



## 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.


BIP 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Eventually, both WAC 314-55-015(10) and WAC 314-55-077(10) were repealed.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 checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove		<u>9.29.2021</u> Date
David Postman, Chair		

<input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove		<u>9.29.2021</u> Date
Ollie Garrett, Board Member		

<input type="checkbox"/> Approve <input type="checkbox"/> Disapprove	<i>Not Present</i>	<u>9.29.2021</u> Date
Russ Hauge, Board Member		



Washington State  
**Liquor Control Board**

---

**Liquor Control Board Interim Policy BIP-03-2014**

**Subject:** Food Processing Facility Inspection

**Effective Date:** May 14, 2014

**Ending Date:** Upon adoption of rules to implement this policy.

**Approved:**

Sharon Foster, Chairman

Ruthann Kurose, Board Member

Chris Marr, Board Member

---

**Purpose:**

Marijuana processors are required to have their processing facilities inspected prior to issuance of their marijuana processor license. Some of the marijuana processor applications are nearly ready for inspections but we have not adopted rules regarding the inspection process.

**Policy Statement:**

This policy memorializes the direction the board is taking in food processing facility inspections. The staff plans to seek board approval to open rulemaking on this topic by the end of May.

A marijuana processor producing marijuana infused products in a food processing facility as required in WAC 314-55-015(10) must pass a food processing facility inspection. Ongoing annual food processing facility compliance inspections may be required. The board will contract with the Department of Agriculture to conduct required food processing facility inspections. All costs of inspections are borne by the licensee and the hourly rate for inspection is \$60.00. A licensee must allow the board or their designee to conduct physical visits and inspect the food processing facility and records during normal business hours without advance notice. Failure to follow the food processing facility requirements outlined in this section will be sufficient grounds for the board to suspend or revoke a marijuana license.