



**Washington State
Liquor and Cannabis Board**

**Evaluation of THC Compounds
Draft Conceptual Rule Review
Virtual Listen and Learn Session
September 9, 2021**

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

Today's meeting intentions:

- Share and discuss draft conceptual rules concerning evaluation of THC compounds with LCB industry partners and other interested partners and parties;
- Elicit feedback in a structured fashion; and
- Discuss next steps.



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Why are we here?

- The Board began to consider establishing a new rule section that would allow the LCB to evaluate additives, solvents, ingredients or compounds used in the production and processing of marijuana products other than delta-9 tetrahydrocannabinol (THC), as well as CBD, hemp or both, converted to delta-8, delta-9 THC, or any other marijuana compound that is not currently identified or defined in the Revised Code of Washington (RCW), the Washington Administrative Code (WSR), or both, to determine whether such substances pose a risk to public health or youth access.
- The preproposal statement of inquiry CR 101 filed as WSR 21-14-117 on July 7, 2021.
- WSLCB hosted two Deliberative Dialogue sessions concerning cannabis plant chemistry on June 3 and July 30, 2021. Notes and materials from those meetings are located on our outward facing website.

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

- Comments received will be added to an Excel workbook, organized by theme, and analyzed.
- Comments will be presented to the Board for review and discussion.
- Workbook will be published on LCB website at a later date.



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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 only topic of this session are the draft conceptual rules concerning THC compound evaluation. 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.



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Meeting Protocol

Meeting Format

- Topic will be introduced
- People who raise their hands will be asked to speak in the order hands are raised at the time the topic is introduced
- 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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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:

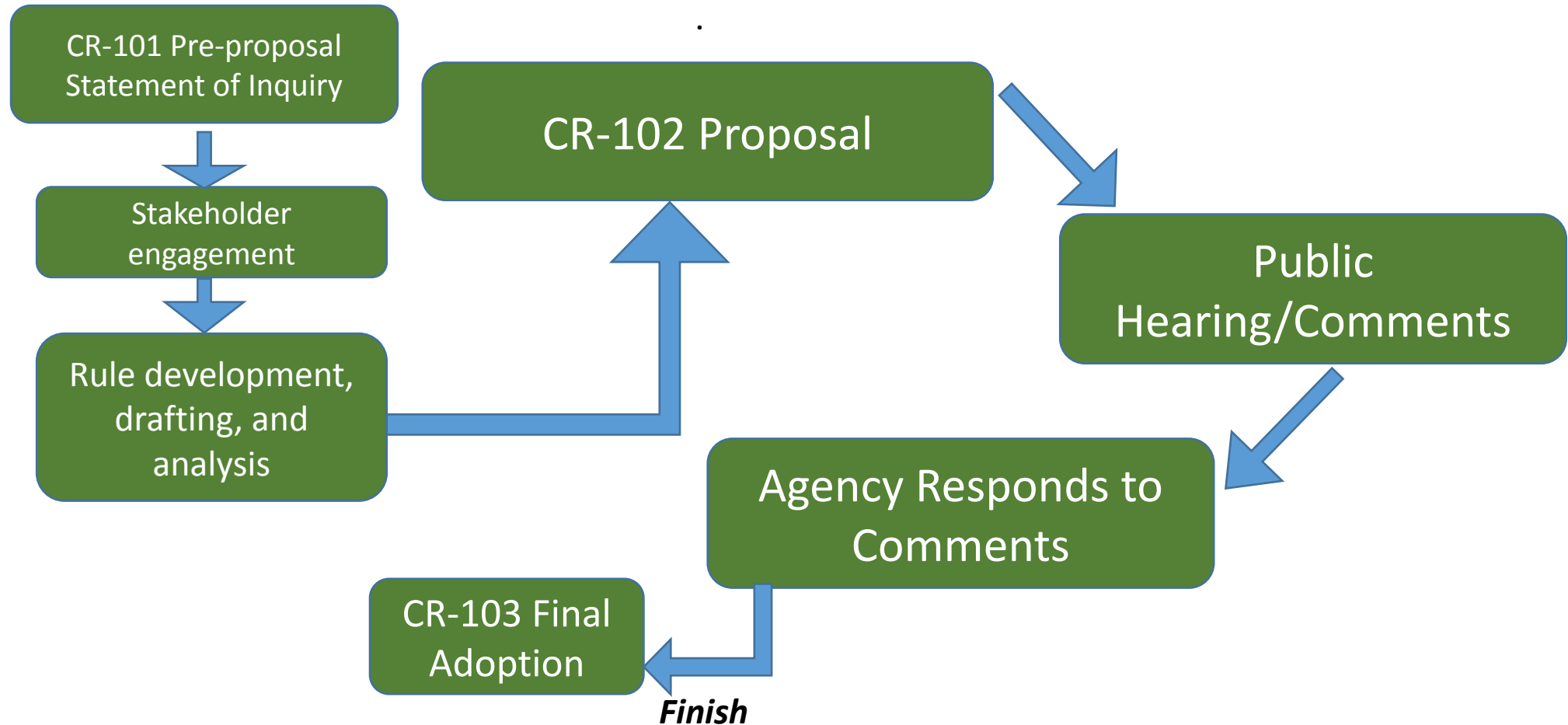
- Stage 1: Pre-proposal Statement of Inquiry (CR-101) – RCW 34.05.310
- Stage 2: Proposed Rule Making (CR-102) - RCW 34.05.320
- Stage 3: Rule-making Order (CR-103) - RCW 34.05.360

Each stage consists of specific tasks and processes.



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Start





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LISTEN/LEARN/CONTRIBUTE

WAC 314-55-560(1) – Purpose and Scope

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



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NEW WAC 314-55-560(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.



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LISTEN/LEARN/CONTRIBUTE

WAC 314-55-560(2) - Definitions

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



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NEW WAC 315-55-560(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;
 - (ii) “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.



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LISTEN/LEARN/CONTRIBUTE

WAC 314-55-560(3) – Procedure

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



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NEW WAC 314-55-560(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.



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Wrap up

Next steps



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Questions?

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Thank you!