



Washington State
Liquor and Cannabis Board

**Clarifying Definitions Related to the Evaluation of the
Production or Processing of Cannabis Products**
AMENDING SECTION WAC 314-55-560
CONCEPTUAL DRAFT RULES REVIEW
VIRTUAL LISTEN AND LEARN SESSION

Robert DeSpain, *Policy and Rules Coordinator*
Washington State Liquor and Cannabis Board
1025 Union Avenue
Olympia, WA 98504

July 28, 2022



Washington State Liquor and Cannabis Board

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 Amendatory Section WAC 314-55-560;
- Elicit feedback in a structured fashion; and
- Discuss next steps.



Washington State Liquor and Cannabis Board

Why are we here?

- The Washington State Liquor and Cannabis Board (LCB) is considering creating new, amending, or repealing existing rule sections as necessary to identify and further define terms including, but not limited to, additives, solvents, ingredients, compounds, or concentrates used in the production or processing of cannabis products.
- The production and processing of cannabis products may involve the use of potentially harmful additives, solvents, ingredients, compounds, or concentrates. Rules are needed to further define these additives, solvents, ingredients, compounds, or concentrates used in the production or processing of cannabis products that pose or may pose a risk to public health or youth access.
- The LCB is currently in the CR-101 preproposal statement of inquiry phase of the rulemaking process. A [Preproposal Statement of Inquiry \(CR-101\)](#) was filed on May 11, 2022, as WSR 22-11-032.
- Your feedback during today's forum will help inform and shape the rules.

PREPROPOSAL STATEMENT OF INQUIRY		CODE REVISER USE ONLY														
 <p>CR-101 (October 2017) (Implements RCW 34.05.310) Do NOT use for expedited rule making</p>		<p>OFFICE OF THE CODE REVISER STATE OF WASHINGTON FILED</p> <p>DATE: May 11, 2022 TIME: 12:00 PM WSR 22-11-032</p>														
		<p>Agency: Washington State Liquor and Cannabis Board Subject of possible rule making: WAC 314-55-010 – Definitions, and WAC 314-55-560 – Evaluation of additives, solvents, ingredients or compounds used in the production of cannabis products. The Washington State Liquor and Cannabis Board (WSLCB) is considering creating new, amending, or repealing existing rule sections as necessary to identify and further define terms including, but not limited to, additives, solvents, ingredients, compounds, or concentrates used in the production or processing of cannabis products. Additional revisions may be considered where appropriate. Statutes authorizing the agency to adopt rules on this subject: RCW 69.50.325; RCW 69.50.342; RCW 69.50.345; RCW 69.50.348</p> <p>Reasons why rules on this subject may be needed and what they might accomplish: The production and processing of cannabis products may involve the use of potentially harmful additives, solvents, ingredients, compounds, or concentrates. Rules are needed to further define these additives, solvents, ingredients, compounds, or concentrates used in the production or processing of cannabis products that pose or may pose a risk to public health or youth access.</p> <p>Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: None.</p> <p>Process for developing new rule (check all that apply): <input type="checkbox"/> Negotiated rule making <input type="checkbox"/> Pilot rule making <input type="checkbox"/> Agency study <input checked="" type="checkbox"/> Other (describe) Collaborative rule making</p> <p>Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:</p> <table border="0"> <tr> <td>Name: Robert DeSpain, Policy and Rules Coordinator</td> <td>(If necessary) Name:</td> </tr> <tr> <td>Address: PO Box 43080, Olympia, WA 98504</td> <td>Address:</td> </tr> <tr> <td>Phone: 360-664-4519</td> <td>Phone:</td> </tr> <tr> <td>Fax: 360-704-5027</td> <td>Fax:</td> </tr> <tr> <td>TTY:</td> <td>TTY:</td> </tr> <tr> <td>Email: rules@lcb.wa.gov</td> <td>Email:</td> </tr> <tr> <td>Web site: lcb.wa.gov</td> <td>Web site:</td> </tr> <tr> <td>Other:</td> <td>Other:</td> </tr> </table> <p>Additional comments: Interested persons can participate in the rule process through open public meetings and by submitting written comments, and are encouraged to sign up for the interested parties list (GovDelivery) at https://public.govdelivery.com/accounts/WALCB/subscriber/new. Rule-making notices and stakeholder engagement opportunities will be emailed via GovDelivery and posted to the WSLCB website at lcb.wa.gov.</p> <p>Date: May 11, 2022 Name: Ollie Garrett Title: Acting Chair</p> <p>Signature: </p>	Name: Robert DeSpain, Policy and Rules Coordinator	(If necessary) Name:	Address: PO Box 43080, Olympia, WA 98504	Address:	Phone: 360-664-4519	Phone:	Fax: 360-704-5027	Fax:	TTY:	TTY:	Email: rules@lcb.wa.gov	Email:	Web site: lcb.wa.gov	Web site:
Name: Robert DeSpain, Policy and Rules Coordinator	(If necessary) Name:															
Address: PO Box 43080, Olympia, WA 98504	Address:															
Phone: 360-664-4519	Phone:															
Fax: 360-704-5027	Fax:															
TTY:	TTY:															
Email: rules@lcb.wa.gov	Email:															
Web site: lcb.wa.gov	Web site:															
Other:	Other:															

