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*THESE ARE CONCEPTUAL DRAFT RULES DESIGNED FOR DISCUSSION
REGARDING CLARIFYING DEFINITIONS RELATED TO WAC 314-55-560
07/28/2022*

AMENDATORY SECTION (Amending WSR 22-02-071, filed 1/5/22,
effective 2/5/22)

**WAC 314-55-560 Evaluation of additives, solvents,
ingredients(~~(or)~~), compounds, or concentrates used in the
production or processing of ~~((marijuana))~~ cannabis 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, or concentrates used in the
production or processing of ~~((marijuana))~~ cannabis 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))~~ requires 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;

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(b) "Catalyst" means a substance that increases the rate of a chemical reaction without itself undergoing any permanent chemical change;

(c) "Compound" means a chemical substance composed from more than one separate chemical element;

(d) "Extract" means a solid, viscid, or liquid substance extracted from "Cannabis", as defined in RCW 69.50.101, which may result in, but is not limited to, isolates, distillates, and/or concentrates;

(e) "Extraction" means the process to separate or obtain a solid, viscid, or liquid substance from "Cannabis", as defined in RCW 69.50.101, by pressure, distillation, treatment with solvents, or the like;

~~((e))~~ (f) "Ingredient" means something that enters into a mixture or is a component part of any combination or mixture;

~~((e))~~ (g) "~~((Nonmarijuana))~~ Noncannabis additive" means a substance or a group of substances that are derived from a source other than ~~((marijuana))~~ cannabis.

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(i) "~~((Nonmarijuana))~~Noncannabis additive" includes, but is not limited to, purified compounds, essential oils, oleoresins, essences, or extractives, protein hydrolysates, distillates, or isolates.~~((†))~~

(ii) "Noncannabis additive" does not include plant material that is in the whole, broken, or ground form.

~~((e))~~ (h) "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, or concentrate in the production or processing of cannabis products that may pose a risk to public health or youth access 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;

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(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 rule making 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 at least an annual basis.

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

[Statutory Authority: RCW 69.50.342 (1) (m), 69.50.345. WSR 22-02-071, § 314-55-560, filed 1/5/22, effective 2/5/22.]