

Fred Podesta, Director

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Approved:

Date

City of Seattle Marijuana Business Rules

Marijuana Business Regulations

The following rules provide guidance for implementing SMC 6.500.100 as authorized by the Seattle Municipal Code:

For the purposes of interpreting these Director's Rules, the definitions in WAC 314-55-010 shall apply.

Violations of or failure to comply with the provisions of these rules shall have the same monetary penalties as those set forth in the applicable provisions of the Washington Administrative Code in accordance with SMC 6.500.170.H.3.

The following rules, based on the Washington Administrative Code (WAC), are adopted by the Director.

Rule	
MJR 017	Conditional sales prohibited. Conditional sales of marijuana products are prohibited.
(See WAC 314- 55-017)	(1) Marijuana producers and processors are prohibited from requiring the purchase of other products and/or services by another marijuana licensee as a condition of a transaction of marijuana product. Products and services include, but are not limited to, paraphernalia, lighters, promotional items, unreasonable processing and/or packaging charges. (2) Marijuana retailers are prohibited from requiring a customer to purchase other products and/or services as a condition to purchasing a marijuana product. Products and services include, but are not limited to, paraphernalia, lighters, promotional items, memberships, and bags, boxes, or containers. (3) The selling price of marijuana product must be indicative of the true value when sold without any other products or services.
MJR 083	What are the security requirements for a marijuana licensee?
(See WAC 314- 55-083)	The security requirements for a marijuana licensee are as follows: (1) Display of identification badge. All licensees and employees on the licensed premises shall be required to hold and properly display an identification badge issued by the licensed employer at all times while on the licensed premises and engaged in the transportation of marijuana. The identification badge must list the licensee's trade name and include the person's full and legal name and photograph. All licensees and employees must have their state issued identification available to verify the information on their badge is correct.

- (a) All nonemployee visitors to the licensed premises, other than retail store customers, shall be required to hold and properly display an identification badge issued by the licensee at all times while on the licensed premises.
- (b) A log must be kept and maintained showing the full name of each visitor entering the licensed premises, badge number issued, the time of arrival, time of departure, and the purpose of the visit.
- (c) All log records must be maintained on the licensed premises for a period of three years and are subject to inspection by any WSLCB employee or law enforcement officer, and must be copied and provided to the WSLCB or law enforcement officer upon request.
- (d) Employees, visitors, and other persons at a marijuana licensed premises, including persons engaged in the transportation of marijuana, must provide identification to a WSLCB enforcement officer upon request.
- (2) [Not included]
- (3) [Not included]
- (4) [Not included]
- (5) [Not included]

MJR 086

(See WAC 314-55-086)

What are the mandatory signs a marijuana licensee must post on a licensed premises?

(1) **Notices regarding persons under twenty-one years of age** must be conspicuously posted on the premises as follows:

Type of licensee	Sign must contain the following language:	Required location of sign
Medical marijuana retailer.	"Persons under twenty one years of age not permitted on these premises without a valid qualifying patient card. Juvenile qualifying patients must be accompanied by their designated provider at all times."	Conspicuous location at each entry to premises.
Marijuana retailer	"Warning: This product has intoxicating effects and may be habit forming. Smoking	At each point of sale.

	is hazardous to your health." "There may be health risks associated with consumption of this product." "Should not be used by women that are pregnant or breast feeding." "Marijuana can impair concentration, coordination, and judgment. Do not operate a vehicle or machinery under the influence of this drug."	
Marijuana producer, marijuana processor, and marijuana retailer.	"Persons under twenty-one years of age not permitted on these premises."	Conspicuous location at each entry to premises.

The WSLCB will provide the required notices, or licensees may design their own notices as long as they are legible and contain the required language.

(2) Signs provided by the WSLCB prohibiting opening a package of marijuana or marijuana-infused product in public or consumption of marijuana or marijuana-infused products in public, must be posted as follows:

Required location of sign
Posted in plain view at the main entrance to the establishment.

(3) The premises' current and valid master license with appropriate endorsements must be conspicuously posted on the premises and available for inspection by WSLCB enforcement officers. (4) Firearms prohibited signs provided by the WSLCB must be posted at the entrance of each producer, processor, and retailer licensed location.