Page 1 of 1



Washington State Liquor and Cannabis Board

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 will be published on the [LCB website](#) at a later date.

The screenshot displays the Washington State Liquor and Cannabis Board website. The header includes the board's logo and navigation links: Home, Licensing Services, Enforcement, Education, Careers, and Business Portal. The main heading is 'Cannabis, Vapor, and Tobacco Rulemaking Activity'. A sidebar menu on the left is divided into two sections: 'Laws and Rules' and 'Rulemaking'. The 'Rulemaking' section is expanded, showing 'Overview', 'Current Rulemaking Activity', 'Recently Adopted Rules', 'Petition for Rulemaking', and 'Contact Rules Coordinator'. The main content area is titled 'Cannabis, Vapor, and Tobacco Rulemaking Activity' and is organized into two columns. The left column is 'Policy Development', which includes a sub-section 'Evaluation of THC Compounds' with five recording sessions listed: Session 5 (June 21, 2022), Session 4 (May 31, 2022), Session 3 (April 27, 2022), Session 2 (July 20, 2021), and Session 1 (June 3, 2021). The right column is 'Open Rulemaking Projects', which includes a sub-section 'Social Equity in Cannabis' with one project listed: CR-101, which has 'Notice to Stakeholders' and 'Memorandum' sub-items.



Washington State Liquor and Cannabis Board

Meeting Protocol

Participant Roles:

- Facilitator
- LCB Staff
- Participant



Washington State Liquor and Cannabis Board

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 related to Clarifying Definitions Related to the Evaluation of Additives, Solvents, Ingredients, Compounds, or Concentrates Used in the Production or Processing of Cannabis Products. This is the only topic that will be discussed today. If you have other topics you wish to discuss, please schedule time with LCB 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.



Washington State Liquor and Cannabis Board

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.



Washington State Liquor and Cannabis Board

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:

