workload analysis
Attachment B - Current organizational charts
Attachment C - Proposed organizational charts
Attachment D - DCC workload analysis

I. Recommendation

Approve Alternative 1: Approve eleven (11.0) positions and $1.6 million in 2021-22, and eighteen (18.0) positions and $4 million in 2022-23 from the General Fund, and twenty-five (25.0) positions and $5.1 million in 2023-24 and ongoing expenditure authority from the Industrial Hemp Enrollment and Oversight Fund to implement the regulation of Industrial Hemp (IH) products mandated in Assembly Bill (AB) 45, Chapter 576, Statutes of 2021. Approve DCC's request for two (2.0) positions and $737,000 in 2022-23, and two (2.0) positions and $454,000 in 2023-24 and ongoing in reimbursement authority (Fund 0995) to test IH products for a range of cannabinoids for CDPH through an Interagency Agreement.

BCP Fiscal Detail Sheet

BCP Title: Industrial Hemp Products (AB 45)

BR Name: 4265-153-BCP-2022-GB

Budget Request Summary

Personal Services

Personal Services	FY22 Current Year	FY22 Budget Year	FY22 BY+1	FY22 BY+2	FY22 BY+3	FY22 BY+4
Positions - Permanent	11.0	18.0	25.0	25.0	25.0	25.0
Total Positions	**11.0**	**18.0**	**25.0**	**25.0**	**25.0**	**25.0**
Earnings - Permanent	599	1,490	2,103	2,103	2,103	2,103
Total Salaries and Wages	**$599**	**$1,490**	**$2,103**	**$2,103**	**$2,103**	**$2,103**
Total Staff Benefits	363	881	1,248	1,248	1,248	1,248
Total Personal Services	**$962**	**$2,371**	**$3,351**	**$3,351**	**$3,351**	**$3,351**

Operating Expenses and Equipment

Operating Expenses and Equipment	FY22 Current Year	FY22 Budget Year	FY22 BY+1	FY22 BY+2	FY22 BY+3	FY22 BY+4
5301 - General Expense	66	108	150	150	150	150
5302 - Printing	22	36	50	50	50	50
5320 - Travel: In-State	80	214	361	361	361	361
5322 - Training	11	18	25	25	25	25
5340 - Consulting and Professional Services - Interdepartmental	264	867	634	634	634	634
5342 - Departmental Services	154	252	350	350	350	350
5368 - Non-Capital Asset Purchases - Equipment	30	118	230	230	230	230
Total Operating Expenses and Equipment	**$627**	**$1,613**	**$1,800**	**$1,800**	**$1,800**	**$1,800**

Total Budget Request

Total Budget Request	FY22 Current Year	FY22 Budget Year	FY22 BY+1	FY22 BY+2	FY22 BY+3	FY22 BY+4
Total Budget Request	**$1,589**	**$3,984**	**$5,151**	**$5,151**	**$5,151**	**$5,151**

Fund Summary

Fund Source

Fund Source	FY22 Current Year	FY22 Budget Year	FY22 BY+1	FY22 BY+2	FY22 BY+3	FY22 BY+4
State Operations - 0001 - General Fund	1,589	3,984	5,151	5,151	5,151	5,151
Total State Operations Expenditures	**$1,589**	**$3,984**	**$5,151**	**$5,151**	**$5,151**	**$5,151**

Fund Source	FY22 Current Year	FY22 Budget Year	FY22 BY+1	FY22 BY+2	FY22 BY+3	FY22 BY+4
Total All Funds	**$1,589**	**$3,984**	**$5,151**	**$5,151**	**$5,151**	**$5,151**

Program Summary

Program Funding

Program Funding	FY22 Current Year	FY22 Budget Year	FY22 BY+1	FY22 BY+2	FY22 BY+3	FY22 BY+4
4045059 - Environmental Health	1,589	3,984	5,151	5,151	5,151	5,151
Total All Programs	**$1,589**	**$3,984**	**$5,151**	**$5,151**	**$5,151**	**$5,151**

Personal Services Details

Positions

Positions	FY22 Current Year	FY22 Budget Year	FY22 BY+1	FY22 BY+2	FY22 BY+3	FY22 BY+4
0762 - Environmental Scientist (Eff. 11-01-2021)	3.0	6.0	7.0	7.0	7.0	7.0
0764 - Sr Envirnal Scientist (Supvry)	0.0	1.0	1.0	1.0	1.0	1.0
0765 - Sr Envirnal Scientist (Spec) (Eff. 07-01-2023)	0.0	0.0	1.0	1.0	1.0	1.0
4801 - Staff Svcs Mgr II (Supvry) (Eff. 11-01-2021)	1.0	1.0	1.0	1.0	1.0	1.0
5393 - Assoc Govtl Program Analyst (Eff. 11-01-2021)	5.0	6.0	6.0	6.0	6.0	6.0
5795 - Atty III (Eff. 11-01-2021)	1.0	1.0	1.0	1.0	1.0	1.0
8338 - Hlth Program Spec I (Eff. 11-01-2021)	1.0	1.0	1.0	1.0	1.0	1.0
8610 - Investigator	0.0	2.0	6.0	6.0	6.0	6.0
9036 - Supvng Food & Drug Investigator (Eff. 07-01-2023)	0.0	0.0	1.0	1.0	1.0	1.0
Total Positions	**11.0**	**18.0**	**25.0**	**25.0**	**25.0**	**25.0**

Salaries and Wages

Salaries and Wages	FY22 Current Year	FY22 Budget Year	FY22 BY+1	FY22 BY+2	FY22 BY+3	FY22 BY+4
0762 - Environmental Scientist (Eff. 11-01-2021)	145	434	507	507	507	507
0764 - Sr Envirnal Scientist (Supvry)	0	132	132	132	132	132
0765 - Sr Envirnal Scientist (Spec) (Eff. 07-01-2023)	0	0	99	99	99	99
4801 - Staff Svcs Mgr II (Supvry) (Eff. 11-01-2021)	63	94	94	94	94	94
5393 - Assoc Govtl Program Analyst (Eff. 11-01-2021)	247	444	444	444	444	444
5795 - Atty III (Eff. 11-01-2021)	91	137	137	137	137	137
8338 - Hlth Program Spec I (Eff. 11-01-2021)	53	80	80	80	80	80
8610 - Investigator	0	169	507	507	507	507

Salaries and Wages	FY22 Current Year	FY22 Budget Year	FY22 BY+1	FY22 BY+2	FY22 BY+3	FY22 BY+4
9036 - Supvng Food & Drug Investigator (Eff. 07-01-2023)	0	0	103	103	103	103
Total Salaries and Wages	**$599**	**$1,490**	**$2,103**	**$2,103**	**$2,103**	**$2,103**

Staff Benefits

Staff Benefits	FY22 Current Year	FY22 Budget Year	FY22 BY+1	FY22 BY+2	FY22 BY+3	FY22 BY+4
5150900 - Staff Benefits - Other	363	881	1,248	1,248	1,248	1,248
Total Staff Benefits	**$363**	**$881**	**$1,248**	**$1,248**	**$1,248**	**$1,248**

Total Personal Services

Total Personal Services	FY22 Current Year	FY22 Budget Year	FY22 BY+1	FY22 BY+2	FY22 BY+3	FY22 BY+4
Total Personal Services	**$962**	**$2,371**	**$3,351**	**$3,351**	**$3,351**	**$3,351**

BCP Fiscal Detail Sheet

BCP Title: Industrial Hemp Products - Laboratory Testing (AB 45)

BR Name: 1115-007-BCP-2022-GB

Budget Request Summary

Personal Services

Personal Services	FY22 Current Year	FY22 Budget Year	FY22 BY+1	FY22 BY+2	FY22 BY+3	FY22 BY+4
Positions - Permanent	0.0	2.0	2.0	2.0	2.0	2.0
Total Positions	**0.0**	**2.0**	**2.0**	**2.0**	**2.0**	**2.0**
Salaries and Wages Earnings - Permanent	0	147	147	147	147	147
Total Salaries and Wages	**$0**	**$147**	**$147**	**$147**	**$147**	**$147**
Total Staff Benefits	0	102	102	102	102	102
Total Personal Services	**$0**	**$249**	**$249**	**$249**	**$249**	**$249**

Operating Expenses and Equipment

Operating Expenses and Equipment	FY22 Current Year	FY22 Budget Year	FY22 BY+1	FY22 BY+2	FY22 BY+3	FY22 BY+4
5301 - General Expense	0	10	10	10	10	10
5302 - Printing	0	4	4	4	4	4
5304 - Communications	0	4	4	4	4	4
5306 - Postage	0	2	2	2	2	2
5320 - Travel: In-State	0	6	6	6	6	6
5322 - Training	0	2	2	2	2	2
5340 - Consulting and Professional Services - External	0	136	136	136	136	136
5342 - Departmental Services	0	30	30	30	30	30
5344 - Consolidated Data Centers	0	8	8	8	8	8
5346 - Information Technology	0	3	3	3	3	3
5368 - Non-Capital Asset Purchases - Equipment	0	283	0	0	0	0
Total Operating Expenses and Equipment	**$0**	**$488**	**$205**	**$205**	**$205**	**$205**

