



Washington State
Liquor and Cannabis Board

CANNABIS QUALITY CONTROL TESTING
CONCEPTUAL DRAFT RULES REVIEW
VIRTUAL LISTEN AND LEARN SESSION

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Overall meeting goal: To engage with our industry partners and other interested partners to review conceptual draft rules.

Today's meeting intentions:

- Share and discuss conceptual draft rules related to cannabis quality control testing;
- Elicit feedback in a structured fashion; and
- Discuss next steps.



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Why are we here?

- The WSLCB is revising cannabis quality control testing rules in order to align more closely with the Department of Health's Marijuana Product Compliance rules in chapter 246-70 WAC.
- The WSLCB is currently in the inquiry phase of the rulemaking process.
 - A [Preproposal Statement of Inquiry \(CR-101\)](#) was filed on August 8, 2018.
 - A [Proposed Rule Making \(CR-102\)](#) was filed on January 22, 2020.
 - A [Proposed Rule Making \(CR-102\)](#) was filed on March 11, 2020 in response to COVID-19 limitations.
 - A [Proposed Rule Making \(CR-102\)](#) was filed on May 27, 2020 in response to COVID-19 limitations.
 - A [Supplemental Proposed Rule Making \(CR-102\)](#) was filed on September 30, 2020.
- Your feedback during today's forum will help inform and shape the rules.

THIS IS NOT A RULE PROPOSAL
THESE ARE CONCEPTUAL DRAFT RULES DESIGNED FOR DISCUSSION
REGARDING CANNABIS QUALITY CONTROL TESTING
10/01/2021

WAC 314-55-101 Quality assurance sampling protocols
control sampling. (1) To ensure quality assurance samples
submitted to certified third-party laboratories (certified labs)
are representative from the lot or batch from which they were
sampled as required in RCW 69.50.248, licensed processors,
licensed processors, certified labs, and their employees must
adhere to the minimum sampling protocols provided in this
section. All licensed marijuana processors, producers, certified
labs, and certified lab employees must comply with the sampling
procedures described in this section, consistent with RCW
69.50.248. Noncompliance may result in disciplinary action as
described in this chapter and applicable law.

(2) Sampling protocols for all marijuana product lots and
batches. Sample collection. All samples of marijuana, usable
marijuana, or marijuana-infused products must be submitted to a
certified lab for testing consistent with this chapter.

(a) Samples must be deducted in a way that is most
representative of the lot or batch and maintains the structure
of the marijuana sample. Licensees, certified labs, and their



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How will data be collected, shared, and presented to decision makers?

- The comments and feedback we receive today will be added to a table, organized by theme, and analyzed.
- The table will be presented to the Board for review and discussion and will be published on the [LCB website](#) at a later date.



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Cannabis, Vapor, and Tobacco Rulemaking Activity

Laws	Cannabis, Vapor, and Tobacco Rulemaking Activity
Current Laws and Rules	View Edit Webform Results Workflow
Legislative Fact Sheets	Open Rulemaking Projects
Legislative Reports	<ul style="list-style-type: none"> Evaluation of THC Compounds <ul style="list-style-type: none"> CR-101 (THC Compounds Other Than Delta-9, withdrawn July 7, 2021) <ul style="list-style-type: none"> Notice to Stakeholders Memorandum CR-101 Filed as WSR 21-11-036 on May 12, 2021 State by State Delta-8 Response Review (Updated June 11, 2021) Withdrawal Document filed as WSR 21-14-115 CR-101 (Evaluation of THC Compounds) <ul style="list-style-type: none"> Notice to Stakeholders Memorandum CR-101 Filed as WSR 21-14-117 on July 7, 2021 Deliberative Dialogue on Cannabis Plant Chemistry, June 3, 2021 from 9:30AM to 12:15PM <ul style="list-style-type: none"> Agenda GovDelivery Message
Rulemaking	
Overview	
Current Rulemaking Activity	
Recently Adopted Rules	
Petition for Rulemaking	
Contact Rules Coordinator	
Statements	



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Meeting Protocol

Participant Roles:

- Facilitator
- LCB Staff
- Participant



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Meeting Protocol

Participation Expectations

- This is a forum to share ideas and solutions, not for debate.
- Appreciate the diversity of perspectives.
- **Please stay on topic. The topic for this forum is conceptual draft rules for cannabis quality control testing. This is the only topic that will be discussed today. If you have other topics you wish to discuss, please schedule time with WSLCB staff.**
- Everyone is encouraged to participate. Please participate with intention.
- Maintain a respectful space. Listen to and respect other points of view.
- When you speak, please state your name, and where you are from.
- **One person speaks at a time. Please do not interrupt other participants.**
- Each person will have the opportunity to speak. Please do not donate your time to another person.
- Since this is a public forum, anything shared has the potential to become part of a public record.



