



Bureau of Cannabis Inspection – Division of Cannabis Regulation

State Fairgrounds • P.O. Box 19281 • Springfield, IL 62794-9281 • 217/524-2143 • TDD 866/287-2999 • Fax 217/524-4215

March 02, 2021

As part of the Department's ongoing review of statutory compliance, it has been determined that the Compassionate Use of Medical Cannabis Program Act, (Medical Use Act), (410 ILCS 130) and Cannabis Regulation and Tax Act (Adult Use Cannabis Act), (410 ILCS 705) prohibit the outdoor cultivation of cannabis, medical cannabis or CBD cannabis. These Acts and the corresponding administrative rules necessitate that:

(c) All cultivation of cannabis by a cultivation center must take place in an enclosed, locked facility at the physical address provided to the Department of Agriculture during the licensing process. (410 ILCS 130/105(d) and 410 ILCS 705/20-30(c)).

The Acts define an "enclosed, locked facility" as:

a room, greenhouse, building, or other enclosed area equipped with locks or other security devices that permit access only by cannabis business establishment agents working for the licensed cannabis business establishment or acting pursuant to this Act to cultivate, process, store, or distribute cannabis. (410 ILCS 130/10(k) and 410 ILCS 705/1-10)

The Department's rules regarding plant production further demonstrate the necessity of cultivating cannabis indoors (8 IAC 1000.400 and 8 IAC 1300.170):

Section 1300.170 Operations – Plant Production

- d) Biosecurity measures shall be implemented and maintained at all times.
- j) All persons working in direct contact with cannabis shall conform to hygienic practices while on duty, including but not limited to the following:
 - 2) Floors, walls and ceilings shall be constructed in such a manner that they may be adequately cleaned and kept clean and in good repair;
 - 4) There shall be adequate screening or other protection against the entry of pests. Rubbish shall be disposed of so as to minimize the development of odor and minimize the potential for the waste becoming an attractant, harborage or breeding place for pests;

Compliance with these statutory and regulatory requirements can only be achieved when growing cannabis plants in an enclosed building with floors, walls and ceilings.

The Department acknowledges that on May 13, 2019, Nature's Grace and Wellness received, from the Bureau of Medicinal Plants, a permit modification approval to grow plants under the following conditions:

"Lastly, the Company will erect a six foot high opaque fence to surround approximately 87,000 square feet, immediately South of the existing building. Within the six foot high opaque fence the Company will erect approximately a 43,500 square feet of Screenhouse for seasonal medical cannabis production. A 3D rendering of the outdoor screenhouse is attached as "Exhibit D."

Please be advised that the outdoor screenhouse grow site is not considered an enclosed, locked facility as required by both the Medical Use and Adult Use Cannabis Acts. The portion of the permit modification approval allowing the cultivation of medical cannabis in an outdoor screenhouse grow site is hereby rescinded, effective at the end of the 2021 growing season or effective December 31, 2021, whichever date is earlier.

The Department thanks you for your understanding and timely compliance.

A handwritten signature in dark ink, appearing to read 'D. Lakeman', followed by a long horizontal flourish.

David Lakeman

Division Manager

Cannabis Division