MJR 087	What are the recordkeeping requirements for marijuana
	licensees?
(See WAC 314- 55-087)	(1) Marijuana licensees are responsible to keep records that clearly reflect all financial transactions and the financial condition of the business. The following records must be kept and maintained on the licensed premises for a three-year period and must be made available for inspection if requested by the Director:
	(a)Purchase invoices and supporting documents, to include the items and/or services purchased, from whom the items were purchased, and the date of purchase;
	(b)Bank statements and canceled checks for any accounts relating to the licensed business;
	(c)Accounting and tax records related to the licensed business and each true party of interest;
	(d)Records of all financial transactions related to the licensed business, including contracts and/or agreements for services performed or received that relate to the licensed business;
	(e)[Not included]; (f)Records of each daily application of pesticides applied to the marijuana plants or growing medium. For each application, the
	producer shall record the following information on the same day the application is made:
	(i)Full name of each employee who applied the pesticide; (ii)The date the pesticide was applied;
	(iii)The name of the pesticide or product name listed on the registration label which was applied;
	(iv)The concentration and total amount of pesticide per plant; and (v)For outdoor production, the concentration of pesticide that
	was applied to the field. Liquid applications may be recorded as, but are not limited to, amount of product per one hundred gallons of liquid spray, gallons per acre of output volume, ppm, percent product in tank
	mix (e.g., one percent). For chemigation applications, record "inches of water applied" or other appropriate measure.
	(g)Soil amendment, fertilizers, or other crop production aids applied to the growing medium or used in the process of growing marijuana;
	(h) [Not included]; (i) [Not included];
	(j)Transportation records as described in WAC <u>314-55-085</u> ; (k)Inventory records;
	(l)All samples sent to an independent testing lab and the quality assurance test results;

- (m)All free samples provided to another licensee for purposes of negotiating a sale;
- (n)All samples used for testing for quality by the producer or processor;
 - (o)Sample jars containing usable marijuana provided to retailers;
- (p)Records of any theft of marijuana seedlings, clones, plants, trim or other plant material, extract, marijuana-infused product, or other item containing marijuana.
- (q) Records of any marijuana product provided free of charge to qualifying patients or designated providers.
- (2) [Not included]
- (3) The provisions contained in subsections (1) and (2) of this section do not eliminate the requirement to maintain source documents, but they do allow the source documents to be maintained in some other location.

MIR 095

Marijuana servings and transaction limitations.

(See WAC 314-55-095)

- (1) For persons age twenty-one and older and qualifying patients or designated providers who are not entered into the medical marijuana authorization database, marijuana serving and transaction limitations are as follows:
- (a) **Single serving.** A single serving of a marijuana-infused product must not exceed ten milligrams active tetrahydrocannabinol (THC), or Delta 9.
- (b) **Maximum number of servings.** The maximum number of servings in any one single unit of marijuana-infused product meant to be eaten or swallowed is ten servings or one hundred milligrams of active THC, or Delta 9. A single unit of marijuana concentrate cannot exceed one gram.
- (c) **Transaction limitation.** A single transaction is limited to one ounce of usable marijuana, sixteen ounces of marijuana-infused product meant to be eaten or swallowed in solid form, seven grams of marijuana-infused extract or marijuana concentrate for inhalation, and seventy-two ounces of marijuana-infused product in liquid form meant to be eaten or swallowed.
- (2) For qualifying patients and designated providers who are entered into the medical marijuana authorization database, serving and transaction limits are as follows:
- (a) **Single serving.** Except as provided in chapter <u>246-70</u> WAC, a single serving of a marijuana-infused product must not exceed ten milligrams active tetrahydrocannabinol (THC), or Delta 9.
- (b) **Maximum number of servings.** Except as provided in chapter <u>246-70</u> WAC, the maximum number of servings in any one single unit of marijuana-infused product meant to be eaten, swallowed or applied is ten servings or one hundred milligrams of active THC, or Delta 9. A single unit of marijuana concentrate cannot exceed one gram.