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Meeting Protocol

Meeting Format

- Topic will be introduced.
- People will be asked to speak in the order that hands are raised (using a virtual hand-raise feature in Microsoft Teams).
- Speaking time will be limited based on the number of people wishing to speak to the specific topic.

Please be prepared to speak about:

- What you like, don't like, and offer alternative language for each rule section.



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Who is Here?

In the chat box, please share:

- Your name
- Who you are affiliated with or represent (if comfortable sharing)
- Why you are interested in this topic



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Brief Overview of the Rulemaking Process



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Basic Rule Making Process

The standard rule making process is described in chapter 34.05 RCW, the Administrative Procedures Act, and divided into three stages:

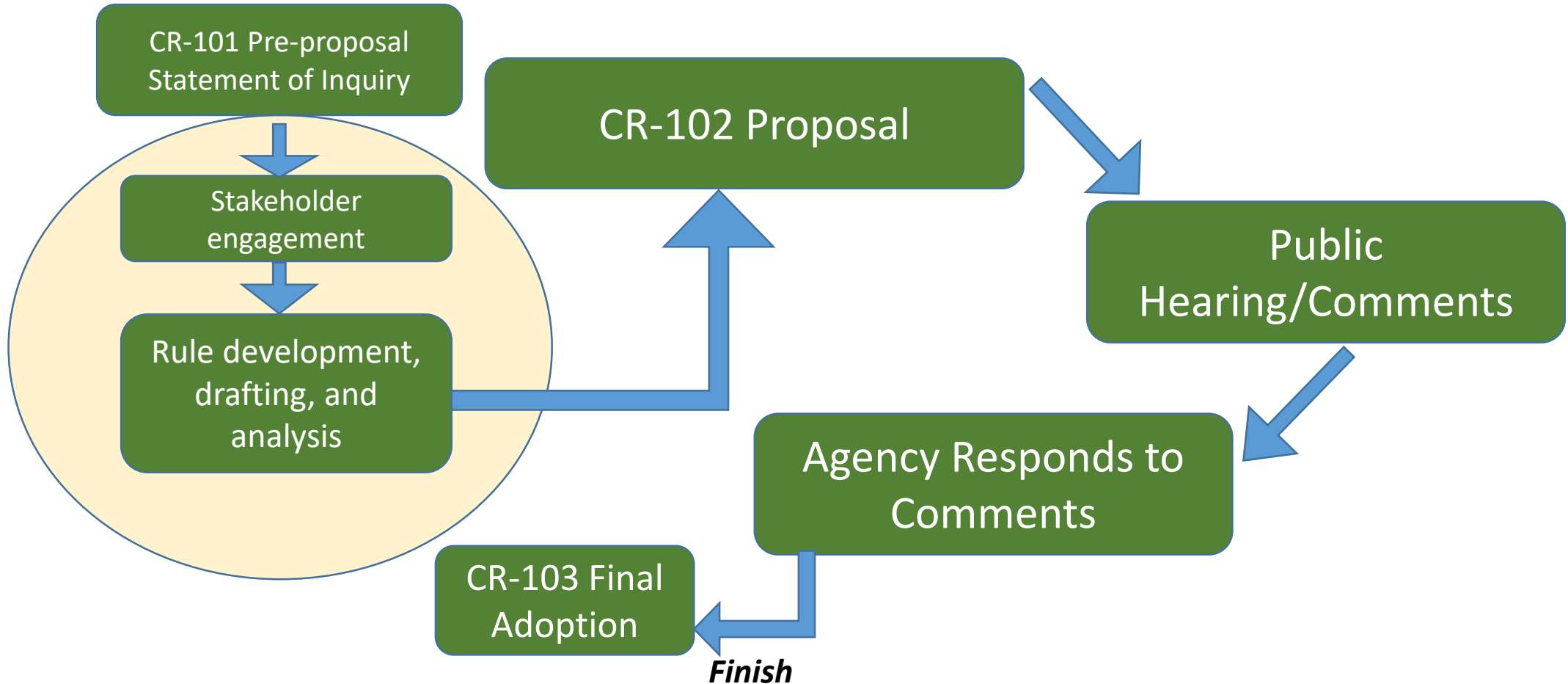
- Stage 1: Pre-proposal Statement of Inquiry (CR-101) – RCW 34.05.310
- Stage 2: Proposed Rule Making (CR-102) - RCW 34.05.320
- Stage 3: Rule-making Order (CR-103) - RCW 34.05.360

Each stage consists of specific tasks and processes.



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Start





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Review of Conceptual Draft Rules



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LISTEN/LEARN/CONTRIBUTE

WAC 314-55-101 – Quality Assurance Sampling Protocols

- ✓ What you like
- ✓ What you don't like
- ✓ Suggested revisions (**PLEASE PROVIDE ACTUAL LANGUAGE FOR CONSIDERATION**)



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LISTEN/LEARN/CONTRIBUTE

WAC 314-55-101(1) – Focused on sampling.