Total Budget Request

Total Budget Request	FY22 Current Year	FY22 Budget Year	FY22 BY+1	FY22 BY+2	FY22 BY+3	FY22 BY+4
Total Budget Request	**$0**	**$737**	**$454**	**$454**	**$454**	**$454**

Fund Summary

Fund Source

Fund Source	FY22 Current Year	FY22 Budget Year	FY22 BY+1	FY22 BY+2	FY22 BY+3	FY22 BY+4
0995 - Reimbursements	0	737	454	454	454	454
Total State Operations Expenditures	**$0**	**$737**	**$454**	**$454**	**$454**	**$454**
Total All Funds	**$0**	**$737**	**$454**	**$454**	**$454**	**$454**

Program Summary

Program Funding

Program Funding	FY22 Current Year	FY22 Budget Year	FY22 BY+1	FY22 BY+2	FY22 BY+3	FY22 BY+4
1460010 - Department of Cannabis Control - Support	0	737	454	454	454	454
Total All Programs	**$0**	**$737**	**$454**	**$454**	**$454**	**$454**

Personal Services Details

Positions

Positions	FY22 Current Year	FY22 Budget Year	FY22 BY+1	FY22 BY+2	FY22 BY+3	FY22 BY+4
5581 - Research Scientist II (Eff. 07-01-2022)	0.0	1.0	1.0	1.0	1.0	1.0
7886 - Public Hlth Lab Techn I -Chemical Analysis (Eff. 07-01-2022)	0.0	1.0	1.0	1.0	1.0	1.0
Total Positions	**0.0**	**2.0**	**2.0**	**2.0**	**2.0**	**2.0**

Salaries and Wages

Salaries and Wages	FY22 Current Year	FY22 Budget Year	FY22 BY+1	FY22 BY+2	FY22 BY+3	FY22 BY+4
5581 - Research Scientist II (Eff. 07-01-2022)	0	96	96	96	96	96

Salaries and Wages	FY22 Current Year	FY22 Budget Year	FY22 BY+1	FY22 BY+2	FY22 BY+3	FY22 BY+4
7886 - Public Hlth Lab Techn I -Chemical Analysis (Eff. 07-01-2022)	0	51	51	51	51	51
Total Salaries and Wages	**$0**	**$147**	**$147**	**$147**	**$147**	**$147**

Staff Benefits

Staff Benefits	FY22 Current Year	FY22 Budget Year	FY22 BY+1	FY22 BY+2	FY22 BY+3	FY22 BY+4
5150350 - Health Insurance	0	38	38	38	38	38
5150500 - OASDI	0	11	11	11	11	11
5150600 - Retirement - General	0	43	43	43	43	43
5150800 - Workers' Compensation	0	5	5	5	5	5
5150820 - Other Post-Employment Benefits (OPEB) Employer Contributions	0	5	5	5	5	5
Total Staff Benefits	**$0**	**$102**	**$102**	**$102**	**$102**	**$102**

Total Personal Services

Total Personal Services	FY22 Current Year	FY22 Budget Year	FY22 BY+1	FY22 BY+2	FY22 BY+3	FY22 BY+4
Total Personal Services	**$0**	**$249**	**$249**	**$249**	**$249**	**$249**

Office of Legal Services
Public Health Programs
Attorney III
1.0 Position

Activity	Number of Activities	Hours per Activity	Total Annual Hours
Studies, interprets and applies laws, court decisions and other legal authorities. Track emerging laws, cannabinoid use, marketing, testing and manufacturing in industry and in other states and the federal arena.	10	20	200
Responds to and assists with legal issues for implementation, enforcement, complaints, public records act requests, media and legislative inquiries, and other operational issues, we anticipate 52 enforcement actions or complaints that will take approximately 10 hours for each action.	52	10	520
Advises FDB on implementation of the approval, denial and revocation of applications, discipline actions, and enforcement actions for civil penalties and fines related to CBD – anticipate approximately 25-50 actions annually.	40	10	400
Assists the program with the development of policies and procedures that meet statutory and due process requirements.	4	50	200
Coordinates internal reviews of regulations, informal stakeholder engagement, and posting of regulation onto CA Registry Notice. Coordinates and reviews program response to formal public comments. Updates regulations as needed. Largest load anticipated in the first 5-7 years.	11	25	275
Review, coordinate, and action regarding litigation challenges to the implementation and enforcement. Conducts and arranges administrative hearings due to legal challenges. Primary liaison and provides assistance to the Attorney General's office on any litigation regarding challenges to enforcement of IH, anticipate 2 challenges at 40 hours each.	2	40	80
Provides guidance and assistance to the program for the development of procedures that meet statutory and due process requirements.	5	10	50
Provide guidance and respond to Public Records Act requests.	5	5	25
Performs other work-related duties as assigned. May act in a lead capacity in responding to inquiries from the Governor's Office, the California Health and Human Services Agency, the Press Office, other state agencies, and the public on assigned issues and projects.	5	10	50

Total hours for workload projected for this classification.			**1800**
1800 hours = 1 position			
Actual number of positions requested			**1**

Center for Environmental Health
Division of Food and Drug Safety
Food and Drug Branch
Staff Services Manager II (Supervisory)
1.0 Position

Activity	Number of Activities	Hours per Activity	Total Annual Hours
Oversees regulations development; planning and directing regulations required for IH products.	8	100	800
Oversees policy development for implementation of the licensing desk and application review for IH products.	4	100	400
Coordinates with inspection and enforcement staff for workplan activities.	12	30	380
Represents CDPH at meetings and conferences with other departments, agencies, state and stakeholders.	12	20	240
Total hours for workload projected for this classification			**1,820**
1,800 hours = 1 position			
Actual number of positions requested			**1.0**

Center for Environmental Health
Division of Food and Drug Safety
Food and Drug Branch
Associate Governmental Program Analyst
2.0 Positions

Activity	Number of Activities	Hours per Activity	Total Annual Hours
Assist with the promulgation of regulations and standards as it pertains to the licensing of manufacturers and enforcement of industrial hemp products.	16	100	1600
Assist in the preparation of policy documents related to industrial hemp for management	20	64	1280
Assists in the annual workplan and training development.	24	30	720
Total hours for workload projected for this classification			**3,600**
1,800 hours = 1 position			
Actual number of positions requested			**2.0**

Center for Environmental Health
Division of Food and Drug Safety
Food and Drug Branch
Health Program Specialist I
1.0 Position

Activity	Number of Activities	Hours per Activity	Total Annual Hours
Provide technical expertise in the promulgation of regulations and standards as it pertains to the licensing of manufacturers and enforcement of industrial hemp products.	15	4	60
Develop criteria to evaluate out-of-state food safety programs to determine equivalency with California standards.	20	37	740
Prepare documents related to policy documents, proposals and other related work products for industrial hemp.	10	64	640
Assist in the annual workplan and training development.	12	30	360
Total hours for workload projected for this classification			**1,800**
1,800 hours = 1 position			
Actual number of positions requested			**1.0**

Center for Environmental Health
Food and Drug Branch
Licensing
Associate Governmental Program Analyst
2.0 Positions

Activity	Number of Items	Hours per Item	Total Annual Hours
Prepare correspondence, contracts and service orders.	45	3	135
Preparation, coordination and review of work assignments including drills, inquires and requests from Center, Directors Office, and outside agencies. Research impact of proposed laws/ drills on the program and informs management of the impact of such laws/ drills.	45	2	90
Monitors programs accounting, budgeting, and all other analytical administrative support. Prepares reports for management to ensure program stays within their budgeted allotments.	45	4	180
Works with management to coordinate and schedule program's professional development, trainings and staff meetings.	12	2	24
Works independently to monitor, document, and respond to inquiries and complaint calls from both outside agencies and from the public. Evaluates and reports data retrieved from the complaint hotline. Analyzes data for treads. Provides feedback/reports to management for review.	300	4	1,200
Generate renewal, late, deficiency and invalidation notices at appropriate intervals, and prepare for mailing.	100	2	200
Follow up to ensure receipt of requested items for incomplete hemp manufacturing applications.	84	2	168
Respond to applicant correspondence and phone calls and provide assistance.	45	2	90
Update database with information on firms, withdrawn applications and denials based on reports from field sups.	45	2	90
Respond to customer inquiries, phone calls, email to respond to questions pertaining to the licensing process, status of application, inspection, and license.	625	1	625
Account for payments received, refunds issued and ensures they are tracked in the database and are input into a spreadsheet for program revenue tracking purposes.	800	1	800
Total hours for workload projected for this classification			**3,602**
1,800 hours = 1 position			

Actual number of positions requested			**2.0**

Center for Environmental Health
Division of Food and Drug Safety
Food and Drug Branch
Environmental Scientist
3.0 Positions

Activity	Number of Activities	Hours per Activity	Total Annual Hours
Conduct inspections of firms manufacturing industrial hemp smokable and inhalable products to ensure adherence to the law.	475	10	4,750
Planning inspections of firms manufacturing industrial hemp smokable and inhalable products to identify which need to be inspected.	240	1	240
Process paperwork generated from the manufacturing inspections including: writing and submitting reports.	240	1.5	360
Process and secure evidence in compliance with the program's procedures to ensure proper chain of custody is being maintained. Deliver evidence to the district supervisor.	60	1	60
Total hours for workload projected for this classification			**5,410**
1,800 hours = 1 position			
Actual number of positions requested			**3.0**