	(c) Transaction limitation. A single transaction by a retail store with a medical marijuana endorsement to a qualifying patient or designated provider who is entered into the medical marijuana database is limited to three ounces of usable marijuana, forty-eight ounces of marijuana-infused product meant to be eaten or swallowed in solid form, twenty-one grams of marijuana-infused extract or marijuana concentrate for inhalation, and two hundred sixteen ounces of marijuana-infused product in liquid form meant to be eaten or swallowed.
MJR 096	Samples.
(See WAC 314- 55-096)	 (1) [Not included] (2) [Not included] (3) [Not included] (4) [Not included] (5) [Not included] (6) [Not included] (7) Retailers may not provide free samples to customers. (8) [Not included] (9) [Not included] (10) [Not included] (11) [Not included]
MJR 099	Standardized scales.
(See WAC 314- 55-099)	(1) Marijuana producer and processor licensees must have at least one scale on the licensed premises for the traceability and inventory of products.
	 (2) The scales and other measuring devices are subject to chapter 19.94 RCW, and must meet the requirements of the most current version of chapter 16-662 WAC. (3) Licensees must register scales on a business license application with business license services through the department of revenue as required under chapter 19.94 RCW.
MJR 105	 19.94 RCW, and must meet the requirements of the most current version of chapter 16-662 WAC. (3) Licensees must register scales on a business license application with business license services through the department of revenue as

- (4) Usable marijuana, marijuana concentrates, and marijuana-infused products must not be labeled as organic unless permitted by the United States Department of Agriculture in accordance with the Organic Foods Production Act.
- (5) The certified third-party testing lab and required results of the quality assurance test must be included with each lot and disclosed to the customer buying the lot.
- (6) A marijuana producer must make quality assurance test results available to any processor purchasing product. A marijuana producer must label each lot of marijuana with the following information:
 - (a) Lot number:
 - (b) UBI number of the producer; and
 - (c) Weight of the product.
- (7) Marijuana-infused products and marijuana concentrates meant to be eaten, swallowed, or inhaled, must be packaged in child resistant packaging in accordance with Title 16 C.F.R. 1700 of the Poison Prevention Packaging Act or use standards specified in this subsection. Marijuana-infused product in solid or liquid form may be packaged in plastic four mil or greater in thickness and be heat sealed with no easy-open tab, dimple, corner, or flap as to make it difficult for a child to open and as a tamperproof measure. Marijuana-infused product in liquid form may also be sealed using a metal crown cork style bottle cap.

Marijuana-infused solid edible products. If there is more than one serving in the package, each serving must be packaged individually in childproof packaging (see WAC 314-55-105(7)) and placed in the outer package.

Marijuana-infused liquid edible products. If there is more than one serving in the package, a measuring device must be included in the package with the product. Hash marks on the bottle do not qualify as a measuring device. A measuring cap or dropper must be included in the package with the marijuana-infused liquid edible product.

- (8) [Not included]
- (9) [Not included]
- (10) Labels must comply with the version of NIST Handbook 130, Uniform Packaging and Labeling Regulation adopted in chapter <u>16-662</u> WAC.
- (11) All marijuana and marijuana products when sold at retail must include accompanying material that is attached to the package or is given separately to the consumer containing the following warnings:
- (a) "Warning: This product has intoxicating effects and may be habit forming. Smoking is hazardous to your health";
- (b) "There may be health risks associated with consumption of this product";

