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Cherokee Council House
Cherokee, North Carolina

MAR 02 2023

Date

Ordinance No. 531 (2022)

WHEREAS, the Charter and Governing Document authorizes and empowers the Eastern Band of Cherokee Indians (EBCI) Tribal Council to adopt laws and regulations for the general government of the Tribe. Charter and Governing Document, sect. 23 (Sept. 5, 1995) *see also* C.C. §117-10.

WHEREAS, on August 16, 2021, Tribal Council established a medical marijuana code. EBCI Ordinance No. 539 (Aug. 16, 2021) found at C.C. Ch. 17.

WHEREAS, quality control sampling is a vital function which ensures public trust in the cannabis industry, just as it does in the food and pharmaceuticals industries, and;

WHEREAS, this broadly accepted practice assures that products sold are of the highest quality for taste, texture, desired profiles, and ensures consistency in production methodology, and;

WHEREAS, consumer safety is the utmost priority of Qualla Enterprises, LLC and developing responsible and adequate policy to help assure that the EBCI is represented with only products that meet the most stringent quality standards is very important to longevity in the market, and;

WHEREAS, there are no better qualified experts to sample products than the employees who produce them and whom are responsible for understanding the quality standards of their outputs, and can identify substances/contaminants that are not detected by laboratory quality assurance tests, and;

WHEREAS, quality control sampling is the "last line of defense" in most cases and where applied responsibly, will most certainly help prevent product re-calls which can cost millions and be very damaging for the enterprise, and;

WHEREAS, all product will be tracked, traced, documented so there is no increased risk of diversion, and;

WHEREAS, there is a need to amend C.C. §17-71 to allow for quality control functions.

NOW THEREFORE BE IT ORDAINED in Council assembled at which a quorum is present that the Tribal Council amends Cherokee Code Chapter 17, Medical Marijuana Code, as follows in EXHIBIT A.

BE IT FURTHER ORDAINED the Ordinance provisions that amend or adopt new sections of the Cherokee Code shall be codified by the Department of Justice. The Department of Justice shall incorporate such amended provisions in the next codification of the Cherokee Code.

BE IT STILL FURTHER ORDAINED should any provision of this Ordinance be determined invalid by the Cherokee Supreme Court, or the Cherokee Court without appeal to the Cherokee Supreme Court, or any other court of competent jurisdiction, those portions of this Ordinance which are not determined invalid shall remain the law of the Eastern Band of Cherokee Indians

BE IT FINALLY ORDAINED that any resolution or ordinance in conflict are rescinded and that this ordinance shall become effective upon ratification.

Submitted By: Qualla Enterprise, LLC Board of Managers