**Can you speak to any changes that are being discussed to microbial testing? Specifically EB and Coliform?**

In a recent proposed rule change, microbiological screen would no longer focus on coliform, but would focus on enterobacteria (EB). The proposed language is below.

Microbiological screening
The sample and related lot or batch fail quality assurance testing for microbiological screening if the results exceed the following limits:



For additional information on the proposed QA rule changes, please visit lcb.wa.gov/rules/proposed-rules.

**Is there a way to overcome the inability to change vehicles on a manifest? You can change drivers during the quarantine time, but not cars. This was an issue when we wanted to switch vehicles due to inclement weather.**

In the current traceability system, there is no way to change vehicles on a manifest during the 24-hour quarantine. The only option is to void the manifest, and create a new manifest with the new desired vehicle. Please note, this process will start the 24-hour quarantine anew.

**Are current BioTrack users going to need to find a new solution or will BT still be considered an approved traceability software solution?**

If BioTrack THC chooses to continue offering a 3rd party, commercial traceability product, then LCB will not require them to switch traceability providers. The same is true of any 3rd party traceability software provider. I would encourage all licensees who use 3rd party traceability software to confirm with their developers whether or not they plan to continue offering 3rd party traceability solutions moving forward.

**With a new system coming, will the current software programs that talk to the LCB still communicate with the new system?**

Just like the current traceability system, any new traceability system will be built using an application program interface (API). Any 3rd party traceability software developers could only make their software communicate with the state database via the API. That is not going to change. Developers may need to adjust their coding to the new API, so licensees are encouraged to keep their developers aware of the upcoming traceability system changes, though most vendors are aware already as several have expressed interest independently.

**Will we be able to use the new traceability system online for free?**

Yes. The state plans to continue offering a free web interface for licensees who chose not to use a 3rd party traceability solution.

**Will this PPT be available for download after this concludes?**

Yes, the slides and a link to the recording of the presentation, along with questions will be posted on the WSLCB website.

**The schedule for new traceability system is incredibly aggressive. How much time will existing software vendors have to adapt to new system?**

The answer here is very much dependent on the timeframe in which the new vendor is able to provide API documentation to 3rd party developers.

LCB has formally requested a new contract extension from BioTrack to ensure a smooth transition from the old traceability system to the new. Once that extension date is in place, it will afford the project some time on the backend to pad out the schedule, and ensure the smoothest possible transition.

**The single potency test standard doesn't solve existing problems, why is this standing in the new rules?**

Moving to multiple potency tests and determining potency by averaging the results of those tests will be something we will continue to consider as we move forward, but will not be a requirement at this time. Several factors contributed to reverting back to the potency testing requirements in current rules, including concerns about costs impacts to the industry and system constraints. We will continue to evaluate potency testing changes over the course of the coming year.

**I want to know what the correct process is when preforming a "Split" as a producer splitting product with a processor. Our LCB Officer says to charge a minimum amount per gram, but no specific amount was given. What is that amount per gram?**

This is a question best answered by your enforcement officer. The MJ Examiners do not have the authority to state a minimum price per gram.

You can also look to WAC 314-55-017(3) which states, “The selling price of marijuana product must be indicative of the true value when sold without any other products or services.”

**BioTrack says to put 0.00 in as a selling price, but in Washington State we are not able to input 0.00. We have to input at least 0.01, and that is when our officer told us that is too low?**

I would not encourage you to enter zero, or a penny as your selling price.

As stated above, WAC 314-55-017(3) says, “The selling price of marijuana product must be indicative of the true value when sold without any other products or services.”

It is between yourself and your enforcement officer to determine if your transfer prices fall outside that definition.

**Will there be an option for an additional intermediate product conversion step with the new system?**

The level of configurability which we have outlined in the request for proposal (RFP) will allow this kind of flexibility in a new traceability system. Right now, there is no intermediate conversion governance in WAC 314-55, but the rules always subject to change.

**Why can't we manifest samples from a retailer back to the processor?**

Sending samples to negotiate sales from retailers back to their processor of origin is part a recent update to the traceability system.

If you are having specific problems with a specific line item, please contact the MJ Examiner’s office for assistance.

**Will the new traceability system contain functionality that now requires a 3rd party vendor - example, label printing for lot numbers?**

The new traceability system will not contain functionality that requires a 3rd party vendor, though you may choose to integrate label printing software solutions if you wish.

**I have sent the sample product to several different labs, and have received results all over the board. There is no consistency when it comes to potency testing. Is there anyone enforcing a specific standard for these labs?**

Marijuana Testing Labs are certified for the tests in WAC 314-55 by a contractor (The RJ Lee Group) working for the WSLCB. As you know, the homogeneity of cannabis flower is always problematic when it comes to testing different samples from the same harvest, the same lot, or even the same plant. Lab methodologies are validated and reviewed on an ongoing basis by our contractor, but due to the nature of cannabis as a product, degrees of variance are inevitable.

