



# Washington State Liquor and Cannabis Board

Marijuana Producers, Processors and Retailers

## Bulletin No 16-03

**Date:** August 9, 2016  
**To:** Marijuana Industry Members  
**From:** Jennifer Dzubay, Commander  
**Subject:** Educational Samples

We are frequently receiving questions regarding WAC 314-55-096(3) Education sampling. This bulletin is intended to clarify the rule.

WAC 314-55-096(3) was developed to allow processors the ability to give educational samples to budtenders via the retailer that would enable them to educate the consumer on specific products they sell. This WAC allows a retailer a cumulative total of 100 education samples per month.

The retailer may only accept a maximum of 100 educational samples per month, regardless of who they receive it from. According to subsection (a), if a retailer employs four (4) employees, they may only accept up to 10 samples per employee per month for a maximum total of 40 items per month.

These samples are intended for the budtenders. They must be product that the retailer already carries and the retailer gets a cumulative total of 100 samples per month. The WAC does not mean that the retailer may receive 100 samples per processor.

**WAC 314-55-096 (3) Education Sampling.** Processors may provide free samples of usable marijuana, marijuana-infused products, and marijuana concentrates to retail licensees to give to their budtender employees for educational purposes. The processor must record the amount of each sample and the retailer receiving the sample in the traceability system. The outgoing sample must be clearly labeled as "budtender sample" and recorded on a transport manifest. All budtender employees at a licensed retail location must be entered into the traceability system for the purpose of distributing education samples. Prior to sampling the receiving retailer must accept the sample in the traceability system, and distribute the education sample to the retail employee.

(a) All education samples are limited to a total of ten units per budtender employee per month, with a maximum of one hundred units per retail location per calendar month.

(b) The maximum size of samples for education are:

(i) Usable marijuana, marijuana mix, and infused marijuana mix – One unit not to exceed .5 g

- (ii) Marijuana infused solid or liquid product meant to be eaten or swallowed – One unit not to exceed 10 mg THC
- (iii) Marijuana-infused extract for inhalation – One unit not to exceed .25 g
- (c) Products being sampled must be carried by the licensed retail premises.
- (d) Distribution and consumption of all educational samples is limited to retail employees who directly sell product to retail customers. Retail employees who are not involved in direct sales to customers are not eligible for education samples.
- (e) A marijuana processor must make quality assurance test results available to any retailer receiving education samples. If a marijuana extract was added to the product, the processors must disclose the type of extraction process and any solvent, gas, or other chemical used in the extraction process, or any other compound added to the extract.
- (f) Education sample labeling: All education samples must be clearly labeled as "budtender" samples and include the following information on the label:
  - (i) Sixteen digit identification number generated by the traceability system;
  - (ii) The UBI number and trade name of the licensed entity providing the sample;
  - (iii) Product name or strain name for usable marijuana;
  - (iv) Weight of the product; and
  - (v) Potency.

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