



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: August 08, 2018

TIME: 11:12 AM

WSR 18-17-041

Agency: Washington State Liquor and Cannabis Board

Subject of possible rule making: The WSLCB is changes to rules in chapter 314-55 WAC regarding cannabis quality assurance testing and products requirements.

Statutes authorizing the agency to adopt rules on this subject: RCW 69.50.342 and 69.50.345

Reasons why rules on this subject may be needed and what they might accomplish: Rulemaking is necessary to make further adjustments to rules in an effort to seek more alignment with DOH's Compliant Products Rules (chapter 246-70 WAC) and to take the next incremental step in testing requirements for cannabis in Washington. These changes will seek to increase efficiencies in testing adult-use and compliant products, as well as increase the availability of compliant products or products of a similar nature and quality of testing. Requests from the industry have also been received regarding testing requirements and changes in testing requirements in other states have prompted further review of WSLCB rules for potential adjustment. Additionally, the WSLCB has heard from the medical marijuana patient community that they would like to see additional product types or levels of potency that are not currently supported by the regulatory structure. For these reasons, changes to products, serving amounts in packaging, and other related requirements may be considered as part of this rulemaking.

the WSLCB will consider the following topics for potential rulemaking changes:

- Lot and batch sizes;
- Fields of testing and pass/fail level adjustments;
- Potency testing requirements;
- Pesticide testing requirements for all cannabis products;
- Heavy metals testing requirements;
- Sample deduction requirements;
- General testing rule adjustments;
- Product, THC serving limits, and packaging requirements; and
- Other related rule changes that may be necessary or advisable.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The WSLCB will coordinate with the Department of Health, Department of Agriculture, and Department of Ecology needed on proposed rule changes.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

Name: Joanna Eide, Policy and Rules Coordinator

(If necessary)

Name:

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Additional comments: The CR-102 with proposed rule changes is expected to be filed on or after October 31, 2018,

Date: August 8, 2018

Name: Jane Rushford

Title: Chair

Signature:

