

## Chapter 246-70 WAC MEDICAL CANNABIS PRODUCT COMPLIANCE

### WAC Sections

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- 246-70-070 Compliant product safe handling.
- 246-70-080 Employee training.
- 246-70-090 Cannabis product compliant logos.**
- [NEW] -100 Tax exemptions**

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*WACs 246-70-030 Definitions and 246-70-050 Quality assurance and quality control testing are under review for version 2 for the next workshop.*

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### WAC 246-70-040 ~~Marijuana products compliant with this chapter~~ Medical grade cannabis product classifications.

~~To be classified as a compliant marijuana product, the product must meet all requirements of this chapter. Compliant marijuana products must fall into one of the following classifications:~~

Medical grade cannabis products must meet the requirements of this chapter and WSLCB rules. Products must be tested to standards in WAC 246-70-050 and must fall into one of the following classifications:

(1) ~~High CBD.~~ Medical grade high CBD.

(a) Medical grade high CBD products include all cannabis product types except useable cannabis or other plant material intended for smoking, and must meet the following requirements:

- (i) Cannabis extracts must not contain more than ~~two-fifteen~~ percent THC concentration and must have at least ~~twenty~~-five times more CBD concentration by weight;
- (ii) Cannabis-infused edible products must not contain more than ~~two-ten~~ milligrams of ~~total~~ THC and must have at least five times more CBD per serving or unit ~~by weight for solids or volume for liquids,~~ and
- (iii) Cannabis-infused topical products must contain at least five times more CBD ~~concentration~~ than THC ~~concentration.~~

(b) Products under this category:

- (i) Must display the logo in WAC 246-70-090 that contains the language “medical grade high CBD”.
- (ii) May be purchased by any adult age twenty-one or older, and by qualifying patients between the ages of eighteen and twenty-one, who are entered into the registry and hold a valid recognition card.

(iii) May be sold at retail outlets or retail outlets with a medical cannabis endorsement.

~~(a) "High CBD compliant product" means any marijuana product, except usable marijuana or other plant material intended for smoking, allowed by the WSLCB, including edibles, meeting the requirements of this chapter and containing the following ratios:~~

~~(i) Marijuana extracts containing not more than two percent THC concentration and at least twenty-five times more CBD concentration by weight.~~

~~(ii) Marijuana-infused edible products containing not more than two milligrams of active THC and at least five times more CBD per serving by weight for solids or volume for liquids.~~

~~(iii) Marijuana-infused topical products containing at least five times more CBD concentration than THC concentration.~~

~~(b) High CBD compliant products must be labeled "Chapter 246-70 WAC Compliant – High CBD" and must use the logo found in WAC 246-70-090 to indicate compliance with this chapter.~~

~~(c) High CBD compliant products may be purchased by any adult age twenty-one or older, and qualifying patients between the ages of eighteen and twenty who are entered into the database and hold a valid recognition card.~~

(2) ~~High THC.~~ Medical grade high THC.

(a) Medical grade high THC products include only the following product types:

(i) Edibles;

(ii) Capsules and tablets;

(iii) Tinctures, which cannot exceed two fluid ounces per unit;

(iv) Transdermal patches; and

(v) Suppositories.

(b) Products under this category:

(i) Must be packaged in servings or ~~applications~~ units of no less than 10 milligrams and no more than 50 milligrams of ~~active~~-THC. ~~A package unit must not contain more than ten servings or applications and must not exceed 500 total milligrams of active-THC.~~

(ii) Must display the logo in WAC 246-70-090 that contains the language "medical grade high THC". ~~and "heavy metal tested".~~

(iii) May only be purchased by qualifying patients aged eighteen and older and designated providers who are entered into the registry and hold a valid recognition card.

(iv) May only be sold at retail outlets with a medical cannabis endorsement.

(3) ~~General use.~~ Medical grade general use.

(a) Medical grade general use products include all ~~any~~ products that are approved by the LCB and meet the requirements of this chapter, but do not fall into classification as medical grade high CBD or medical grade high THC under this section.

(b) All products under this category:

(i) Must display the logo in WAC 246-70-090 that contains the language "medical grade general use".

(ii) May be purchased by any adult age twenty-one or older, and by qualifying patients between the ages of eighteen and ~~twenty~~ twenty-one who are entered into the registry and hold a valid recognition card.

(iii) May be sold at retail outlets with or without a medical cannabis endorsement.

(c) Cannabis-infused products under this category must be packaged in servings or units of up to 10 milligrams of THC. A package must not exceed 100 total milligrams of THC.

