

HOUSE BILL REPORT

HB 1347

As Passed House:

February 20, 2025

Title: An act relating to clarifying the liquor and cannabis board's role in the regulation of private cannabis testing laboratories accredited by the department of agriculture.

Brief Description: Concerning cannabis testing laboratories.

Sponsors: Representatives Reeves, Corry, Wylie and Hill.

Brief History:

Committee Activity:

Consumer Protection & Business: 1/28/25, 2/11/25 [DP].

Floor Activity:

Passed House: 2/20/25, 95-2.

Brief Summary of Bill

- Requires the Liquor and Cannabis Board (LCB) to accept the accreditation of a private cannabis testing laboratory (laboratory) by the Department of Agriculture (WSDA) as the sole basis for establishing the LCB's certification of the laboratory, as long as the laboratory has not violated requirements established by the LCB.
- Specifies that ensuring reduction of redundancies between the agencies is also a requirement for the WSDA and the interagency coordination team for cannabis laboratory quality standards.

HOUSE COMMITTEE ON CONSUMER PROTECTION & BUSINESS

Majority Report: Do pass. Signed by 15 members: Representatives Walen, Chair; McClintock, Ranking Minority Member; Dufault, Assistant Ranking Minority Member; Abbarno, Berry, Corry, Donaghy, Fosse, Kloba, Morgan, Reeves, Ryu, Santos, Steele and

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Volz.

Staff: Peter Clodfelter (786-7127).

Background:

On a schedule determined by the Liquor and Cannabis Board (LCB), every licensed cannabis producer and processor must submit representative samples of cannabis and cannabis products produced or processed by the licensee to a private cannabis testing laboratory (laboratory) meeting accreditation requirements established by the Department of Agriculture (WSDA). The LCB's rules require laboratories to also be certified by the LCB.

The purpose of testing representative samples is to certify compliance with quality assurance and product standards adopted by the LCB or the Department of Health (DOH). In conducting tests of cannabis product samples, laboratories must adhere to laboratory quality standards adopted by the WSDA. Laboratory quality standards include method validation protocols, performance measures and criteria applied to testing of cannabis products, and approved methods for testing cannabis for compliance with the quality assurance and product standards.

An interagency coordination team for cannabis laboratory quality standards consists of the WSDA, the LCB, and the DOH. The team must coordinate among the participating agencies on agency policies, actions, and regulatory activities that relate to laboratory quality standards. The team must also advise the WSDA on implementation and maintenance of laboratory quality standards topics. The WSDA and the interagency coordination team must act cooperatively to ensure effective implementation and administration of the cannabis product testing and laboratory requirements.

After testing, licensees must submit the results of inspection and testing for quality assurance and product standards to the LCB. If a representative sample that is inspected and tested does not meet the applicable quality assurance and product standards, then, except as otherwise provided by the LCB in rule, the entire lot from which the sample was taken must be destroyed.

Summary of Bill:

The LCB is required to accept the accreditation of a laboratory by the WSDA as the sole basis for establishing the initial certification of the laboratory and any subsequent renewals of certification, as long as the laboratory has not been found to have violated the requirements established by the LCB.

Reducing redundancies between the agencies is added to the implementation instructions for the WSDA and the interagency coordination team.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) There are three state agencies with regulatory oversight over laboratories. Last legislative session, a law moved the accreditation of laboratories to the WSDA. This was good, but now there is one agency performing accreditation and another performing certification. The WSDA and LCB's regulations can be duplicative or conflicting. This bill provides clarity over the agencies' regulatory authority and will make it easier for laboratories to comply with rules. A scenario currently exists where the WSDA, as a vendor of the LCB, can approve a laboratory, yet the LCB can override the findings without scientific expertise or tools for auditing laboratories. There is uncertainty in the LCB's scope of authority to certify laboratories and to revoke certifications. The redundancies or conflicts in rules extend to laboratory personnel and proficiency testing. The agencies' roles could be further clarified. There is still concern some of the language is overly broad, like the reference to a laboratory violating requirements of the LCB. It is unclear what requirements this includes. The LCB's role should be expressly limited to two areas of enforcement, which are enforcing reporting requirements as well as rules against conflicts of interest. There is proposed language to improve the bill in this way. This will create clearer boundaries and enhance agency collaboration.

(Opposed) None.

Persons Testifying: Brooke Davies, Washington CannaBusiness Association; Thomas Hubbell, Treeline Analytics; and Lara Kaminsky, Confidence Analytics.

Persons Signed In To Testify But Not Testifying: None.