

Source	Commentor	WAC Reference	Theme	Comment	Date Received
Email	Fabian Toader	WAC 314-55-105	4ml to 2ml thickness reduction (AGREE)	I wanted to let you know that I support the plastic thickness change. 4 mil makes it very challenging to package anything in it and I believe that 2 mil will continue providing the same childproof capabilities we seek.	6/28/2019
Email	Cannabis Alliance	WAC 314-55-105	4ml to 2ml thickness reduction (AGREE)	The Cannabis Alliance is dedicated to a sustainable industry in all its forms and we are constantly looking for ways to reduce our environmental impact. A 2 mil thick bag meets all FDA & USDA requirements for food and the effect of this rule change will allow printed compostable bags to be considered by the industry. Additionally, we found that 26,605,445 1/8ths of Cannabis were sold in WA last year.2 It is our estimation that approx. 65% of the 1/8ths packaged are in bags. At 65% that would be 17,293,539 1/8th bags sold in a year. The average 1/8th bag weighs 4 grams. Reducing bag thickness by 50% will reduce 2 grams per bag. Therefore, when the rule is enacted there is the potential for 34,587,078 grams, or 76,183 lbs., or 38 tons of plastic to be removed from the landfill.	8/29/2019
Email	Katie	WAC 314-55-105	4ml to 2ml thickness reduction (AGREE)	Katie Baked Goods requests, encourages and supports the LCB to continue with the CR101 and make the changes from 4mil to 2mil official in the WAC specifically around Packaging & Labeling for edibles. From cost savings, more efficiency with machinery, more vendor options to less waste from the nuances of the 4mil, there are multiple reasons to support this change. All of which will positively impact processors and help small businesses succeed by cutting costs across multiple areas, reduce waste and operationally run more efficiently. Not to mention the benefits to our environment from the reduction in packaging waste.	7/8/2019
Email	Mindon Win	None	Checklists	Additional resources in the form of checklists, examples and other readily available form factors that can assist licensees in understanding what they can and cannot do when it comes to the packaging and labeling of marijuana products.	8/29/2019
Email	Mindon Win	None	Child resistant packaging	Allow child resistant individually packaged products or continuously child resistant packaging without the individual wrapping of products that won't get confused for a single serving. Also allow scoring and/or marking of single product with multiple servings so the consumer can divide the product accordingly but it can be contained within a single package (example would be scored chocolate bar, something allowed under current Oregon packaging rules).	8/29/2019
Email	Fabian Toader	None.	Enforcement	Enforcement This 3 color thing that couple people at LCB managed to force on us, it is _unenforceable_. I'd like to see WSLCB go after the first company that does not print respecting your pre-approved colors. There are no tools at your disposal to enforce this ruling. And even if you had anyone would be able to challenge you in court, because the science does not work. Converting from RGB to CMYK to HEX to Pantone is not a lossless process. You can get _very distinct_ changes if you were to convert among these color spaces. The printing company also does not guarantee specific colors outside Pantone. And Pantone is not something every printing company does, and if they do they will charge you quite a bit more for that service. As a consequence of the above, companies like mine will try to do their best to stay compliant with whatever you think you're saying (end of the day, I still don't know if we are compliant simply based on the above statement!). However, I won't be able to argue that NWCS or Phat Panda's package is not compliant. The fact that they might have an edge selling their brand because of _misprinted_ colors. You should have an enforcement component on all of your ruling and this is one you don't poses. You have made all of this ruling very subjective.	6/26/2019

Email	Mindon Win	None	Especially Appealing to Children	The law states that packaging cannot be “especially appealing to children” therefore, this should be the goal in the product approval process. Currently licensees are going back and forth with the agency about the shade of color and/or number of colors on the packaging, causing the approval process to be drawn out. Regulating colors is unnecessary and overly burdensome for both the agency and the licensee and it is not achieving the goal of insuring products are not especially appealing to children. We suggest removing the limit on the number of colors and allowing for the allowance of all colors while focusing on prohibition on other design elements like cartoons & characters that might be especially appealing to children.	8/29/2019