- (c) "Should not be used by women that are pregnant or breast feeding";
- (d) "For use only by adults twenty-one and older. Keep out of reach of children";
- (e) "Marijuana can impair concentration, coordination, and judgment. Do not operate a vehicle or machinery under the influence of this drug";
- (f) Statement that discloses all pesticides applied to the marijuana plants and growing medium during production and processing.
- (12) Labels affixed to the container or package containing marijuana or marijuana products sold at retail must include:
- (a) The business or trade name and the sixteen digit Washington state unified business identifier number of the licensees that produced, processed and sold the marijuana or marijuana products. The marijuana retail licensee trade name and Washington state unified business identifier number may be in the form of a sticker placed on the label;
- (b) Sixteen digit inventory ID number assigned by the WSLCB's traceability system. This must be the same number that appears on the transport manifest;
 - (c) Net weight in ounces and grams or volume as appropriate;
 - (d) [Not included]
 - (e) [Not included]
 - (f) [Not included]
 - (g) [Not included]
 - (h) [Not included]
- (13) In addition to requirements in subsection (10) of this section, labels affixed to the container or package containing usable marijuana, or packaged marijuana mix sold at retail must include:
- (a) Concentration of THC (total THC and activated THC-A) and CBD (total CBD and activated CBD-A);
 - (b) Date of harvest.
- (14) In addition to requirements in subsection (10) of this section, labels affixed to the container or package containing marijuana-infused products meant to be eaten or swallowed sold at retail must include:
 - (a) Date manufactured:
 - (b) Best by date;
- (c) Serving size and the number of servings contained within the unit:
- (d) Total milligrams of active THC, or Delta 9 and total milligrams of active CBD;
- (e) List of all ingredients and major food allergens as defined in the Food Allergen Labeling and Consumer Protection Act of 2004;

- (f) "Caution: When eaten or swallowed, the intoxicating effects of this drug may be delayed by two or more hours."
- (15) In addition to requirements in subsection (10) of this section, labels affixed to the container or package containing marijuana-infused extract for inhalation, or infused marijuana mix sold at retail must include:
 - (a) Date manufactured;
 - (b) Best by date;
- (c) Concentration of THC (total Delta 9 and Delta 9 THC-A) and CBD (total CBD and activated CBD-A).
- (16) In addition to requirements in subsection (10) of this section, labels affixed to the container or package containing marijuana topicals sold at retail must include:
 - (a) Date manufactured;
 - (b) Best by date;
- (c) Total milligrams of active tetrahydrocannabinol (THC), or Delta 9 and total milligrams of active CBD.
- (17) Other cannabinoids and terpenes may be included on the label if:
- (a) The producer or processor has test results from a certified third-party lab to support the claim; and
- (b) The lab results are made available to the consumer upon request.

MJR 106

(See WAC 314-55-106)

Marijuana warning symbol requirement.

The following requirements are in addition to the packaging and labeling requirements provided in WAC 314-55-105.

- (1) Marijuana-infused products meant to be eaten or swallowed sold at retail must be labeled on the principal display panel or front of the product package with the "not for kids" warning symbol created and made available in digital form to licensees without cost by the Washington poison center (WPC). The warning symbol may be found on the WPC's web site.
- (a) The warning symbol must be of a size so as to be legible, readily visible by the consumer, and effective to alert consumers and children that the product is not for kids, but must not be smaller than three-quarters of an inch in height by one-half of an inch in width; and
- (b) The warning symbol must not be altered or cropped in any way other than to adjust the sizing for placement on the principal display panel or front of the product package, except that a licensee must use a black border around the edges of the white background of the warning symbol image when the label or packaging is also white to ensure visibility of the warning symbol.
- (2) Licensees may download the digital warning symbol from the WPC and print stickers, or purchase and use a sticker made available by the

	WPC, in lieu of incorporating the warning symbol on its label or packaging as required under subsection (1) of this section. If a licensee elects to use a warning symbol sticker, the sticker: (a) Must meet all requirements of subsection (1) of this section; and (b) Must not cover or obscure in any way labeling or information required on marijuana products by WAC 314-55-105. (3) For the purposes of this section, "principal display panel" means the portion(s) of the surface of the immediate container, or of any outer container or wrapping, which bear(s) the labeling designed to be most prominently displayed, shown, presented, or examined under conditions of retail sale. "Immediate container" means the external container holding the marijuana product.
MJR 107	Marijuana product compliance.
(See WAC 314- 55-107)	A marijuana compliant product must meet all requirements in the department of health rules found in chapter $\underline{246-70}$ WAC in addition to all WSLCB requirements found in chapter $\underline{314-55}$ WAC.
MJR 110	What are my responsibilities as a marijuana licensee?
(See WAC 314- 55-110)	(1) [Not included] (2) [Not included] (3) [Not included] (4) Licensees have the responsibility to control their conduct and the conduct of employees, customers, and visitors on the licensed premises at all times. Except as otherwise provided by law, licensees or employees may not: (a) Be disorderly or apparently intoxicated by liquor, marijuana, or controlled substances on the licensed premises; (b) Permit any disorderly person to remain on the licensed premises; (c) Engage in or allow behavior on the licensed premises that provokes conduct which presents a threat to public safety; (d) Engage, or permit any employee or other person to engage in, conduct on the licensed premises which is prohibited by any portion of Title 9, 9A, or 66 RCW, or chapters 69.50 and 69.51A RCW; (e) Engage in or permit any employee or other person to engage in the consumption of any type of marijuana, usable marijuana, marijuana concentrate, or marijuana-infused product on the licensed premises.
MJR 147	What hours may a marijuana retailer licensee conduct sales?

