

WSR 23-13-116
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ECOLOGY
[Order 23-03—Filed June 21, 2023, 8:56 a.m.]

Subject of Possible Rule Making: The department of ecology (ecology) is developing new chapter 173-55 WAC, Accreditation of cannabis laboratories, to create a cannabis laboratory accreditation program.

This new rule will define the cannabis laboratory accreditation program's standards, scope, and fee structure. Our goal is to set accreditation standards for cannabis laboratories to build a robust and sustainable accreditation system. The fee structure will be designed to fund a cost-neutral accreditation program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.21A.736 Cannabis product testing—Fees—Rules and 69.50.348 Representative samples of cannabis, useable cannabis, or cannabis-infused products.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In 2019, RCW 43.21A.736 and 69.50.348 directed the transfer of accreditation authority for cannabis laboratories from the Washington state liquor and cannabis board (WSLCB) to ecology on July 1, 2024. We are working with WSLCB on this rule to facilitate the transfer. This will establish ecology's rules to implement a cannabis laboratory accreditation program.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state department of agriculture, Washington state department of health, and WSLCB.

Process for Developing New Rule: Ecology will follow the standard process for the adoption of rules under the Administrative Procedure Act (chapter 34.05 RCW).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ryan Zboralski, Department of Ecology, Environmental Assessment Program, P.O. Box 47600, Olympia, WA 98504-7600, phone 360-764-9364, Washington relay service or TTY call 711 or 877-833-6341, email eaprulemaking@ecy.wa.gov, website <https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-55> or <https://ecology.wa.gov/WAC-173-55>. Join our cannabis laboratory accreditation email list at https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic_id=WAECY_27.

Additional comments: Interested parties can stay informed about the rule making and public involvement opportunities as described above. Ecology will extend an offer for government-to-government consultation with tribal governments during each phase of rule development.

June 21, 2023
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