From: Jim MacRae
To: LCB DL Rules
Subject: Public Input on Rule Petition regarding Heavy Metals Testing of Cannabis
Date: Tuesday, January 16, 2024 4:43:31 PM

External Email

I am writing to request that the Petition for a rule to require the testing of heavy metals for all regulated cannabis (and not just that seeking "DOH MEDICAL-GRADE" status) be framed and treated as an EMERGENCY RULE-making effort by the WSLCB.

The justification is that, with approximately 2 million Washingtonians now acquiring at least some of the cannabis they consume in regulated retail stores and with the knowledge that many regulated producers operate on land on which the DOE has identified legacy orchards to have been in operation during the years when lead acetate was used (and/or land impacted by the lead-filled plumes emanating from smelters around the state), coupled with the knowledge that cannabis is known to differentially absorb heavy metals present in the soil, it is clear that a non-trivial number of consumers is likely being exposed on an ongoing basis to lead and arsenic in the cannabis they purchase through regulated channels.

This strikes me as serving as good cause to support the immediate adoption of a rule in order to preserve public health, safety, and general welfare (at least for consumers of regulated cannabis or CORCs), and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest in this case.

I sincerely hope that the agency and the Board also see that the

protection of CORCs in Washington state from lead and/or arsenic poisoning serves as good cause to support the treatment of this rule petition as an emergency, per RCW 34.05.350

Thank-you

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