(See WAC 314-55-147)	A marijuana retailer licensee may sell usable marijuana, marijuana concentrates, marijuana-infused products, and marijuana paraphernalia between the hours of 8 a.m. and 12 a.m.	
MJR 150	What are the forms of acceptable identification?	
(See WAC 314-55-150)	(1) Following are the forms of identification that are acceptable to verify a person's age for the purpose of purchasing marijuana: (a) Driver's license, instruction permit, or identification card of any state, or province of Canada, from a U.S. territory or the District of Columbia, or "identicard" issued by the Washington state department of licensing per RCW 46.20.117; (b) United States armed forces identification card issued to active duty, reserve, and retired personnel and the personnel's dependents, which may include an embedded, digital signature in lieu of a visible signature; (c) Passport; (d) Merchant Marine identification card issued by the United States Coast Guard; and (e) Enrollment card issued by the governing authority of a federally recognized Indian tribe located in Washington, if the enrollment card incorporates security features comparable to those implemented by the department of licensing for Washington driver's licenses. (2) The identification document is not acceptable to verify age if expired.	
MJR 155	Advertising.	
(See WAC 314-55- 155)	(1) Advertising by retail licensees. The WSLCB limits each retail licensed premises to a maximum of two separate signs identifying the retail outlet by the licensee's business name or trade name. Both signs must be affixed to the building or permanent structure and each sign is limited to sixteen hundred square inches. (2) General. All marijuana advertising and labels of usable marijuana, marijuana concentrates, and marijuana-infused products sold in the state of Washington must not contain any statement, or illustration that: (a) Is false or misleading; (b) Promotes over consumption; (c) Represents the use of marijuana has curative or therapeutic effects; (d) Depicts a child or other person under legal age to consume marijuana, or includes: (i) Objects, such as toys, characters, or cartoon characters suggesting the presence of a child, or any other depiction designed in	

any manner to be especially appealing to children or other persons under legal age to consume marijuana; or

- (ii) Is designed in any manner that would be especially appealing to children or other persons under twenty-one years of age.
- (3) No licensed marijuana producer, processor, or retailer shall place or maintain, or cause to be placed or maintained, an advertisement of marijuana, marijuana concentrates, usable marijuana, or a marijuana-infused product in any form or through any medium whatsoever:
- (a) Within one thousand feet of the perimeter of a school grounds, playground, recreation center or facility, child care center, public park, library, or a game arcade admission to which it is not restricted to persons aged twenty-one years or older;
 - (b) On or in a public transit vehicle or public transit shelter; or
 - (c) On or in a publicly owned or operated property.
- (4) Promotional items such as giveaways, coupons, and distribution of branded or unbranded merchandise are banned.
- (5) Marijuana retail licensees holding a medical marijuana endorsement may donate product to qualifying patients or designated providers who hold a valid recognition card. Retail licensees may not advertise "free" or "donated" product.
- (6) All advertising must contain the following warnings:
- (a) "This product has intoxicating effects and may be habit forming.";
- (b) "Marijuana can impair concentration, coordination, and judgment. Do not operate a vehicle or machinery under the influence of this drug.";
- (c) "There may be health risks associated with consumption of this product."; and
- (d) "For use only by adults twenty-one and older. Keep out of the reach of children."