**Is there any plan or conversation to eliminate the 24 quarantine period prior to delivery or transport?**

This requirement, from WAC 314-55-083 is based around enforcement and security. Though conversations are always open, the decision to remove this requirement from the rules would need to come from the Enforcement division, as they are the gatekeepers of marijuana security requirements.

**How would a P/P be able to suggest a legal change, similar to how the alcohol industry has made changes within their set of rules? Do we need to gain the ear of our senators/reps or is there another way?**

If you are looking for a change to law (RCW), that change must be brought to the Legislature and would take a bill passing the Legislature to occur. Agencies do have what we call “agency request” legislation that we submit to the Governor and the Legislature each year. It is possible, depending on the change requested, that it may align with agency priorities, so you are welcome to share those ideas with the LCB. Otherwise, you would need to reach out to your legislators. More information is available on the Legislature’s website at [www.leg.wa.gov](http://www.leg.wa.gov).

**How does the selection process weigh performance vs cost of the vendor? Is cost the deciding factor?**

There are several factors that are considered in the evaluation process for the RFP including cost, performance, project management, feasibility, etc. No single factor determines the successful bidder; all are considered.

**Will the new traceability system have a free version to license holders?**

Yes. There will be a free web-based version of the new traceability system.

**Is there any way to change the barcode generation process for useable marijuana such that it is possible to package and sticker product before having a final order from a licensed retailer? This would help small P/P utilize man hours between harvests.**

It sounds like you are referencing the elimination of the sub-lotting requirement. This change has been authorized, and the new traceability system will not require sub-lots, so packaging and labeling should be much more manageable in the future.

**Will there be ample training on the new system?**

The LCB is currently creating an organizational change management plan that will focus on training for the transition of the old system to the new. Without knowing exactly what that plan will look like, I know focus on external stakeholders (e.g. licensees) will be a large part of the change process.

**Will the new state traceability system allow users to generate required barcodes for packaging without requiring a 3rd party software?**

The new traceability system will not require the use of a 3rd party software for printing ID numbers and barcodes, though you may still choose to use one if you wish.

**How does one participate in the traceability advisory group?**

At this time, the Advisory Group has already been formed. Members were selected by various trade associations. If you are a member of a trade association and have interest in being part of the Advisory Group in the future, let your trade association representative know.

**As a producer, when transferring material to a processor, we are not allowed to send product without a minimum of $0.01. Are we allowed to send product to processors at $0.01 if we are to receive processed product back?**

It’s not advisable or encouraged to enter zero, or a penny as your selling price.

As stated previously, WAC 314-55-017(3) says, “The selling price of marijuana product must be indicative of the true value when sold without any other products or services.”

It is between yourself and your enforcement officer to determine if your transfer prices fall outside that definition.

**I believe the previous question was asking if a third party system would be needed to generate compliance labels and barcodes since the existing system is extremely difficult to use.**

Licensees have expressed difficulty with printing from the current traceability system, and the new traceability system will not require the use of a 3rd party software for printing, though you may still choose to.

**Will the new traceability system require us to use a 3rd party software vendor?**

No. There will still be a free version of some sort for licensees who do not want to use a 3rd party developer.

**Will there be safeguards in place that won’t allow anything out of compliance?**

There will be compliance information generated by the new traceability system which will inform licensees when they have performed an action that may be contrary to the rules. But unlike the current traceability system, the new system will not stop licensees from proceeding; rather it will let them know when they have a made a mistake, so they can correct it.

This question has come up in the past, and there is nothing preventing a 3rd party developer from implementing the kind of barriers you are talking about in their software.

**Piggybacking on the 24 hour quarantine question, when a shipment needs to be re-manifested and has already been in the 24hour quarantine, will there be a way to re-manifest without putting the shipment through quarantine again?**

At this time, there is no mechanism to do this.

**Is the LCB considering assisting with banking options in the state?**

Many of the vetting requirements and safeguards we have built into the regulated system to ensure compliance with the Cole Memo have already allowed financial institutions to engage in business with marijuana licensees. We currently have 6 financial institutions (state chartered banks and credit unions) that are doing business with marijuana licensees. We are fortunate to have this availability of banking options as there have been challenges with this in other states where no banking is available at all. It is our hope that as time goes on and financial institutions become more comfortable, more banking options will become available.

**I missed the proposed rules - could you please go over it at the end**?

You can view the recorded webinar here:

You can always get information on current rulemaking activities on our website at [lcb.wa.gov](lcb.wa.gov/) on the “Laws and Rules” webpages.