



# PREPROPOSAL STATEMENT OF INQUIRY

## CR-101 (October 2017) (Implements RCW 34.05.310)

Do NOT use for expedited rule making

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DATE: June 21, 2023

TIME: 8:56 AM

WSR 23-13-116

**Agency:** Department of Ecology AO #23-03

**Subject of possible rule making:** The Department of Ecology is developing new chapter WAC 173-055 Accreditation of Cannabis Laboratories to create a cannabis laboratory accreditation program.

This new rule will define the cannabis laboratory accreditation program's standards, scope, and fee structure. Our goal is to set accreditation standards for cannabis laboratories to build a robust and sustainable accreditation system. The fee structure will be designed to fund a cost-neutral accreditation program.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 43.21A.736 Cannabis product testing – Fees - Rules and RCW 69.50.348 Representative samples of cannabis, useable cannabis, or cannabis-infused products.

**Reasons why rules on this subject may be needed and what they might accomplish:**

In 2019, RCW 43.21A.736 and RCW 69.50.348 directed the transfer of accreditation authority for cannabis laboratories from the Washington State Liquor and Cannabis Board (LCB) to Ecology on July 1, 2024. We are working with the LCB on this rule to facilitate the transfer. This will establish Ecology's rules to implement a cannabis laboratory accreditation program.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**

Washington State Department of Agriculture  
Washington State Department of Health  
Washington State Liquor and Cannabis Board

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Ecology will follow the standard process for the adoption of rules under the Administrative Procedure Act (Chapter 34.05 RCW).

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

Name: Ryan Zboralski	(If necessary) Name:
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Web site: <a href="https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-55">https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-55</a> or <a href="https://ecology.wa.gov/WAC-173-55">https://ecology.wa.gov/WAC-173-55</a>	Web site:
Other: Join our Cannabis Laboratory Accreditation email list at: <a href="https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic_id=WAECY_27">https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic_id=WAECY_27</a>	Other:

Additional comments: Interested parties can stay informed about the rulemaking and public involvement opportunities as described above. Ecology will extend an offer for government-to-government consultation with tribal governments during each phase of rule development.

**Date:** June 21, 2023

**Name:** Annette Hoffmann

**Title:** Environmental Assessment Program Manager

**Signature:**

