

## THESES ARE DRAFT CONCEPTUAL RULES – NOT FOR FILING

### 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.

(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 in no longer poses a risk to public health.

## THESES ARE DRAFT CONCEPTUAL RULES – NOT FOR FILING