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PROCESSOR PRE-LICENSURE INSPECTION REMINDERS

Please note the following excerpts from the [Emergency Rules](#) and from the [Medical Marihuana Facilities Licensing Act](#), in preparation for pre-licensure inspections. This list is not all-inclusive yet highlights key areas to consider when navigating the application and inspection process.

"Grower" means a licensee that is a commercial entity located in this state that cultivates, dries, trims, or cures and packages marihuana for sale to a processor, provisioning center, or another grower. A processor license authorizes purchase of marihuana only from a grower and sale of marihuana-infused products or marihuana only to a provisioning center or another processor. Until December 31, 2021, have, or have as an active employee an individual who has, a minimum of 2 years' experience as a registered primary caregiver.

To ensure the safety, security, and integrity of the operation of marihuana facilities, there is a transition period consisting of 30 calendar days during which marihuana product can be entered into the statewide monitoring system to ensure statewide tracking beginning on the day a state operating license is issued to a licensee for the first time except for additional licenses issued to the same license holder for a stacked license after a first license is issued.

Any change or modification to the marihuana facility after licensure is governed by the standards and procedures set forth in the act and these rules and any regulations adopted pursuant thereto and requires the approval of the department before any changes or modification.

Any change of a location of a marihuana facility after licensure requires a new license application under Rules 5 and 6 and may include, but is not limited to, regulatory assessment or application fees or both. A licensee shall produce written documentation from the municipality approving the proposed new marihuana facility location as indicated on the application provided to the department and be in compliance with section 205 of the act.

A processor shall prepackage and properly label marihuana-infused products before sale or transfer. A processor of marihuana-infused products shall list and record the THC level of marihuana-infused products, as provided in Rule 34, in the statewide monitoring system and indicate the THC level on the label along with the tag identification as required under these rules. Items that are part of a product recall issued in the statewide monitoring system, the department, or other state agency if applicable must be immediately pulled from production and not sold or transferred.

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Marihuana-infused products must be stored and secured as prescribed under these rules. At a minimum, a processor shall label any marihuana-infused product it produces or packages according to the guidelines, refer to the Emergency Rules for details. A processor of edible marihuana product shall comply with all the guidelines to ensure safe preparation, refer to Emergency Rule for details. A processor edible marihuana product must comply with all guidelines involving packaging, refer to Emergency Rule for details. A processor is prohibited from producing an edible marihuana product that requires time or temperature control for safety. The end-product must be a stable shelf-life edible marihuana product.

For purposes of this rule, the term “edible marihuana product” means any marihuana-infused product containing marihuana that is intended for human consumption in a manner other than smoke inhalation.

Prior to marihuana product being sold or transferred to or by a provisioning center, the container, bag, or product holding the marihuana product must have a label and be sealed with all the information listed in this rule, refer to Emergency Rules for details.

Rules 29 and 32 cover plant batches, testing procedures, and sampling. Please review and follow guidelines regarding identifying, tagging, testing, and samples and refer to Emergency Rules 29 and 32 for details.

A licensee shall conduct a criminal history background check on any prospective employee prior to hiring that individual pursuant to section 405 of the act. The licensee shall keep records of the results of the criminal history background checks. A licensee shall record confirmation of criminal history background checks and make the confirmation of criminal history background checks available for inspection upon request by the department or authorized persons.

A licensee shall have a policy in place that requires employees to report any new or pending charges or convictions. If an employee is charged or convicted for a controlled substance-related felony or any other felony, the licensee shall report it immediately to the department.

A licensee shall enter any employee of the licensee at the time of hire in the statewide monitoring system for an identification number that will be assigned by the department in the statewide monitoring system. The licensee shall immediately update in the statewide monitoring system employee information and status. If an employee is no longer employed by a licensee, the licensee shall remove access and permissions to the marihuana facility and the statewide monitoring system.

A licensee shall train employees and have an employee training manual that includes, but is not limited to, employee safety procedures, employee guidelines, security

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protocol, and educational training, including, but not limited to, marihuana product information, dosage and daily limits, or educational materials.

A licensee shall establish point of sale or transfer procedures for employees at provisioning centers performing any transfers or sales to registered qualifying patients and registered primary caregivers. The qualifications and restrictions must include, but are not limited to, training in dosage, marihuana product information, health or educational materials, point of sale training, daily purchasing limits, CBD and THC information, serving size, and consumption information including any warnings.

A licensee shall screen prospective employees against a list of excluded employees based on a report or investigation maintained by the department in the statewide monitoring system.

At the time a registered primary caregiver is hired as an employee of a grower, processor, or secure transporter, the licensee or the individual shall withdraw registration as a registered primary caregiver in a manner established by the department.

If an individual is present at a marihuana facility or in a secure transporter vehicle who is not identified as a licensee or an employee of the licensee in the statewide monitoring system or is in violation of the act or these rules, the department, through its investigators, agents, auditors, or the state police may take any action permitted under the act and these rules.

Employee records are subject to inspection or examination by the department, through its investigators, agents, auditors, or the state police to determine compliance with the act or these rules. For purposes of this rule “employee” includes, but is not limited to, hourly employees, contract employees, trainees, or any other person given any type of employee credentials or authorized access to the marihuana facility.