



Washington State Liquor and Cannabis Board

To: David Postman, Board Chair
Ollie Garrett, Board Member
Russ Hauge, Board Member

From: Kathy Hoffman, Policy and Rules Manager

Date: September 29, 2021

Copy: Rick Garza, Agency Director
Toni Hood, Deputy Director
Justin Nordhorn, Policy and External Affairs Director
Becky Smith, Licensing and Regulation Director
Chandra Brady, Director of Enforcement and Education

Subject: Request for approval to rescind Board Interim Policy (BIP) 03-2014 concerning marijuana food processing facility inspection (WAC 314-55-015, WAC 314-55-077).

Marijuana processors are required to have their processing facilities inspected prior to license issuance. When BIP 03-2014 was issued, some marijuana processor applications were ready for inspections, but no rules had been adopted regarding the inspection process. At the time, WAC 314-55-015(10) provided that "...a marijuana processor or retailer licensed by the board shall conduct the processing, storage, and sale of marijuana-infused products using sanitary practices and ensure facilities are constructed, kept, and maintained in a clean and sanitary condition in accordance with rules and as prescribed by the Washington state department of agriculture under chapters 16-165 and 16-167 WAC."

BIP 03-2014 provided that a marijuana processor producing marijuana infused products in a food processing facility as required in WAC 314-55-015(10) must pass a processing facility inspection. The policy provided that annual compliance inspections may be required, and that the Board would contract with the Washington State Department of Agriculture to conduct inspections. It also provided that costs of inspections would be borne by the licensee, and that the licensee must allow the board or its designee to conduct facility inspection visits. Failure to comply with the policy could result in suspension or revocation of a marijuana license.

BIPI 03-2014 went into effect on May 14, 2014, and was designed to end on the date rules became effective to implement the policy. To that end, an amendment was added to WAC 314-55-077 as new subsection (10), cross-referencing WAC 314-55-015(10), and containing the language of BIP 03-2014. This amendment became effective June 20, 2015,

Eventually, both WAC 314-55-015(10) and WAC 314-55-077(10) were repealed. However, the language from WAC 314-55-015(10) was relocated to WAC 314-55-077(4) on October

31, 2018 in rules adopted as WSR #18-22-055, effective December 1, 2018. For these reasons, BIP 03-2014 is no longer necessary.

If the Board approves rescission of BIP 03-2014, the agency will send notice to stakeholders, and remove the BIP from the LCB website.

The Board approves/disapproves the rescission of BIP 03-2014.

<input type="checkbox"/> Approve	<input type="checkbox"/> Disapprove	_____	_____
		David Postman, Chair	Date

<input type="checkbox"/> Approve	<input type="checkbox"/> Disapprove	_____	_____
		Ollie Garrett, Board Member	Date

<input type="checkbox"/> Approve	<input type="checkbox"/> Disapprove	_____	_____
		Russ Hauge, Board Member	Date