

Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

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MEMORANDUM

TO: Marijuana Control Board

DATE: September 4, 2024

FROM: Kristina Serezhenkov, Regulations

Specialist

RE: Labelling Requirements of Test

Results

This project was opened at the June 2024 Board meeting. The attached regulations draft is for board discussion. It proposes to amend:

3 AAC 306.475(e)(4) Labelling of marijuana.

This is amended to remove the requirement for a marijuana cultivation facility that transports wholesale marijuana to another marijuana establishment to affix a label to the shipping container listing any contaminants for which the product was tested or required to be tested. It allows for the marijuana cultivation facility to instead, provide that same list, upon request.

Options for the board:

- Move to approve and send to Law for initial review and (with Law's approval) subsequent public comment
- Move to amend and then send to Law for initial review and (with Law's approval) subsequent public comment
- Move to send back to staff for more work
- Table the regulations project
- Close the regulations project

Register,	2024	COMMERCE, COMMUNITY, AND EC. DEV.		
(Words in boldface and underlined indicate language being added; words [CAPITALIZED				
AND BRACKETED] indicate language being deleted.)				
This draft includes entire 3 AAC 306.475 for ease of reference.				
3 AAC 306.475(e)(4) is ame	ended to read:			

(e) If a marijuana cultivation facility transports wholesale marijuana to another marijuana establishment for sale at retail or for use in manufacturing a marijuana product, a label must be affixed to the shipping container showing that a licensed marijuana testing facility has tested each harvest batch in the shipment as provided in 3 AAC 306.645. The label must report the test results, including

- (1) a cannabinoid potency profile expressed as a range of percentages that extends from the lowest percentage to highest percentage of concentration for each cannabinoid listed from every test conducted on that strain of marijuana from the same marijuana cultivation facility within the last three months;
- (2) a statement listing the results of microbial testing required under 3 AAC 306.645(b)(2);
- (3) a statement listing the results of residual solvent testing required under 3 AAC 306.645(b)(3), if applicable; and

(4) <u>immediately upon request</u> <u>from the marijuana establishment receiving</u>

<u>the shipment,</u> a statement listing any contaminants for which the product was tested in addition to contaminants for which 3 AAC 306.645(b) requires testing; any additional tested contaminants include

- (A) molds, mildew, and filth;
- (B) herbicides, pesticides, and fungicides; and

Commented [KRS1]: Section titled:
Labelling of marijuana

Commented [KRS2]: `immediately' added here to ensure the statement is given right away as opposed to having a waiting period. Also, added who can request the statement—for board consideration

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(C) harmful chemicals.					
(f) If a marijuana cultivation facility ships wholesale marijuana from a harvest batch that					
has not been tested for each contaminant listed in (e)(4) of this section, the label for that batch					
must include a statement identifying each contaminant listed in (e)(4) of this section for which					
that harvest batch has not been tested. (Eff. 2/21/2016, Register 217; am 11/8/2018, Register					
228; am/, Register)					
Authority:	AS 17.38.010	AS 17.38.150	AS 17.38.200		
	AS 17.38.070	AS 17.38.190	AS 17.38.900		
	AS 17.38.121				