MJR 310

Transportation license

(See WAC 314-55-310)

- (1) [Not included]
- (2) [Not included]
- (3) **Transport manifest.** A complete printed transport manifest on a form provided by the WSLCB containing all information required by the WSLCB must be kept with the product at all times.
- (4) **Records of transportation.** Records of all transportation must be kept for a minimum of three years at the licensee's location and are subject to inspection if requested by an employee of the WSLCB or local law enforcement:
 - (a) Copies of transportation manifests for all deliveries;

- (b) A transportation log documenting the chain of custody for each delivery to include driver(s) and vehicle(s) associated with each delivery;
- (c) Bank statements and canceled checks for any accounts relating to the licensed business;
 - (d) Accounting and tax records related to the licensed business;
- (e) Records of all financial transactions related to the licensed business, including invoices, contracts and/or agreements for services performed or received that relate to the licensed business;
 - (f) [Not included]
- (5) **Transportation of product.** Marijuana or marijuana products that are being transported must meet the following requirements:
- (a) Only the transportation licensee or an employee of the transportation licensee who is at least twenty-one years of age may transport product. All drivers must carry a valid Washington driver's license with the proper endorsements when operating a vehicle in the transportation of product. All passengers in the vehicle transporting marijuana or marijuana products must be employees of the transportation licensee who are at least twenty-one years of age;
- (b) Marijuana or marijuana products must be in a sealed package or container approved by the WSLCB pursuant to WAC <u>314-55-105</u>;
- (c) Sealed packages or containers cannot be opened during transport;
- (d) Marijuana or marijuana products must be in a locked, safe and secure storage compartment that is secured to the inside body/compartment of the vehicle transporting the marijuana or marijuana products;
- (e) Any vehicle transporting marijuana or marijuana products must be delivered or returned to the shipper within forty-eight hours from the time of pickup;
- (f) Live plants may be transported in a fully enclosed, windowless locked trailer, or in a secured area within the inside body/compartment of a van or box truck. A secured area is defined as an area where solid or locking metal petitions, cages, or high strength shatterproof acrylic can be used to create a secure compartment in the fully enclosed van or box truck. The secure compartment in the fully enclosed van or box truck must be free of windows. Live plants may not be transported in the bed of a pickup truck, a sports utility vehicle, or passenger car.
- (6) [Not included]

MJR 410

Cooperatives.

(See WAC 314-55-410)

(1) A cooperative may be formed by qualifying patients and/or designated providers to share responsibility for growing and processing marijuana only for the medical use of the members of the cooperative. A cooperative must meet the following criteria:

- (a) All members must be at least twenty-one years of age. The designated provider of a qualifying patient under twenty-one years of age may be a member of a cooperative on the qualifying patient's behalf;
 - (b) All members must hold valid recognition cards;
 - (c) No more than four members are allowed in a cooperative;
 - (d) A member can only belong to one cooperative;
- (e) A member may only grow plants in the cooperative and may not grow plants elsewhere;
- (f) Members must participate in growing plants. A monetary contribution or donation is not considered assistance. Members must provide nonmonetary resources and assistance in order to participate;
- (g) Members may grow up to the total amount of plants for which each member is authorized on their recognition cards. At the location, the qualifying patients or designated providers may possess the amount of usable marijuana that can be produced with the number of plants permitted, but no more than seventy-two ounces;
- (h) Members may not sell, donate, or otherwise provide marijuana, marijuana concentrates, usable marijuana, or other marijuana-infused products to a person who is not a member of the cooperative;
- (i) A cooperative may not be located within a one mile radius of a marijuana retailer;
- (j) A cooperative must be located in the domicile of one of the members. Only one cooperative may be located per property tax parcel; and
- (k) To obscure public view of the premises, outdoor marijuana production must be enclosed by a sight obscure wall or fence at least eight feet high.
- (2) People who wish to form a cooperative must register the location with the WSLCB. The location registered is the only location where cooperative members may grow or process marijuana. The following is required to register a cooperative:
 - (a) [Not included];
 - (b) [Not included];
 - (c) [Not included];
 - (d) [Not included].
- (3) [Not included]
- (4) [Not included]
- (5) [Not included]
- (6) [Not included]
- (7) [Not included]