

RCW 69.50.348 Representative samples of cannabis, useable cannabis, or cannabis-infused products. (Effective until July 1, 2024.) (1) On a schedule determined by the board, every licensed cannabis producer and processor must submit representative samples of cannabis, useable cannabis, or cannabis-infused products produced or processed by the licensee to an independent, third-party testing laboratory. The purpose of testing representative samples is to certify compliance with quality assurance and product standards adopted by the board under RCW 69.50.342 or the department of health under RCW 69.50.375. In conducting tests of cannabis product samples, testing laboratories must adhere to laboratory quality standards adopted by the state department of agriculture under chapter 15.150 RCW. Any sample remaining after testing shall be destroyed by the laboratory or returned to the licensee submitting the sample.

(2) Independent, third-party testing laboratories performing cannabis product testing under subsection (1) of this section must obtain and maintain accreditation.

(3) Licensees must submit the results of inspection and testing for quality assurance and product standards required under subsection (1) of this section to the board on a form developed by the board.

(4) If a representative sample inspected and tested under this section does not meet the applicable quality assurance and product standards established by the board, the entire lot from which the sample was taken must be destroyed.

(5) The board may adopt rules necessary to implement this section. The state liquor and cannabis board may adopt rules necessary to implement subsection (2) of this section until a successor state agency or agencies assume responsibility for establishing and administering laboratory standards and accreditation. [2022 c 135 § 5; 2022 c 16 § 67; 2019 c 277 § 1; 2013 c 3 § 11 (Initiative Measure No. 502, approved November 6, 2012).]

Reviser's note: This section was amended by 2022 c 16 § 67 and by 2022 c 135 § 5, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Expiration date—2022 c 135 § 5: "Section 5 of this act expires July 1, 2024." [2022 c 135 § 7.]

Purpose—2022 c 135: See note following RCW 15.150.010.

Expiration date—2022 c 16 §§ 64 and 67: See note following RCW 69.50.345.

Intent—Finding—2022 c 16: See note following RCW 69.50.101.

Expiration date—2019 c 277 § 1: "Section 1 of this act expires July 1, 2024." [2019 c 277 § 7.]

Intent—2013 c 3 (Initiative Measure No. 502): See note following RCW 69.50.101.

RCW 69.50.348 Representative samples of cannabis, useable cannabis, or cannabis-infused products—Product testing—Department of

ecology to develop a fee schedule. (Effective July 1, 2024.) (1) On a schedule determined by the board, every licensed cannabis producer and processor must submit representative samples of cannabis, useable cannabis, or cannabis-infused products produced or processed by the licensee to an independent, third-party testing laboratory meeting the accreditation requirements established by the state department of ecology. The purpose of testing representative samples is to certify compliance with quality assurance and product standards adopted by the board under RCW 69.50.342 or the department of health under RCW 69.50.375. In conducting tests of cannabis product samples, testing laboratories must adhere to laboratory quality standards adopted by the state department of agriculture under chapter 15.150 RCW. Any sample remaining after testing shall be destroyed by the laboratory or returned to the licensee submitting the sample.

(2) Independent, third-party testing laboratories performing cannabis product testing under subsection (1) of this section must obtain and maintain accreditation.

(3) Licensees must submit the results of inspection and testing for quality assurance and product standards required under RCW 69.50.342 to the board on a form developed by the board.

(4) If a representative sample inspected and tested under this section does not meet the applicable quality assurance and product standards established by the board, the entire lot from which the sample was taken must be destroyed.

(5) (a) The department of ecology may determine, assess, and collect annual fees sufficient to cover the direct and indirect costs of implementing a state cannabis product testing laboratory accreditation program, except for the initial program development costs. The department of ecology must develop a fee schedule allocating the costs of the accreditation program among its accredited cannabis product testing laboratories. The department of ecology may establish a payment schedule requiring periodic installments of the annual fee. The fee schedule must be established in amounts to fully cover, but not exceed, the administrative and oversight costs. The department of ecology must review and update its fee schedule biennially. The costs of cannabis product testing laboratory accreditation are those incurred by the department of ecology in administering and enforcing the accreditation program. The costs may include, but are not limited to, the costs incurred in undertaking the following accreditation functions:

- (i) Evaluating the protocols and procedures used by a laboratory;
- (ii) Performing on-site audits;
- (iii) Evaluating participation and successful completion of proficiency testing;
- (iv) Determining the capability of a laboratory to produce accurate and reliable test results; and
- (v) Such other accreditation activities as the department of ecology deems appropriate.

(b) The state cannabis product testing laboratory accreditation program initial development costs must be fully paid from the dedicated cannabis account created in RCW 69.50.530.

(6) The department of ecology and the interagency coordination team created in RCW 15.150.020 must act cooperatively to ensure effective implementation and administration of this section.

(7) All fees collected under this section must be deposited in the dedicated cannabis account created in RCW 69.50.530. [2022 c 135

§ 6; 2022 c 16 § 68; 2019 c 277 § 2; 2013 c 3 § 11 (Initiative Measure No. 502, approved November 6, 2012).]

Reviser's note: This section was amended by 2022 c 16 § 68 and by 2022 c 135 § 6, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Effective date—2022 c 135 § 6: "Section 6 of this act takes effect July 1, 2024." [2022 c 135 § 8.]

Purpose—2022 c 135: See note following RCW 15.150.010.

Effective date—2022 c 16 §§ 65 and 68: See note following RCW 69.50.345.

Intent—Finding—2022 c 16: See note following RCW 69.50.101.

Effective date—2019 c 277 §§ 2 and 6: "Sections 2 and 6 of this act take effect July 1, 2024." [2019 c 277 § 8.]

Intent—2013 c 3 (Initiative Measure No. 502): See note following RCW 69.50.101.