

## WSR 23-03-045

## PREPROPOSAL STATEMENT OF INQUIRY

## DEPARTMENT OF AGRICULTURE

[Filed January 10, 2023, 8:36 a.m.]

Subject of Possible Rule Making: As a result of recently passed HB 1859, the department is initiating rule making to establish cannabis testing laboratory quality standards by rule.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 15.150.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: HB 1859 (chapter 135, Laws of 2022) requires the department to establish and maintain cannabis testing laboratory quality standards by rule. The cannabis testing laboratory quality standards must include, but are not limited to: Approved methods for testing cannabis for compliance with product standards established by rule by the liquor and cannabis board (LCB) or the department of health (DOH); method validation protocols; and performance measures and criteria applied to testing of cannabis products.

The bill also created an interagency coordination team for cannabis laboratory quality standards. The team consists of the department of agriculture (WSDA), LCB, and DOH. WSDA is the designated lead agency for the team.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The rules will be developed in collaboration with LCB and DOH. As such, both agencies will be heavily involved with this rule. Since the cannabis analysis lab accreditation program will be overseen by the Washington state department of ecology (ecology), WSDA will also be coordinating with ecology.

Since the interagency team is required to consider the recommendations made by the cannabis science task force on the development of appropriate laboratory quality standards for cannabis product testing laboratories, the department will also coordinate rule development with the members of the task force which includes members of the cannabis scientific community.

Process for Developing New Rule: WSDA will discuss any proposed amendments with affected stakeholders. Affected stakeholders will also have an opportunity to submit written comments on the proposed rules during the public comment period and will be able to present oral testimony at the public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Trecia Ehrlich, Cannabis Program Manager, 1111 Washington Street S.E., P.O. Box 42560, Olympia, WA 98504-2560, phone 360-584-3711, fax 360-902-2085, TTY 800-833-6388, email [tehrlich@agr.wa.gov](mailto:tehrlich@agr.wa.gov), website [www.agr.wa.gov](http://www.agr.wa.gov).

January 4, 2023  
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