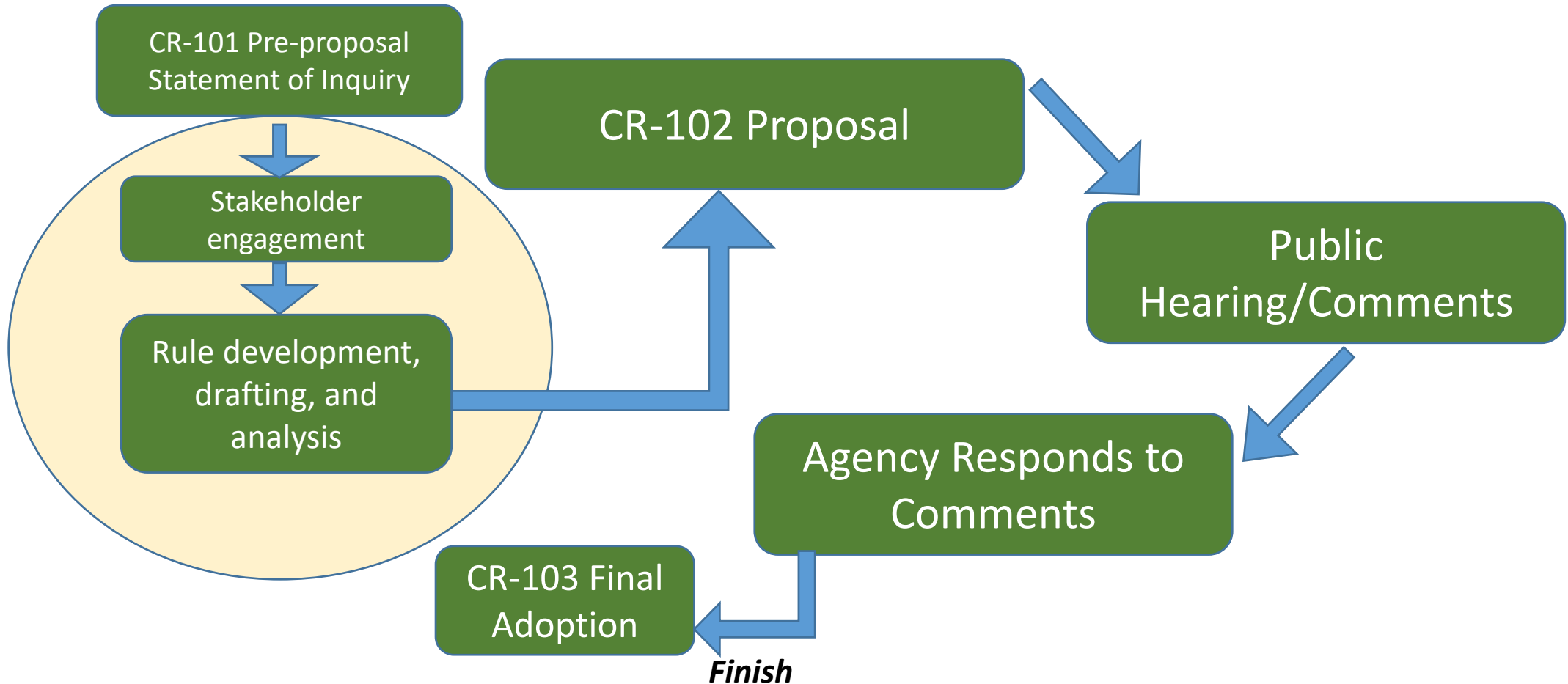
- Stage 1: Pre-proposal Statement of Inquiry (CR-101) – RCW 34.05.310
- Stage 2: Proposed Rule Making (CR-102) - RCW 34.05.320
- Stage 3: Rule-making Order (CR-103) - RCW 34.05.360

Each stage consists of specific tasks and processes.



Washington State Liquor and Cannabis Board

Start





Washington State Liquor and Cannabis Board

Amending Section WAC 314-55-560 – History of this rule project

February 5, 2022	WAC 314-55-560 – Evaluation of additives, solvents, ingredients, or compounds used in the production of marijuana products – takes effect.
March 10, 2022	The 2022 Regular Session of the Washington State Legislature is adjourned without passage of bill related to WAC 314-55-560.
May 11, 2022	CR-101 is approved by the LCB and filed with the Office of the Code Reviser as WSR 22-11-032.
June 1, 2022	Notice published in the Washington State Register under WSR 22-11.
July 1, 2022	Initial comment period ends.
July 28, 2022	Listen & Learn Forum: Clarifying Definitions Related to the Evaluation of the Production or Processing of Cannabis Products.

*Stakeholder Engagement,
Rule Development,
Drafting, and Analysis*



Following this Listen & Learn Forum, the LCB will review public feedback and determine whether to revise the conceptual draft rules and/or file a CR 102 rule proposal.



Washington State Liquor and Cannabis Board

Review of Conceptual Draft Rules



Washington State Liquor and Cannabis Board

LISTEN/LEARN/CONTRIBUTE

AMEND WAC 314-55-560 title and (1) – Purpose and scope

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



Washington State Liquor and Cannabis Board

LISTEN/LEARN/CONTRIBUTE

AMEND WAC 314-55-560 (2) – Definitions

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



Washington State Liquor and Cannabis Board

LISTEN/LEARN/CONTRIBUTE

AMEND WAC 314-55-560 (3) – Procedure

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



Washington State Liquor and Cannabis Board

LISTEN/LEARN/CONTRIBUTE

FEEDBACK

Additional suggested revisions to the conceptual draft rules **(PLEASE PROVIDE ACTUAL LANGUAGE FOR CONSIDERATION)**



Washington State Liquor and Cannabis Board

Wrap up

Next steps



Washington State Liquor and Cannabis Board

Resources

LCB 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>



Washington State Liquor and Cannabis Board

Thank you!

Robert DeSpain, Policy and Rules Coordinator
(360) 664-4519 Desk | (360) 878-4235 Mobile
robert.despain@lcb.wa.gov OR rules@lcb.wa.gov