Email	Sam Chasan	None	Especially Appealing to Children	Finally, I will say that no policy by the LCB will replace safe and effective parenting. Parents are an advocacy group, yes. But the LCB should not be put in a position to replace proper childhood care. Parents should be encouraged to speak with their children about what to look out for, what to smell out for (haha), how to know if you accidentally ate the wrong thing, etc. Trying to solve all of parents concerns in packaging will be an endlessly losing battle, one that costs all of us working very hard to give Washington a good industry.	6/1/2019
Email	Fabian Toader	None.	General Coments	WSLCB as a partner Rather than continuing to run this agency dictatorship style, I would like to see you change course and become a partner with my company. Since the beginning of time, we have done nothing but try to be in compliance with your very often change on ruling. Given you take money from us on a daily basis, you should be protective of our work and not treat us like a bunch of uneducated criminals. Listen and help this industry and we will help you be successful at your job as well.	6/26/2019
Email	Fabian Toader	None.	General comments	<u>Inability to scale up and attract investors.</u> I have repeatedly asked about what metrics do you use to analyze the results of your one week work last year pending to the decision you have made. I have no confidence that this ruling has changed anything for anyone, I'd appreciate if you could share data and convince me and the industry otherwise. Why is this important to me now? What if the one person who filed the baseless complain about the colors is not satisfied? Are you going to change rules again, knee jerk reaction style? This uncertainty is having our investors rethink where and how they should be investing money. This uncertainty is having my company not invest in WA anymore. We, as well as many other companies are seeking expansion elsewhere but WA.	6/26/2019
Email	Rick and Marina Reimbers	None	General comments	Were the discrepancies in quantities addressed this time, some items being sold in ounces rather than in milligrams, and infused joints being sold at the same quantity a 1 gram of concentrate. The edibles and concentrates are where the real problems with limits exist.	8/15/2019
Email	Rick and Marina Reimbers	None	General comments	I have brought this up many times before and it and I have been ignored. These are two areas that need to be addressed, there are so many problems with the rules regarding this that it is very hard to describe them all. examples 1. Infused joint, it is 95% flower with some concentrates added, a 1g joint is treated as 1g of concentrate, limiting sales and possession to only 7. For all 7 of these joints the actual concentrate content is 0.35g. 2. Edibles sold by a 16 ounce limit. This is a serious problem I can buy 2.8 bags of Coconut snowballs containing 284mg of THC or - I can buy 32.65 tins of mints containing 3265mg of THC and still be within my limit of 16 ounces. DO YOU SEE THE PROBLEM HERE Everything we sell in edibles should be measured in milligrams of THC, why is the customer being limited to the amount of sugar or chocolate intake they choose?	8/29/2019
Email	Mindon Win	None	Generic packaging	Allow non generic packaging (still submitted to state but doesn't have to be approved, following Oregon PAL process)	8/29/2019

Email	Colum Tinley	None	How to list THC/CBD	<p>I'd like to draw your attention to the wording regarding how to properly label products for their THC and CBD content. This LCB document states that total THC and activated THC-A as well as total CBD and activated CBD-A must be listed. When we discuss cannabinoids the term activated refers to the chemical process known as decarboxylation. Cannabinoids occur in cannabis plants in what some may refer to as their raw form but more accurately cannabinoids in cannabis plants are in their acidic form, that's what THCA (THC acid) and CBDA (CBD acid) mean. When these cannabinoids are heated to a high enough temperature for a long enough period of time the carboxylic acid group is kicked off of the molecule changing the cannabinoid to its neutral form (ie. THC and CBD). It's important to keep in mind that THC acid is not psychoactive and when contained in an oral products will not get the consumer high yet THC acid is very medicinal, in fact THC acid is about 50 times more bioavailable than THC and is quite therapeutic without being psychotropic.</p> <p>What I'm trying to point out here is that "activated THC-A" (as written by the LCB and WAC 314-55-105(2)(a)(E)) is actually THC. I believe the WAC actually intended to have THC and THCA listed on products and is likely what producer/processors have been listing in spite of the oxymoron the WA State WAC contains. Removing the word "activated" that precedes THC-A and CBD-A in this document will correct the oxymoron. By the way the only place I have seen THC acid or CBD acid expressed as THC-A or CBD-A is in this WAC. Every other scientific document refers to THC acid and CBD acid as THCA and CBDA respectively.</p>	7/24/2019
