

CONCEPTUAL DRAFT NEW WAC 314-55-560

Evaluation of Additives, Solvents, Ingredients or Compounds Used in the Production of Marijuana Products.

- (1) **Purpose and Scope.** The purpose of this section is to establish a procedure for the board to evaluate additives, solvents, ingredients or compounds and used in the production of marijuana products, as those products are defined in chapter 69.50 RCW.
- (2) **Definitions.** For purposes of this chapter, the following definitions apply unless the context clearly states otherwise:
 - (a) “Additive” means any substance the use of which results or may reasonably be expected to result, directly or indirectly, in its becoming a component or otherwise affecting the characteristics of any marijuana product.
 - (b) “Compound” means a chemical substance composed from more than one separate chemical element.
 - (c) “Ingredient” means something that enters into a mixture or is a component part of any combination or mixture;
 - (d) “Non-marijuana additive” means a substance or a group of substances that are derived from a source other than marijuana.
 - (i) “Non-marijuana additive” includes but is not limited to purified compounds, essential oils, oleoresins, essences, or extractives, protein hydrolysates, distillates, or isolates;
 - (i) “Non-marijuana additive” does not include plant material that is in the whole, broken, or ground form.
 - (e) “Solvent” means a substance capable of being used in dissolving a solute with the exception of water.
- (3) **Procedure.**
 - (a) The board may prohibit the use of any additive, solvent, ingredient or compound in the production of marijuana products that may pose a risk to public health, including but not limited to:
 - (i) Verifiable case report data;
 - (ii) Other local, state and federal agency findings, reports, etc.
 - (iii) A product or substance that is the subject of a recall under WAC 314-55-225;
 - (iv) Any other information sourced and confirmed from reliable entities.
 - (b) The board may prohibit the use of a product or substance by adoption of emergency or permanent rules. The board will provide notices of rulemaking consistent with the requirements of chapter 34.05 RCW.
 - (c) The board will maintain a list of prohibited substances prohibited by emergency or permanent rules on its website.
 - (d) The list of prohibited substances will be reviewed on an annual basis.

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- (e) Prohibited substances may be removed from the list of prohibited substances if the board determines, after a review consistent with (3)(a)(i) through (iv) of this subsection, that it no longer poses a risk to public health.

END

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