- ✓ What you like
- ✓ What you don't like
- ✓ Suggested revisions (**PLEASE PROVIDE ACTUAL LANGUAGE FOR CONSIDERATION**)



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LISTEN/LEARN/CONTRIBUTE

WAC 314-55-101(2) – Focused on sample collection.

- ✓ What you like
- ✓ What you don't like
- ✓ Suggested revisions (**PLEASE PROVIDE ACTUAL LANGUAGE FOR CONSIDERATION**)



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LISTEN/LEARN/CONTRIBUTE

WAC 314-55-101(3) – Focused on sampling marijuana flower.

- ✓ What you like
- ✓ What you don't like
- ✓ Suggested revisions (**PLEASE PROVIDE ACTUAL LANGUAGE FOR CONSIDERATION**)



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LISTEN/LEARN/CONTRIBUTE

WAC 314-55-101(4) – Focused on Sample Retrieval and Transportation.

- ✓ What you like
- ✓ What you don't like
- ✓ Suggested revisions **(PLEASE PROVIDE ACTUAL LANGUAGE FOR CONSIDERATION)**



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LISTEN/LEARN/CONTRIBUTE

WAC 314-55-101(5) – Focused only sample rejection.

- ✓ What you like
- ✓ What you don't like
- ✓ Suggested revisions (**PLEASE PROVIDE ACTUAL LANGUAGE FOR CONSIDERATION**)



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LISTEN/LEARN/CONTRIBUTE

WAC 314-55-102 – Quality Assurance Testing and Quality Control

- ✓ What you like
- ✓ What you don't like
- ✓ Suggested revisions (**PLEASE PROVIDE ACTUAL LANGUAGE FOR CONSIDERATION**)



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LISTEN/LEARN/CONTRIBUTE

WAC 314-55-102(1) – Focused on lab certification and accreditation.

- ✓ What you like
- ✓ What you don't like
- ✓ Suggested revisions **(PLEASE PROVIDE ACTUAL LANGUAGE FOR CONSIDERATION)**



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LISTEN/LEARN/CONTRIBUTE

WAC 314-55-102(2) – Focused on testing requirements for labs.

- ✓ What you like
- ✓ What you don't like
- ✓ Suggested revisions (**PLEASE PROVIDE ACTUAL LANGUAGE FOR CONSIDERATION**)



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LISTEN/LEARN/CONTRIBUTE

WAC 314-55-102(3) – Focused on quality control analysis and screening.

- ✓ What you like
- ✓ What you don't like
- ✓ Suggested revisions **(PLEASE PROVIDE ACTUAL LANGUAGE FOR CONSIDERATION)**



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LISTEN/LEARN/CONTRIBUTE

WAC 314-55-102(4) – Focused on required quality control tests.

- ✓ What you like
- ✓ What you don't like
- ✓ Suggested revisions (**PLEASE PROVIDE ACTUAL LANGUAGE FOR CONSIDERATION**)



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LISTEN/LEARN/CONTRIBUTE

WAC 314-55-102(5) – Focused on sale and transfer.

- ✓ What you like
- ✓ What you don't like
- ✓ Suggested revisions (**PLEASE PROVIDE ACTUAL LANGUAGE FOR CONSIDERATION**)



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LISTEN/LEARN/CONTRIBUTE

WAC 314-55-102(6) – Focused on failed test samples.

- ✓ What you like
- ✓ What you don't like
- ✓ Suggested revisions (**PLEASE PROVIDE ACTUAL LANGUAGE FOR CONSIDERATION**)



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LISTEN/LEARN/CONTRIBUTE

WAC 314-55-102(7) through (9) – Focused on referencing samples, labs, and requests for samples.

- ✓ What you like
- ✓ What you don't like
- ✓ Suggested revisions **(PLEASE PROVIDE ACTUAL LANGUAGE FOR CONSIDERATION)**



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LISTEN/LEARN/CONTRIBUTE

WAC 314-55-1025 – Proficiency Testing

- ✓ What you like
- ✓ What you don't like
- ✓ Suggested revisions (**PLEASE PROVIDE ACTUAL LANGUAGE FOR CONSIDERATION**)



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LISTEN/LEARN/CONTRIBUTE

WAC 314-55-1025(10) – Focused on release of results.

- ✓ What you like
- ✓ What you don't like
- ✓ Suggested revisions (**PLEASE PROVIDE ACTUAL LANGUAGE FOR CONSIDERATION**)



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Wrap up

Next steps



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Resources

WSLCB Rulemaking Resources

- **Current Rulemaking Activity:** <https://lcb.wa.gov/laws/current-rulemaking-activity>
- **Rulemaking Process—Phases:** <https://lcb.wa.gov/laws/rulemaking-process-phases>
- **Rulemaking FAQs:** <https://lcb.wa.gov/laws/rulemaking-faqs>



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Thank you!

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