Email	Fabian Toader	WAC 314-55-105	Measuring Device (KEEP)	<p>As far as liquids, I personally see that as a way for liquid manufacturers to reduce their costs at the expense of the end consumer. That gets a NO from me.</p>	6/28/2019
Email	Cannabis Alliance	WAC 314-55-105	Measuring Device (REMOVE)	<p>Additional research we've conducted since the filing of the petition shows that 1,297,000 dosing caps were sold in the last year and that beverages are growing 20%+ per year. If this rule change is accepted we will prevent 1.5 million dosing caps from going in the landfill in just the next year alone. We strongly believe that this rule change is imperative and should be considered important enough to be implemented immediately in order to significantly reduce the overwhelming amount of waste generated from our industry; waste that is a direct result of trying to comply with state regulations. Additionally, if the goal is consumer safety, then hash marks on the bottle itself combined with clear directions on the label will be more effective.</p>	8/29/2019
Email	Mindon Win	None	MIE coatings	<p>The application of sugar to the exterior of a product is oftentimes a necessary step in the production of some products, especially in products that do not use artificial preservatives. The limiting of this process step creates products that can stick to their packaging, preventing the accurate separation and consumption of individually dosed servings. It would be our hope that this is taken into account and the use of such sugar on the exterior of products is allowed or this specific use is taken into account and allowed.</p>	8/29/2019

Email	Fabian Toader	None.	MIE shape approval	<p>The shape approval process.</p> <p>This is another one of your new processes. We played along and submitted a cube, it got approved and now it seems to be available to all of the licensees? We can't trademark this thing anymore. Our competition should not have access to it. No need to show our cards 6 months ahead of having an actual product. Why can't whatever shape be submitted along with the other info @Label Approval (LCB) like before?</p> <p>The fact that you even need to certify individual shapes is a reflection of the fact that the packaging rules need to focus on what you are trying to protect the end consumer from. Which I agree that you still do not know. Our Chief Science Officer wrote another _scientific memo_ (attached) which I understand you were being given couple months back. Has anyone read it? Certainly nobody from WSLCB followed up. The second scientific memo coming from a PhD Certified Food Scientist that we have put in your hands and you have ignored it.</p>	6/26/2019
Email	Fabian Toader	None.	Packaging color approval process	<p>The color approval process.</p> <p>Simply put, it is a joke. I have submitted colors and I am still very much confused about what I actually submitted, what and why got approved. Read the response attached and see if you can make sense of it. Childish at best and we're all adults here.</p>	6/26/2019
Email	Fabian Toader	None.	Packaging color approval process	<p>The pre-approved colors.</p> <p>I have asked repeatedly. How did you determine your initial colors? What was the science behind it? Also, I want to reiterate this thing that seems to keep coming up. This industry has not come up with the 3 color rule or the colors. Some potheads at a table yelled Pantone colors out of the fear that your agency would shut down the edibles segment. And a pharma documented lobbyists (our "friend" Vicky) came up with the number 3. End of story.</p>	6/26/2019
Email	Fabian Toader	None.	Packaging color approval process	<p>The label approval process in general needs to be reconsidered. Just because this is what you came up with 5 years ago, it does not mean it needs to continue to exist. I would like to see this departments goals outlined on the website. I would like to see data and results of your work. IMO, the Department of Agriculture has all of the knowledge it requires approving the recipes. The Label Approval department should not exist, much like it does not exist in most of the other legalized states. Everyone should follow the rules you have outlined, enforcing them should be well within the scope of the agency. I have noted before that most of the label approval process could be automated through Robotic Process Automation (RPA). This could save your agency and us industry millions of dollars, I would gladly help.</p>	6/26/2019
