



Washington State Liquor Control Board

Changes in Proposed Rules

September 4, 2013

On July 3, 2013, the Washington State Liquor Control Board (WSLCB) filed proposed rules with the state code reviser (CR 102). The Board held five public hearings across the state and solicited public input on its proposed rules. Based on public comments, the Board chose to revise its rules. The Board will file revised rules on September 4, 2013 (Supplemental CR 102).

Below are the top revisions (no particular order) that the LCB has made to the rules based on public input and continued research and discussion.

Production Limits

- Added language that limits the total amount of marijuana to be produced at 40 metric tons
- Added language that sets the maximum amount of space for marijuana production at two million square feet

Production Tiers

- Added language that creates three production tiers based on square footage:
 - Tier 1 – less than 2000 square feet
 - Tier 2 – 2000 to 10,000 square feet
 - Tier 3 – 10,000 to 30,000 square feet

Market Control Limits

- Limited any entity and/or principals within any entity to three producer or processor licenses.
- Limited any principal and or entity to no more than three retail licenses with no multiple location licensee allowed more than 33 percent of the allowed licenses in any county or city

On-Site Product Limits

- Established the maximum amount of marijuana allowed on a producer licensee's premises at any time based on the type of grow operation (indoor, outdoor, greenhouse).
 - Producer License
 - Outdoor or greenhouse: 125 percent of year's harvest
 - Indoor: Six months of its annual harvest
 - Processor License
 - Six months of their average useable marijuana (plant material); and
 - Six months average of their total production (finished product)
 - Retailer License
 - Four months of their average inventory

Retail Stores

- A maximum of 334 retail stores will be allowed in the system
- Stores locations are allocated based on population and consumption data

1,000 Foot Buffer

- Changed the way the 1,000 foot buffer is measured to “along the most direct route over or across established public walks, streets, or other public passageway between the proposed building/business locations to the perimeter of the grounds of the entities listed.”

Samples

- Limited free samples are allowed between producers, processors and retailers for the purpose of negotiating a sale. Samples are not allowed to be given to retail customers.

Tightened Definitions

- Added a definition for “plant canopy” to clarify what area is considered in the square footage calculation for marijuana producers”
- Revised the definition of “Public Park” to include parks owned or managed by a metropolitan park district. Clarified that trails are not included in the definition of “Public Park”
- Revised the definition of “recreation center or facility.” Added the language “owned and/or managed by a charitable non-profit organization, city, county, state, or federal government”

Advertising

- Added language requiring all advertising and labels of useable marijuana and marijuana infused products sold in the state of Washington may not contain any statement or illustration that:
 - Is false or misleading;
 - Promotes overconsumption;
 - Represents the use of marijuana has curative or therapeutic effects;
 - Depicts a child or other persons under legal age to consume marijuana, or includes:
 - Objects such as toys, characters or cartoon characters suggesting the presence of a child, or any other depiction designed in any manner to be especially appealing to children or other persons under legal age to consume marijuana; or
 - Is designed in any manner that would be especially appealing to children or other persons under legal age.
- All advertising of any kind must contain the following warnings:
 - “This product has intoxicating effects and may be habit forming”; and
 - “Marijuana can impair concentration, coordination, and judgment. Do not operate a vehicle or machinery under the influence of this drug.”

For more information regarding Initiative 502, please visit the Liquor Control Board website at www.liq.wa.gov.

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