Administration Division
Associate Governmental Program Analyst
1.0 Position

Activity	Number of Items	Hours per Item	Total Annual Hours
Prepares, reviews, and proofreads a variety of written documents, including correspondence, contracts, service orders, procurement documents, reports, manuscripts, and briefs. Prepares the budget galley, supplemental schedules, and Department of Finance (DOF) reports for management review. Reviews, analyzes, and reconciles the budget system to the DOF budget figures.	23	25	575
Monitors appropriation and revenue balances monthly. Reviews FI$Cal reports and performs monthly appropriation reconciliation. Maintains a Cash Spreadsheet for tracking of revenue received.	15	30	450
Works closely with Accounting and Budget Section managers, supervisors and professional staff, and provides advice and technical assistance on expenditure and/or revenue transactions. Provides a recommendation or plan of action to correct erroneous postings.	23	10	231
Independently studies and analyzes draft, and finalizes new, renewal, and amendment contract and grant agreement packages and develops timely findings and written recommendations for altering and improving those packages to secure departmental and control agency approval. Agreement package requests may include various contract forms, law and policy citation exhibits, contractor instructional attachments, award/selection documentation, control agency policy exception requests, and other materials needed for determining legal sufficiency and policy compliance.	10	40	400
Extracts and/or evaluates data from the Management Information Retrieval System Database to generate a variety of comprehensive accurate personnel reports to be provided to management. Provides guidance and assistance to supervisors and managers relative to varied personnel policies, standards, rules, and procedures.	10	15	150
Total hours for workload projected for this classification			**1,806**
1,800 hours = 1 Position			
Actual number of Positions requested			**1.0**

Center for Environmental Health
Division of Food and Drug Safety
Food and Drug Branch
Environmental Scientist
3.0 Positions

Activity	Number of Activities	Hours per Activity	Total Annual Hours
Conduct inspections of firms manufacturing industrial hemp smokable and inhalable products to ensure adherence to the law.	240	20	4,800
Planning inspections of firms manufacturing industrial hemp smokable and inhalable products to identify which need to be inspected.	240	.75	180
Process paperwork generated from the manufacturing inspections including: writing and submitting reports.	240	1.5	360
Process and secure evidence in compliance with the program's procedures to ensure proper chain of custody is being maintained. Deliver evidence to the district supervisor.	60	1	60
Total hours for workload projected for this classification			**5,400**
1,800 hours = 1 position			
Actual number of positions requested			**3.0**

Center for Environmental Health
Division of Food and Drug Safety
Food and Drug Branch
Investigator
2.0 Positions

Activity	Number of Activities	Hours per Activity	Total Annual Hours
Prepare for investigation: review complaint allegations, interview complainant, research firm, review existing FDB file, coordinate with other agencies, etc.	80	7	560
Conduct on-site inspection, surveillance (if needed), interviews, collect and secure evidence, document violations, embargo violative product, witness voluntary condemnation and destruction of violative product, educate responsible party regarding the law.	15	80	1,200
Review written corrective actions provided by firms. Conduct on-site assessment to verify corrective actions. Initiate enforcement action if violations persist.	42	12	504
Draft regulatory correspondence, prepare for regulatory office meetings.	18	6	108
Prepare, file and monitor case documents for civil penalty, inspection warrant, search warrant, statement of facts, statement of probable cause, denial of license application, license suspension, license revocation, etc.	18	33	594
Serve search or inspection warrants, return warrant information to judge, process evidence, etc. .	2	32	64
Prepare investigation report – routine investigation	40	3	120
Prepare investigation report – complex investigation	20	14	280
Coordinate with CDPH Legal, prosecutors, etc. Prepare for and testify in administrative or court proceedings.	8	10	80
Maintain investigation equipment and vehicle in safe, operational condition.	24	1	24
Complete administrative, time accounting and fund code tracking activities.	70	1	70
Total hours for workload projected for this classification			**3,604**
1,800 hours = 1 position			
Actual number of positions requested			**2.0**

Center for Environmental Health
Division of Food and Drug Safety
Food and Drug Branch
Senior Environmental Scientist (Supervisory)
1.0 Position

Activity	Number of Activities	Hours per Activity	Total Annual Hours
Supervises and directs field staff on industrial hemp product manufacturing inspections. Advises field staff on proper procedures and actions to take during inspections. Ensure staff have the proper equipment to perform their duties.	1,000	1	1,000
Reviews industrial hemp product manufacturing inspection reports for completeness and accuracy. Recommends follow-up action on inspection results.	600	1	600
Verifies employees' monthly activity reports. Ensures work hours are properly accounted, documented and labeled properly to ensure correct funds are being billed.	100	1	100
Analyze inspection data to determine the annual work plan for the program. Determines where in the state to deploy resources.	50	1	50
Responsible for maintaining evidence and ensuring staff are adhering to proper evidence control procedures.	50	1	50
Total hours for workload projected for this classification			**1,800**
1,800 hours = 1 position			
Actual number of positions requested			**1.0**

Administration Division
Associate Governmental Program Analyst
1.0 Position

Activity	Number of Items	Hours per Item	Total Annual Hours
Prepares, reviews, and proofreads a variety of written documents, including correspondence, contracts, service orders, procurement documents, reports, manuscripts, and briefs. Prepares the budget galley, supplemental schedules, and Department of Finance (DOF) reports for management review. Reviews, analyzes, and reconciles the budget system to the DOF budget figures.	23	25	575
Monitors appropriation and revenue balances monthly. Reviews FI$Cal reports and performs monthly appropriation reconciliation. Maintains a Cash Spreadsheet for tracking of revenue received.	15	30	450
Works closely with Accounting and Budget Section managers, supervisors and professional staff, and provides advice and technical assistance on expenditure and/or revenue transactions. Provides a recommendation or plan of action to correct erroneous postings.	23	10	231
Independently studies and analyzes draft, and finalizes new, renewal, and amendment contract and grant agreement packages and develops timely findings and written recommendations for altering and improving those packages to secure departmental and control agency approval. Agreement package requests may include various contract forms, law and policy citation exhibits, contractor instructional attachments, award/selection documentation, control agency policy exception requests, and other materials needed for determining legal sufficiency and policy compliance.	10	40	400
Extracts and/or evaluates data from the Management Information Retrieval System Database to generate a variety of comprehensive accurate personnel reports to be provided to management. Provides guidance and assistance to supervisors and managers relative to varied personnel policies, standards, rules, and procedures.	10	15	150
Total hours for workload projected for this classification			**1,806**
1,800 hours = 1 Position			
Actual number of Positions requested			**1.0**

Center for Environmental Health
Division of Food and Drug Safety
Food and Drug Branch
Investigator
4.0 Positions

Activity	Number of Activities	Hours per Activity	Total Annual Hours
Prepare for investigation: review complaint allegations, interview complainant, research firm, review existing FDB file, coordinate with other agencies, etc.	160	7	1120
Conduct on-site investigation, surveillance (if needed), interviews, collect and secure evidence, document violations, embargo violative product, witness voluntary condemnation and destruction of violative product, educate responsible party regarding the law.	30	80	2,400
Review written corrective actions provided by firms. Conduct on-site assessment to verify corrective actions. Initiate enforcement action if violations persist.	84	12	1,008
Draft regulatory correspondence, prepare for regulatory office meetings.	36	6	216
Prepare, file and monitor case documents for civil penalty, inspection warrant, search warrant, statement of facts, statement of probable cause, denial of license application, license suspension, license revocation, etc.	36	33	1,188
Serve search or inspection warrants, return warrant information to judge, process evidence, etc. .	4	32	128
Prepare investigation report – routine investigation	80	3	240
Prepare investigation report – complex investigation	40	14	560
Coordinate with CDPH Legal, prosecutors, etc. Prepare for and testify in administrative or court proceedings.	16	10	160
Maintain investigation equipment and vehicle in safe, operational condition.	48	1	48
Complete administrative, time accounting and fund code tracking activities.	140	1	140
Total hours for workload projected for this classification			**7,208**
1,800 hours = 1 position			
Actual number of positions requested			**4.0**

Center for Environmental Health
Division of Food and Drug Safety
Food and Drug Branch
Supervising Food and Drug Investigator
1.0 Position

Activity	Number of Activities	Hours per Activity	Total Annual Hours
Supervises and directs field staff on CBD investigations. Advises field staff on proper procedures and actions to take during investigations. Ensures staff have the proper equipment to perform their duties.	30	10	300
Reviews investigation reports for completeness and accuracy. Implements and oversees enforcement actions based on investigation findings.	30	47	1,410
Verifies employees' monthly activity reports. Ensures work hours are properly accounted, documented properly to correct funding code.	12	3	36
Analyze inspection data to determine the annual work plan for the program. Determines where in the State to deploy resources.	1	12	12
Responsible for maintaining evidence and ensuring staff are adhering to proper evidence control procedures.	30	2	60
Total hours for workload projected for this classification			**1,818**
1,800 hours = 1 position			
Actual number of positions requested			**1.0**