~~(a) "General use compliant product" means any marijuana product approved by the WSLCB and meeting the requirements of this chapter including edible marijuana-infused products and marijuana products with CBD/THC ratios that do not qualify as "high-CBD compliant products" under subsection (3) of this section.~~

~~(b) General use marijuana-infused compliant products may be packaged in servings or applications containing up to ten milligrams of active THC. A unit must not contain more than ten servings or applications and must not exceed one hundred total milligrams of active THC.~~

~~(c) General use compliant products must be labeled "Chapter ~~246-70~~ WAC, Compliant—General Use" and must use the logo found in WAC ~~246-70-090~~ to indicate compliance with this chapter.~~

~~(d) General use compliant products may be purchased by any adult age twenty-one or older, and qualifying patients between the ages of eighteen and twenty who are entered into the database and hold a valid recognition card.~~

~~(e) General use compliant products may be sold at retail outlets and retail outlets with a medical marijuana endorsement.~~

[Statutory Authority: RCW [69.50.375](#) and [80.08.9998](#). WSR 16-20-022, § 246-70-040, filed 9/27/16, effective 10/28/16.]

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#### **WAC 246-70-060 ~~Compliant~~ Medical grade product labeling.**

Requirements of this section are in addition to LCB requirements under chapter [314-55 WAC](#).

(1) [Medical grade product logos](#). Products meeting the requirements of this chapter must be readily ~~identifiable~~ visible to the consumer by placement on the product's label of the appropriate logo found in WAC [246-70-090](#). A The logo:

(a) ~~m~~Must be used in compliance with this chapter and any guidance for use developed by the department;

(b) Must be printed in black or dark blue;

(c) Must be at least ½ inch in diameter; and

(d) May not be ~~altered or~~ used on any object, ~~or merchandise,~~ or cannabis product other than a ~~compliant~~ medical grade cannabis product. Cannabis products that use a logo but do not meet the requirements of this chapter may be reported to the LCB and subject to any penalties and enforcement actions imposed by LCB. ~~A logo used in accordance with this chapter must be printed in either black or dark blue.~~

(2) Label requirements. Medical cannabis product labeling requirements apply as follows:

(a) All product labels must:

(i) Use commonly understood language;

(ii) Prominently display the following statement: "This product is not approved by the FDA to treat, cure, or prevent any disease";

(iii) Include a scannable code(s) linked to the certificate(s) of analysis that includes all required lab testing results for that product; and

(iv) List all pesticides applied to the cannabis plants and growing medium during any stage of production of the product.

(b) For useable cannabis, the label must include the date of harvest.

(c) For cannabis concentrates and cannabis-infused products, the label must include the date of production.

(d) For useable cannabis and cannabis concentrates, the label must include the three most prominent terpenes.

(3) Label restrictions. Labels for ~~compliant~~ medical grade products must not:

(a) Use any word(s), symbol, or image commonly used in or by medical or pharmaceutical professions including, but not limited to: Depiction of a caduceus, staff of Asclepius, bowl of Hygieia, or mortar and pestle; or use of the word "prescription" or letters "RX";

(b) State or imply any specific medical or therapeutic benefit; or

(c) Mimic a brand of over-the-counter or legend drug.

~~(3) The label must prominently display the following statement: "This product is not approved by the FDA to treat, cure, or prevent any disease."~~

~~(4) Only cannabis products complying with this chapter may use a logo found in WAC 246-70-090. Cannabis products that use a logo but do not meet the requirements in this chapter will be reported to the WSLCBLCB.~~

[Statutory Authority: RCW [69.50.375](#) and [80.08.9998](#). WSR 16-20-022, § 246-70-060, filed 9/27/16, effective 10/28/16.]

WAC 246-70-090 [Medical grade C](#)cannabis product-~~compliant~~ logos.





[Statutory Authority: RCW [69.50.375](#) and [80.08.9998](#) WSR 16-20-022, § 246-70-090, filed 9/27/16, effective 10/28/16.]

[WAC 246-70-100 Tax exemptions.](#)

[\(1\) For the purposes of RCW 82.08.9998\(1\)\(a\) and 82.12.9998\(1\)\(a\), retail sales and use tax do not apply to any cannabis product purchased by qualifying patients or designated providers who have been issued recognition cards and have obtained such products from a cannabis retailer with a medical cannabis endorsement.](#)

[\(2\) For the purposes of RCW 82.08.9998\(1\)\(c\) and 82.12.9998\(1\)\(d\), retail sales and use tax do not apply to any medical grade high-CBD product under WAC 246-70-040 purchased by any person.](#)

[\(3\) In accordance with RCW 69.50.535\(2\)\(a\), until June 30, 2029, excise tax does not apply to sales of medical grade cannabis products that comply with this chapter and are purchased by qualifying patients or designated providers who have been issued recognition cards and have obtained such products from a cannabis retailer with a medical cannabis endorsement.](#)

Logo Ideas