Email	Fabian Toader	None.	Packaging colors	<p><u>Why are just edibles affected by the 3 color rule? Why packaging for vapes or flower can be in whatever color? Who knows?</u></p>	6/26/2019
Email	Fabian Toader	None.	Packaging colors	<p>Is 3 colors enough?</p> <p>A clear NO. I could possibly see us being ok with 5, not that I am advocating for restriction of colors in general. I have many examples I can give, I'll list couple.</p> <p>One color is always used to describe Sativa (yellow) vs Hybrid (green) vs Indica (purple) vs CBD (grey). That is usually a sticker on the package. The consumers are used to this color schema, Leafly had put up this schema before IS02.</p> <p>That leaves us with essentially 2 colors (+ 1 background color if I can understand your ruling). Any designer we asked to produce a brand based on these specs has laughed at us.</p> <p>Another example is displaying fruits on the packaging. With two colors remaining, you can only display 2 fruits? Some fruits have green leaves, so now I can't put leaves on fruits to be displayed. One fruit and one leaf? Make the leaf black? Please consider how ridiculous this is.</p>	6/26/2019

Email	Sam Chasan	None	Packaging colors	As far as I know, colors are not limited for beer, liquor, wine, cigarettes, or even toxic chemicals or pharmaceuticals. Because it's too restrictive on creativity, reduces competition, is therefore commercially destructive and unfortunately not beneficial in any substantive way. I believe cigarettes and I think alcohol do not permit cartoon characters, which makes sense, and is substantively beneficial. I would urge this board to take a similar case by case approach with packaging.	7/10/2019
Email	Sam Chasan	None	Packaging Colors	<p>As a designer working on packaging for several years (but not living in the state for the past 2), I find the current law pertaining to colors to be an awful implementation of well intentions. It's ok. It happens. I suggest a much simpler and effective method of evaluation - histograms.</p> <p>As you can see from the attached screenshots, brightly colored, mostly saturated packaging geared towards children will show a 'heavy' histogram. With large peaks indicating the amount of color present in the package. More muted packaging, with some accent colors, such as our labels, shows a much sparser histogram, with individual lines for single colors present in specific places. As you can see comparing the gum, and candy to our packages - their histograms clearly show their packages are much brighter while ours is quite a bit duller.</p> <p>This being said, I'm not sure our packages would pass the 2020 requirements at the moment.</p> <p>Of course, these differences can also be seen with the naked eye. So I suggest all packages pass an initial check first, and if they are marked as possibly having too strong of a histogram, then they are opened in photoshop, and the histogram is checked. If the histogram of the package is too bold, then they will be asked to change their packaging.</p> <p>Simple to manage: No quarterly color changes. No color submissions. No limited color palette. No worries about crazy colors.</p> <p>Easy to execute: Designers check histogram of final package. No more than 1 large and 1 small peak. Individual lines ok.</p> <p>Effective in achieving goal: No package will market towards children.</p>	6/1/2019
Email	Mindon Win	None	Sustainable packaging	Consider rules that will allow licensees to use exclusively recyclable and/or compostable packaging for their marijuana products in an effort to minimize packaging waste and promote more sustainable business practices.	8/29/2019
Email	Shellies4	None	Sustainable packaging	<p>I agree with the proposed changes to the packaging rules.</p> <p>The part that I DON'T agree with is that it HAS to be plastic. As it is not reusable, it is bad for our environment. Is there a way to add cardboard? Taped Cardboard? Some other biodegradable packing? Cotton? Glass jars?</p> <p>A way to turn in packaging so it can be recycled?</p> <p>Bring your own package/containers/jars?</p> <p>I would LOVE to see us set a GREAT precedent!!</p> <p>You guys are doing a great job!!</p>	5/30/2019
Email	Mindon Win	None	Warning symbols	Collapse multiple required warning symbols into a single front of package symbol and include any other information in the form of warnings and information anywhere on the package to prevent front of package clutter.	8/29/2019