Center for Environmental Health
Division of Food and Drug Safety
Food and Drug Branch
Senior Environmental Scientist (Specialist)
1.0 Position

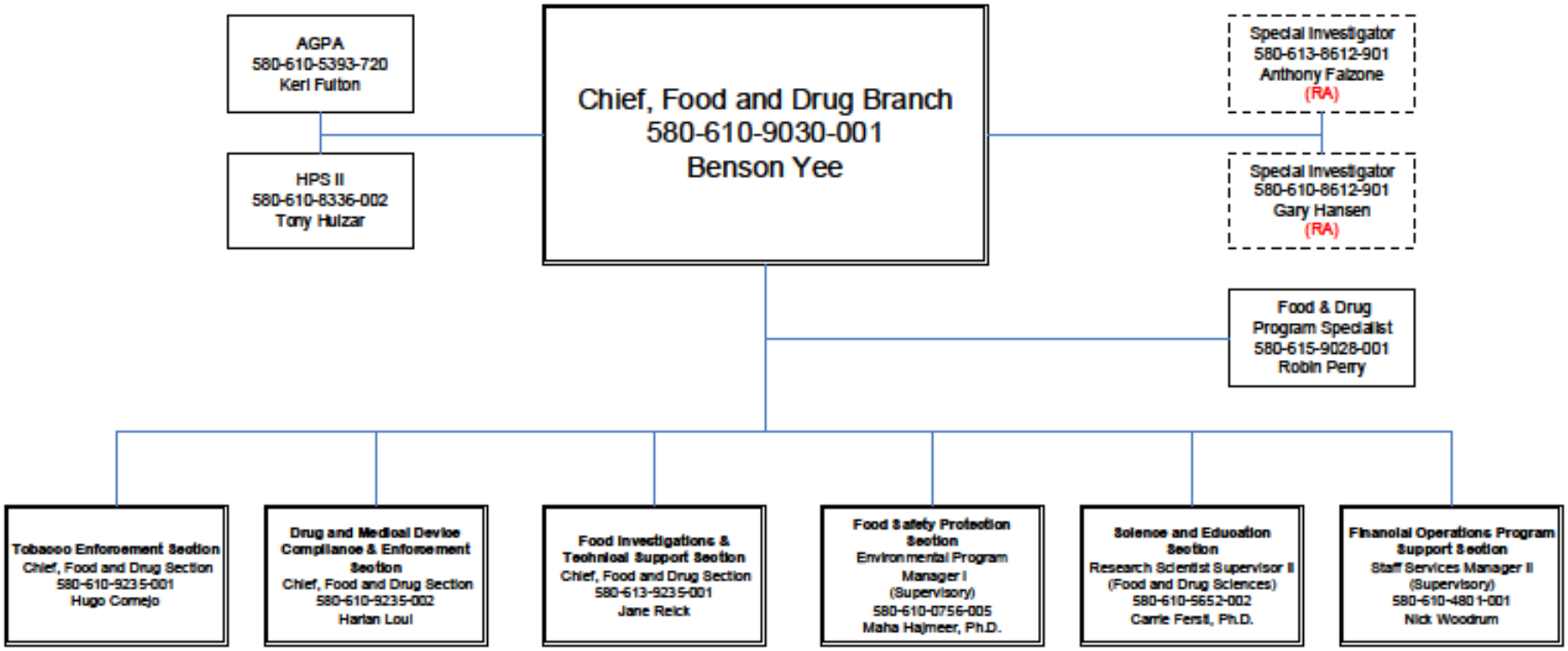
Activity	Number of Activities	Hours per Activity	Total Annual Hours
Conduct critical and/or sensitive scientific investigations of industrial hemp product manufacturers. Document and report findings.	70	20	1,400
Prepare guidance, policy and planning for the program	100	1	100
Independently identifies problems, develops courses of actions for Industrial Hemp Program	100	1	100
Mentor and train new staff	80	1	80
Act as a consultant to other technical staff, management.	80	1	80
Work with other governmental agencies	40	1	40
Total hours for workload projected for this classification			**1,800**
1,800 hours = 1 position			
Actual number of positions requested			**1.0**

Center for Environmental Health
Division of Food and Drug Safety
Food and Drug Branch
Environmental Scientist
1.0 Position

Activity	Number of Activities	Hours per Activity	Total Annual Hours
Conduct inspections of firms manufacturing industrial hemp smokable and inhalable products to ensure adherence to the law.	80	20	1600
Planning inspections of firms manufacturing industrial hemp smokable and inhalable products to identify which need to be inspected.	80	.75	60
Process paperwork generated from the manufacturing inspections including: writing and submitting reports.	80	1.5	120
Process and secure evidence in compliance with the program's procedures to ensure proper chain of custody is being maintained. Deliver evidence to the district supervisor.	20	1	20
Total hours for workload projected for this classification			**1,800**
1,800 hours = 1 position			
Actual number of positions requested			**1.0**

California Department of Public Health
Center for Environmental Health
Division of Food and Drug Safety
Food & Drug Branch

CURRENT



Benson Yee, Chief
Food & Drug Branch

California Department of Public Health

Center for Environmental Health

Division of Food and Drug Safety

Food & Drug Branch

Drug and Medical Device Compliance & Enforcement Section

CURRENT

Chief, Food and Drug Section
580-610-9235-002
Harlan Loui

Regulatory Compliance Unit-South
Senior Environmental Scientist (Supervisory)
580-613-0764-002
April Lee

- Senior Environmental Scientist (Specialist) 580-613-0765-009 Albert Rodriguez
- Environmental Scientist 580-613-0762-010 Kalima Speights
- Environmental Scientist 580-613-0762-004 Daniel Chang
- Environmental Scientist 580-618-0762-002 Stacey Masters
- Environmental Scientist 580-618-0762-003 VACANT
- Environmental Scientist 580-617-0762-009 Anthony Incoancio
- Environmental Scientist 580-615-0762-005 VACANT

Food & Drug Program Specialist 580-610-9020-012 Minh Huynh

Investigations & Enforcement Unit
Chief, Food and Drug unit
580-613-9236-002
Phillip Terrazas

Food & Drug Program Specialist 580-610-9020-008 Tony Alsup

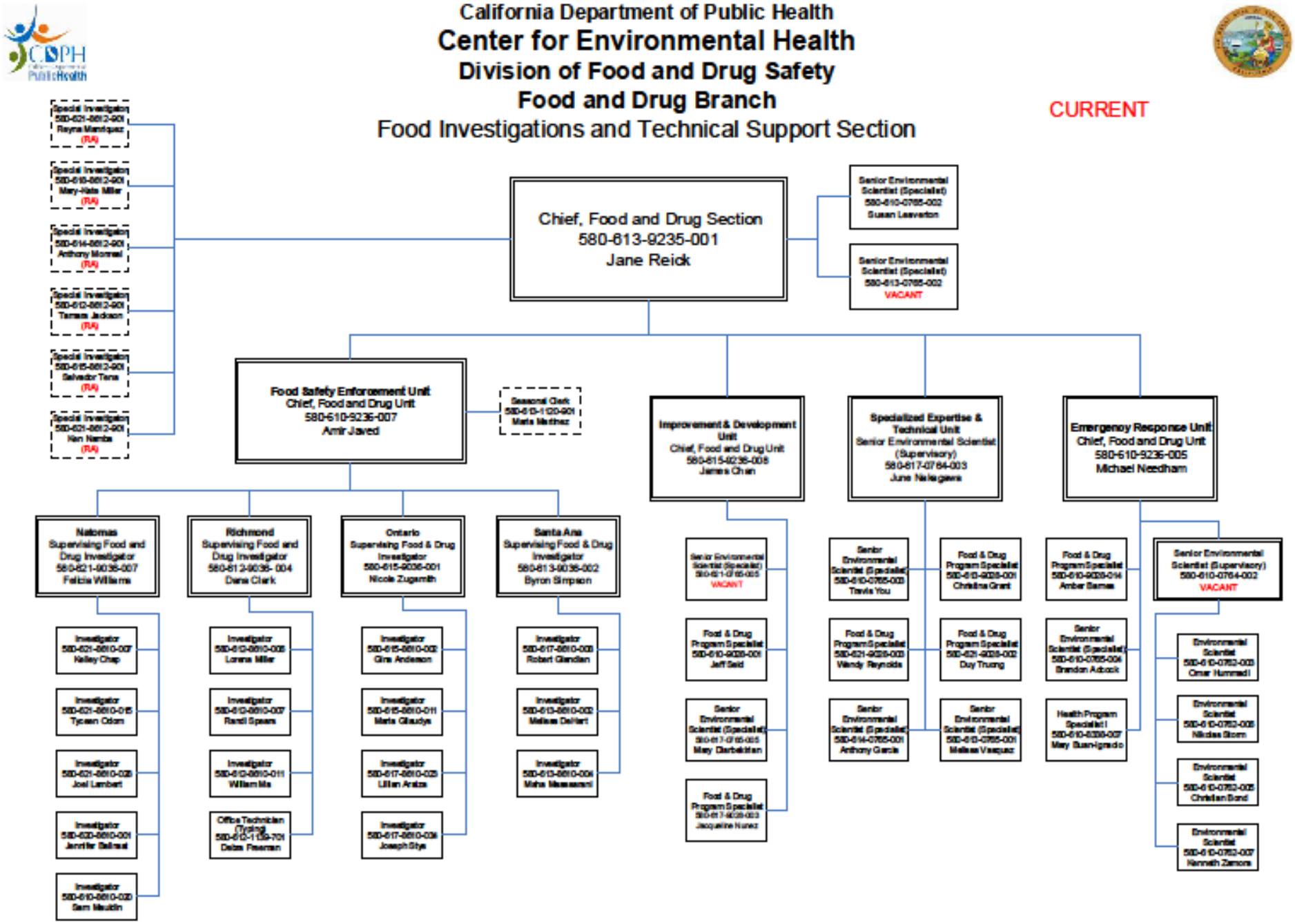
Supervising Food & Drug Investigator
580-621-9036-005
June-Mei Han

- Investigator 580-612-9610-008 Judith Acquaye
- Investigator 580-617-9610-010 Diana Cedeño
- Investigator 580-613-9610-006 Eugene Martinez
- Investigator 580-613-9610-009 Abraham Velez
- Investigator 580-621-9610-011 Zenobia Bradley
- Investigator 580-621-9610-020 Katelyn Gomez

Regulatory Compliance Unit-North
Senior Environmental Scientist (Supervisory)
580-621-0764-001
Oscar Alarcon

- Senior Environmental Scientist (Specialist) 580-621-0765-009 Taylor Weldon
- Environmental Scientist 580-619-0762-006 Brayton Henry
- Environmental Scientist 580-621-0762-007 VACANT
- Environmental Scientist 580-620-0762-002 Angelica Sandoval-Marin
- Environmental Scientist 580-619-0762-002 Tanuna Nag
- Environmental Scientist 580-612-0762-009 Robert Haerr
- Office Technician (Typing) 580-621-1139-701 Melissa Woodward

Benson Yee, Branch Chief
Food & Drug Branch


California Department of Public Health
Center for Environmental Health
Division of Food and Drug Safety
Food and Drug Branch
Food Investigations and Technical Support Section
CURRENT
Special Investigator 580-621-8812-901 Reyna Manriquez (RA)
Special Investigator 580-610-8812-901 Mary-Kate Miller (RA)
Special Investigator 580-614-8812-901 Anthony Monnel (RA)
Special Investigator 580-612-8812-901 Tamara Jackson (RA)
Special Investigator 580-615-8812-901 Salvador Tena (RA)
Special Investigator 580-621-8812-901 Nan Nanba (RA)
Chief, Food and Drug Section 580-613-9235-001 Jane Reick
Senior Environmental Scientist (Specialist) 580-610-0765-002 Susan Leaverton
Senior Environmental Scientist (Specialist) 580-613-0765-002 VACANT
Food Safety Enforcement Unit Chief, Food and Drug Unit 580-610-9236-007 Amir Javed
Seasonal Clerk 580-615-1120-901 Maria Martinez
Improvement & Development Unit Chief, Food and Drug Unit 580-615-9236-008 James Chan
Specialized Expertise & Technical Unit Senior Environmental Scientist (Supervisory) 580-617-0764-003 June Nakagawa
Emergency Response Unit Chief, Food and Drug Unit 580-610-9236-005 Michael Needham
Novato Supervising Food and Drug Investigator 580-621-9036-007 Felicia Williams
Richmond Supervising Food and Drug Investigator 580-612-9036- 004 Dana Clark
Ontario Supervising Food & Drug Investigator 580-615-9036-001 Nicole Zugsmith
Santa Ana Supervising Food & Drug Investigator 580-613-9036-002 Byron Simpson
Senior Environmental Scientist (Specialist) 580-611-0765-005 VACANT
Food & Drug Program Specialist 580-610-9028-001 Jeff Seid
Senior Environmental Scientist (Specialist) 580-617-0765-005 Mary Darbakian
Food & Drug Program Specialist 580-617-9028-003 Jacqueline Nunez
Senior Environmental Scientist (Specialist) 580-610-0765-003 Travis You
Food & Drug Program Specialist 580-610-9028-001 Christina Grant
Food & Drug Program Specialist 580-621-9028-003 Wendy Reynolds
Food & Drug Program Specialist 580-621-9028-002 Duy Truong
Senior Environmental Scientist (Specialist) 580-614-0765-001 Anthony Garcia
Senior Environmental Scientist (Specialist) 580-610-0765-001 Melissa Vasquez
Food & Drug Program Specialist 580-610-9028-014 Amber Barnes
Senior Environmental Scientist (Specialist) 580-610-0765-004 Brandon Adcock
Health Program Specialist I 580-610-9309-007 Mary Buenrostro
Senior Environmental Scientist (Supervisory) 580-610-0764-002 VACANT
Environmental Scientist 580-610-0762-003 Omar Hummadi
Environmental Scientist 580-610-0762-008 Nikolas Storm
Environmental Scientist 580-610-0762-005 Christian Bond
Environmental Scientist 580-610-0762-007 Kenneth Zamora
Investigator 580-621-8810-007 Kelley Chap
Investigator 580-621-8810-015 Tycean Odom
Investigator 580-621-8810-020 Joel Lambert
Investigator 580-620-8810-001 Jennifer Bellmat
Investigator 580-610-8810-020 Sam Moulin
Investigator 580-612-8810-008 Lorena Miller
Investigator 580-612-8810-007 Randi Spears
Investigator 580-612-8810-011 William Ma
Office Technician (Typing) 580-612-1139-701 Debra Freeman
Investigator 580-615-8810-003 Gina Anderson
Investigator 580-615-8810-011 Maria Gilaudya
Investigator 580-617-8810-025 Lilian Arabia
Investigator 580-617-8810-006 Joseph Stye
Investigator 580-617-8810-008 Robert Glandian
Investigator 580-613-8810-003 Melissa Deffart
Investigator 580-613-8810-006 Maha Mawasmi
Benson Yee, Branch Chief
Food & Drug Branch

California Department of Public Health

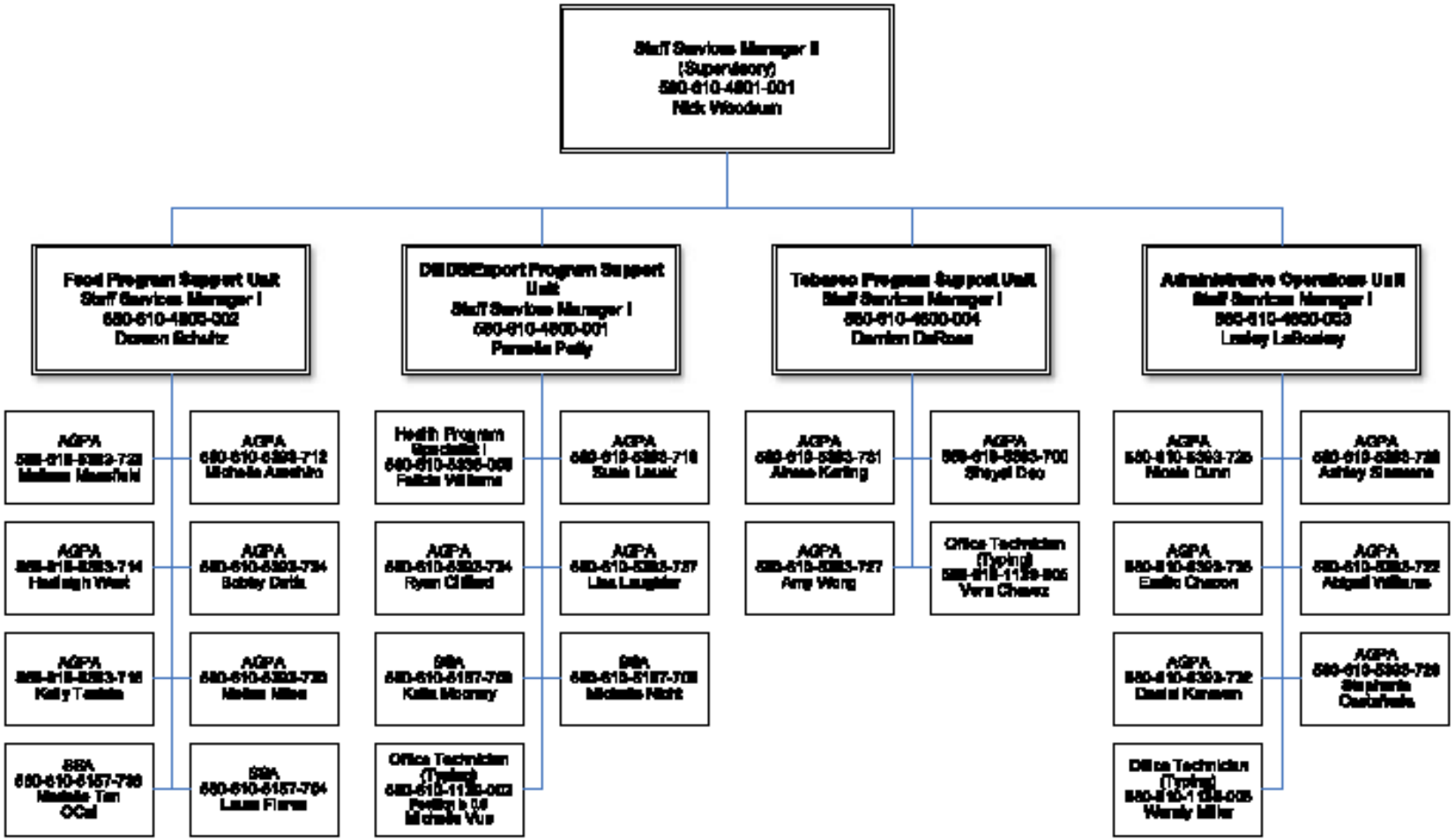
Center for Environmental Health

Division of Food and Drug Safety

Food and Drug Branch

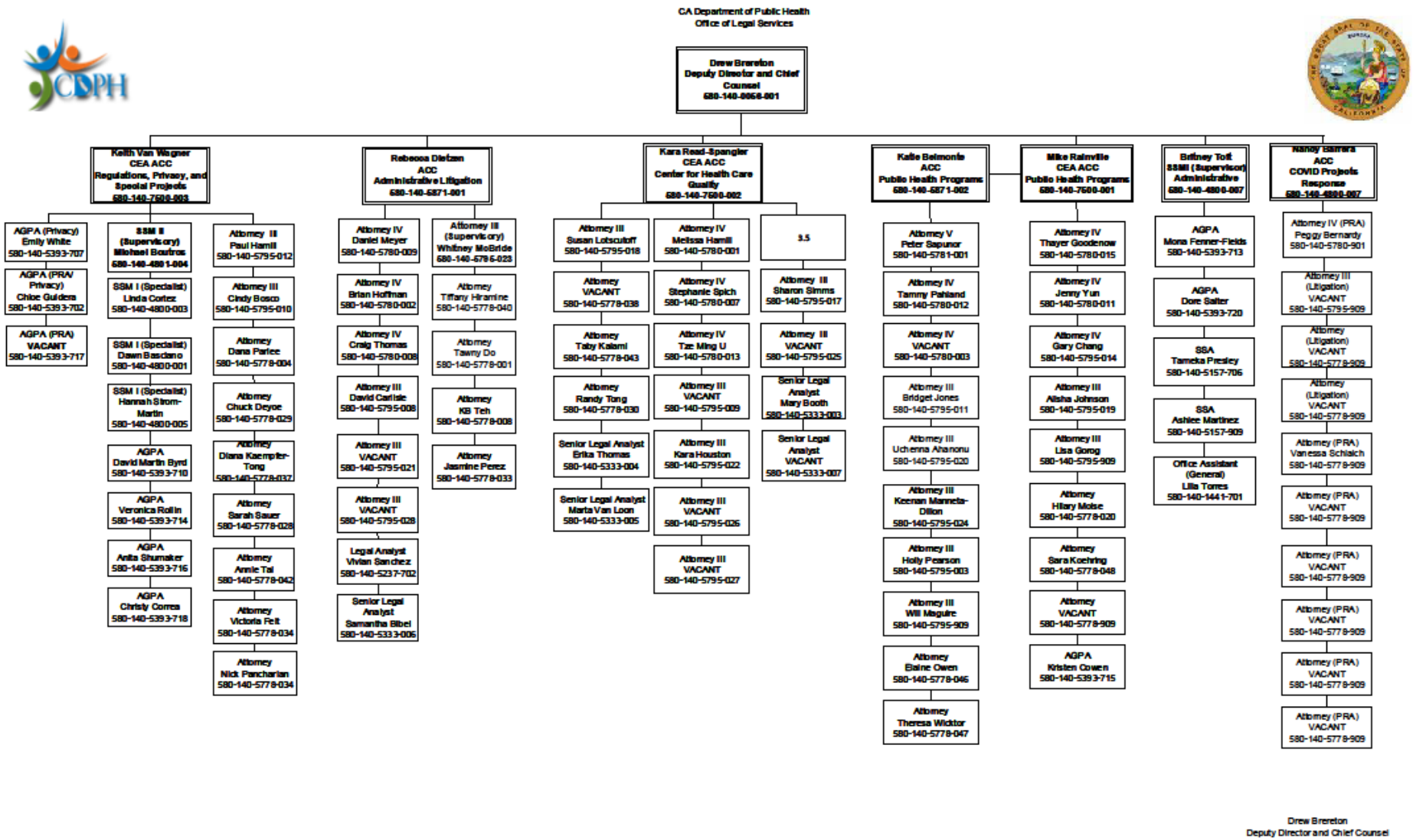
Financial Operations and Program Support Section

CURRENT



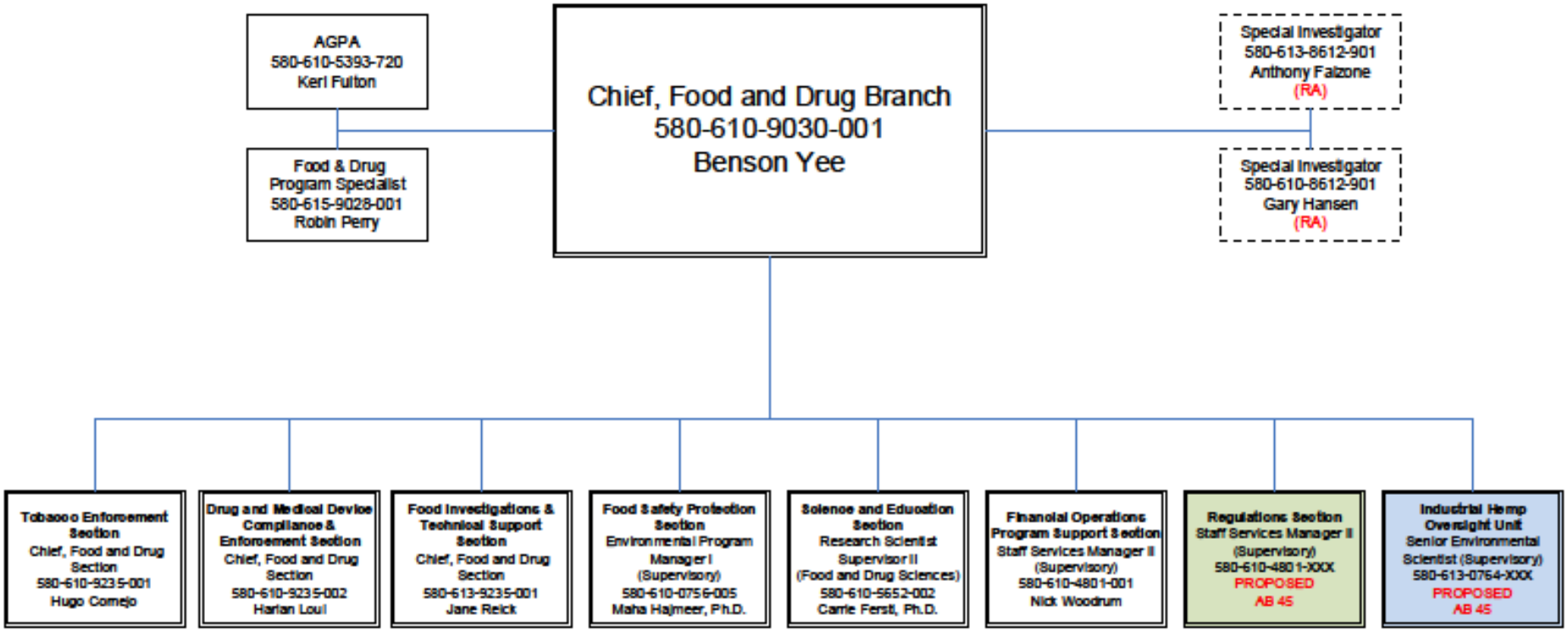
Benson Yee, Branch Chief
Food & Drug Branch

Attachment B – Current Organizational Charts



California Department of Public Health
Center for Environmental Health
Division of Food and Drug Safety
Food & Drug Branch

PROPOSED



Legend

Green – Phase I
Blue – Phase II
Orange – Phase III

Benson Yee, Chief
Food & Drug Branch

California Department of Public Health

Center for Environmental Health

Division of Food and Drug Safety

Food & Drug Branch

Drug and Medical Device Compliance & Enforcement Section

PROPOSED

Chief, Food and Drug Section
580-610-9235-002
Harlan Loui

Regulatory Compliance Unit-South
Senior Environmental Scientist (Supervisory)
580-613-0764-002
April Lee

Senior Environmental Scientist (Specialist)
580-613-0765-009
Albert Rodriguez

Environmental Scientist
580-613-0762-013
Nalina Speights

Environmental Scientist
580-613-0762-004
Daniel Chang

Environmental Scientist
580-615-0762-002
Stacey Masters

Environmental Scientist
580-610-0762-003
VACANT

Environmental Scientist
580-617-0762-009
Anthony Incoancio

Environmental Scientist
580-615-0762-005
VACANT

Food & Drug Program Specialist
580-610-9235-012
Minh Huynh

Investigations & Enforcement Unit
Chief, Food and Drug unit
580-613-9236-002
Phillip Terrazas

Food & Drug Program Specialist
580-610-9235-008
Terry Alsup

Supervising Food & Drug Investigator
580-621-9036-005
June-Mei Han

Investigator
580-612-6610-003
Justin Acquaye

Investigator
580-617-6610-010
Diana Cesteria

Investigator
580-613-6610-008
Eugene Martinez

Investigator
580-613-6610-009
Abraham Velez

Investigator
580-621-6610-011
Zandile Bradley

Investigator
580-621-6610-020
Katelyn Gomez

Supervising Food & Drug Investigator
580-617-9036-XXX
PROPOSED
AB 45

Investigator
580-617-6610-XXX
PROPOSED
AB 45

Investigator
580-612-6610-XXX
PROPOSED
AB 45

Investigator
580-614-6610-XXX
PROPOSED
AB 45

Regulatory Compliance Unit-North
Senior Environmental Scientist (Supervisory)
580-621-0764-001
Oscar Alarcon

Senior Environmental Scientist (Specialist)
580-621-0765-009
Taylor Weldon

Environmental Scientist
580-619-0762-004
Braylon Henry

Environmental Scientist
580-621-0762-007
VACANT

Environmental Scientist
580-620-0762-003
Angelica Sandoval-Marin

Environmental Scientist
580-619-0762-002
Tanuna Nag

Environmental Scientist
580-612-0762-009
Robert Haar

Office Technician (Typing)
580-621-1139-701
Melissa Woodward

Legend

Green – Phase I
Blue – Phase II
Orange – Phase III

Benson Yee, Branch Chief
Food & Drug Branch

California Department of Public Health

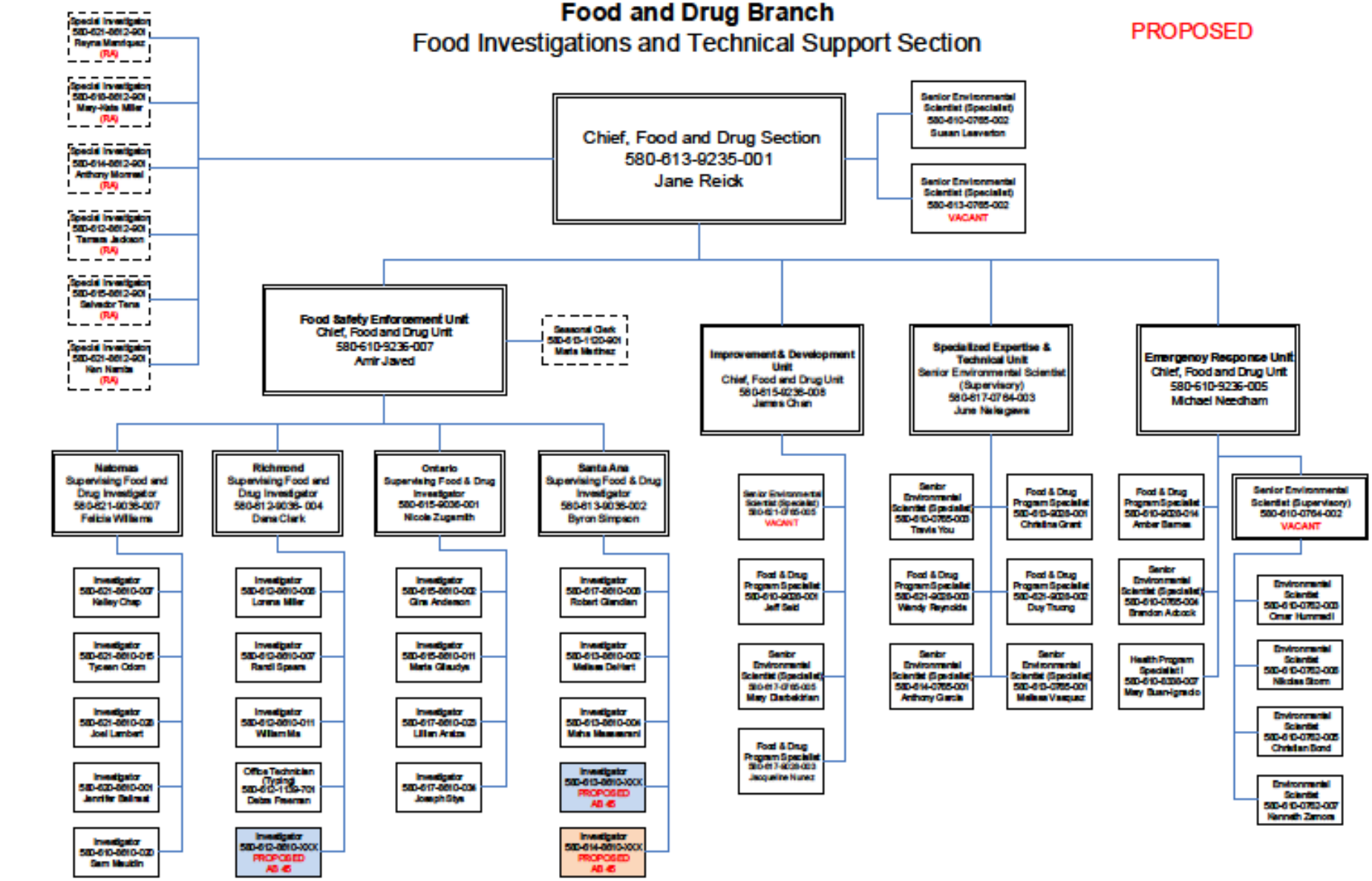
Center for Environmental Health

Division of Food and Drug Safety

Food and Drug Branch

Food Investigations and Technical Support Section

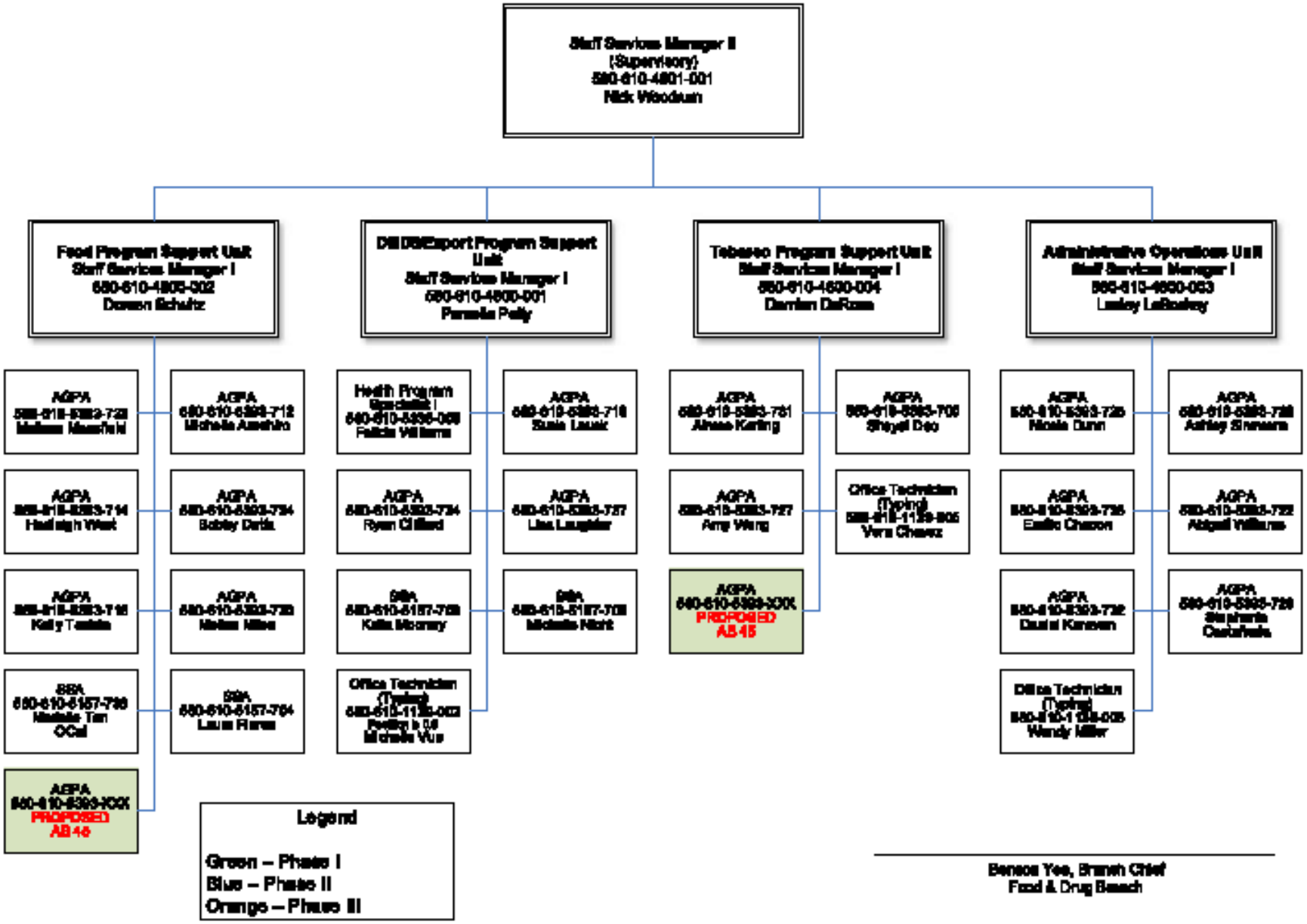
PROPOSED



Benson Yee, Branch Chief
Food & Drug Branch

California Department of Public Health
Center for Environmental Health
Division of Food and Drug Safety
Food and Drug Branch
Financial Operations and Program Support Section

PROPOSED



Benson Yee, Branch Chief
Food & Drug Branch

California Department of Public Health

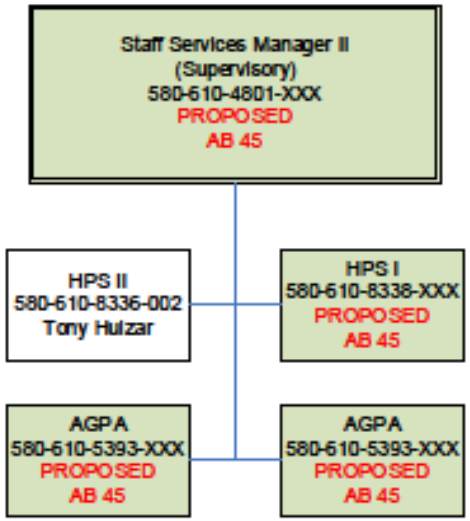
Center for Environmental Health

Division of Food and Drug Safety

Food and Drug Branch

Regulations Section

PROPOSED



Legend

Green – Phase I
Blue – Phase II
Orange – Phase III

Benson Yee, Branch Chief
Food & Drug Branch

California Department of Public Health

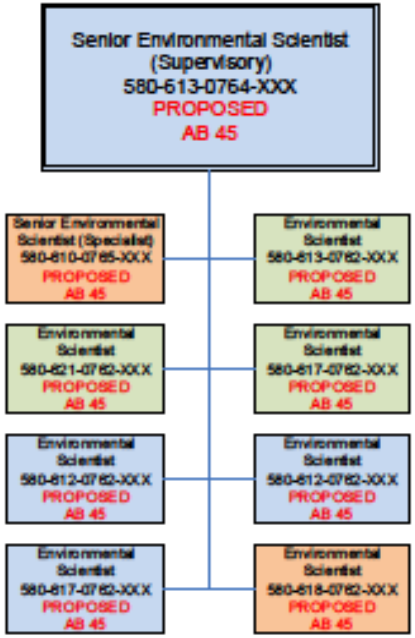
Center for Environmental Health

Division of Food and Drug Safety

Food and Drug Branch

Industrial Hemp Oversight Unit

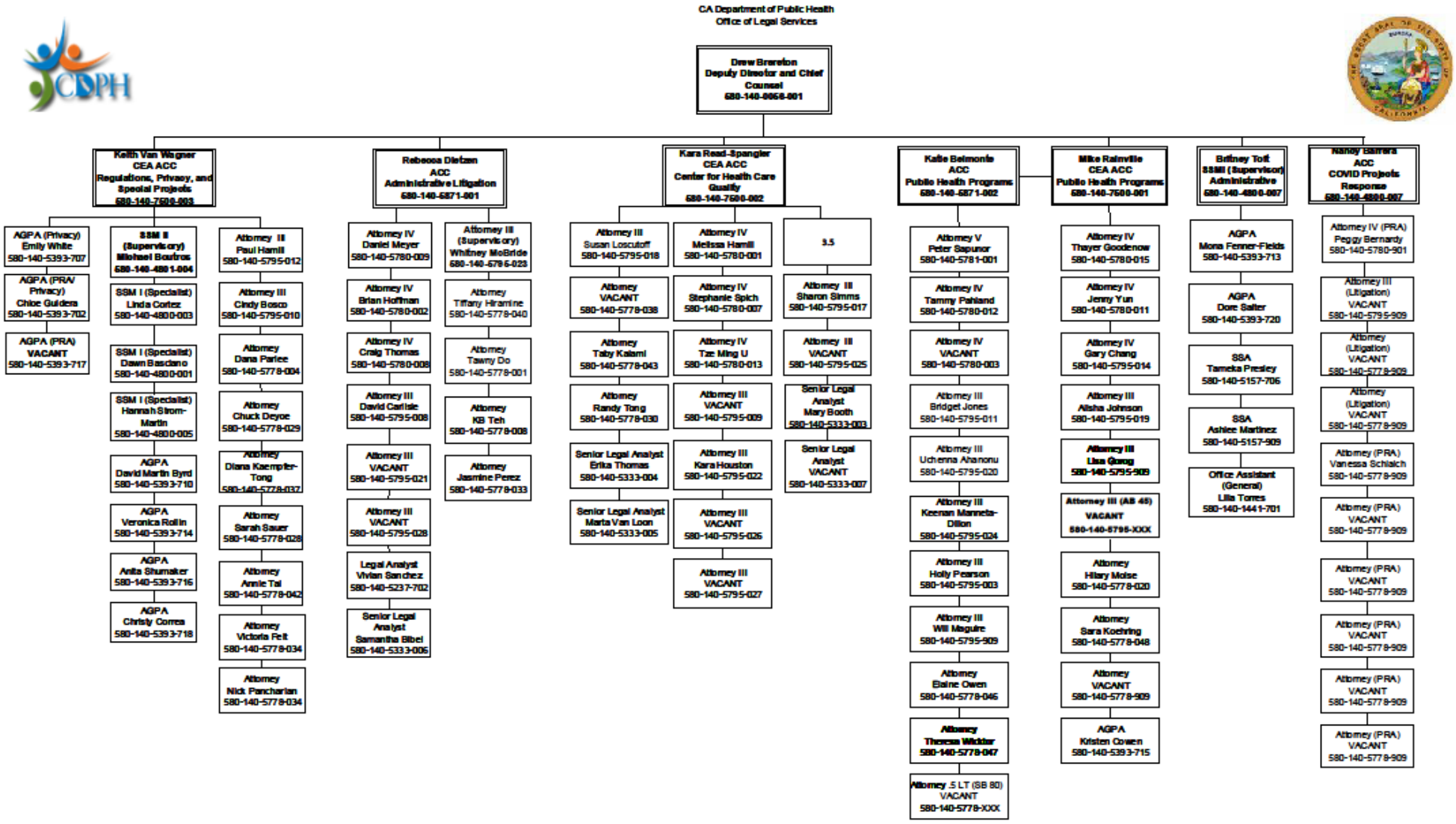
PROPOSED



Legend
Green – Phase I
Blue – Phase II
Orange – Phase III

Benson Yee, Branch Chief
Food & Drug Branch

Attachment C – Proposed Organizational Charts



Laboratory Division
Research Scientist II (Chemical)
1.0 Position

Activity	Number of Activities	Hours per Activity	Total Annual Hours
Analysis of hemp products for cannabinoids, terpenes, residual solvents, heavy metals, and other toxins and contaminants	100	12.00	1,200
Standard and sample preparation for analytical testing – extraction, digestion, centrifugation, filtering, dilution: for testing samples	100	4.00	400
Prepare laboratory analysis reports for hemp products tested, including data entry into LIMS, reporting of Quality Control samples, interpretation of scientific data - chromatography integration, instrument raw data, and calculations.	100	1.00	100
Research and development for improving chemical methods for testing of hemp products for THC and CBD contents, terpenes, residual solvents, heavy metals, and other toxins/contaminants.	1	20.00	20
Prepare scientific research reports as needed for the validation of testing methods in different sample matrices for multi-laboratory validation studies.	1	17.00	17
Conduct/participate in internal audits of the cannabis testing laboratory.	1	12.00	12
Maintain quality management system and laboratory records – quality manual, standard operation procedures, work instructions, analytical worksheets, and controlled documents.	1	16.00	16
Provide support, scientific guidance and reports to management, on issues of product quality issues, or any research needed to make sound decisions to ensure product safety.	1	11.00	11
Total hours for workload projected for this classification			**1,776**
1,800 hours = 1 position			
Actual number of positions requested			**1.0**

Laboratory Division
Laboratory Technician
1.0 Position

Activity	Number of Activities	Hours per Activity	Total Annual Hours
Sample Chain of Custody: Receiving & Log in - sample receipt and sample disposal following chain of custody procedures for cannabis products using Laboratory Information Management System (LIMS).	1,000	0.30	300
Sample Preparation: Assists research Scientist with sample preparation; sample homogenizing, aliquoting, predigestion, media preparation, quality control of media assessment, and microbiology reference strain propagation.	2,000	0.50	1,000
Maintains Laboratory's sample repository.	236	1.00	236
Glassware and lab-were cleaning autoclaving.	240	1.00	240
Total hours for workload projected for this classification			**1,776**
1,800 hours = 1 position			
Actual number of positions requested			**1.0**