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Grower/Processor Inspection Report & Checklist

Facility Entry

- 64-110-7. Visitor access to grower/processor facilities.

- 7.1. A grower/processor facility may not be open to the general public. A grower/processor must require visitors, including vendors, contractors, and other individuals requiring access to the facility for purposes regarding the growing, processing, or testing of medical cannabis, to sign a visitor log and wear a visitor identification badge that is visible to others at all times while on the site and in the facility.

- 7.2. A grower/processor must require visitors to present government-issued identification that contains a photo to gain access to the site and facility.

- 7.3. No one under 18 years of age is permitted to enter a grower/processor site and facility.

- 7.4. A grower/processor must post a sign in a conspicuous location at each entrance of the site and facility that states: THESE PREMISES ARE UNDER CONSTANT VIDEO SURVEILLANCE. NO ONE UNDER THE AGE OF 18 IS PERMITTED TO ENTER.

- 7.5. A grower/processor must do all of the following when admitting a visitor to its site and facility:

- 7.5.a. Require the visitor to sign a visitor log upon entering and leaving the facility.

- 7.5.b. Check the visitor's government-issued identification to verify that the name on the identification provided matches the name in the visitor log. A photocopy of the identification must be retained with the log.

- 7.5.c. Issue a visitor identification badge with the visitor's name and company, if applicable, and a badge number.

- 7.5.d. Escort the visitor while the visitor remains in the facility or on the site.

- 7.5.e. Ensure that the visitor does not touch any medical cannabis plant or medical cannabis located in a limited access area.

- 7.6. The following apply to the visitor log required under subsections 7.1 and 7.5:

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- 7.6.a. The grower/processor must maintain the log for four years and make the log available to the Bureau, state or local law enforcement, and other state or local government officials upon request if necessary, to perform the government officials' functions and duties.

- 7.6.b. The log must include the full name of each visitor, the visitor identification badge number, the time of arrival, the time of departure and the purpose of the visit, including the areas of the site and the facility visited and the name of each employee visited.

- 7.8. A principal, financial backer, operator, or an employee of a grower/processor may not receive any type of consideration or compensation for allowing a visitor to enter a limited access area.

- Visitor Access Status

- Visitor Access Conditional Approval Summary

Personnel

- 64-110-3

- 3.2.b. No employees under 18 years of age

- 16A-6-12/OMC-003-2019. Convictions prohibited.

- 12.a. The following individuals may not hold volunteer positions or positions with remuneration in or be affiliated with a medical cannabis organization, including a clinical registrant under article fourteen of this chapter, in any way if the individual has been 3 convicted of any felony criminal offense related to the sale or possession of illegal drugs, narcotics or controlled substances, or conspiracy thereof. Conviction of a crime of violence, including any conviction requiring the individual to register as a sex offender or on the child abuse registry. Conviction of a crime of dishonesty such as embezzlement, bribery, or fraud or a conviction of a crime against the government. Financial backers, Principals, and Employees

- Employee Age and Convictions Status

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- Employee Age and Convictions Conditional Approval Summary
- 64-109-21. Training (Check for written policies and proof of training)
- 21.1. The following individuals must complete a two hour training course developed by the Bureau;
- 21.1.a. Each principal prior to operations
- 21.1.b. Each employee with direct contact with patients or caregivers or who physically handles medical cannabis within 90 days after starting work at the facility.
- 21.3. A medical cannabis organization must retain attendance records of principals and employees.
- Training and Attendance Status
- Training and Attendance Conditional Approval Summary

Operations

- 64-110-4. Plans of operation. (Check for written policies and training plans)
- 4.1. At the time the Bureau determines a grower/processor to be operational, the grower/processor must provide the Bureau with a full and complete plan of operation for review that includes the following:
- 4.1.a. Employment policies and procedures;
- 4.1.b. Security policies and protocols including;
- 4.1.b.1. Staff identification measures;
- 4.1.b.2. Monitoring of attendance of staff and visitors;
- 4.1.b.3. Alarm systems;

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- 4.1.b.4. Video surveillance;
- 4.1.b.5. Monitoring and tracking inventory; and
- 4.1.b.6. Personal security.
-
- 4.1.c. A process for growing, receiving, processing, packaging, labeling, handling, tracking, transporting, storing, disposing, and recalling of medical cannabis and a process for handling, tracking, transporting, storing, and disposing of medical cannabis waste in accordance with applicable laws, rules and regulations.
- 4.1.d. Workplace safety, including conducting necessary safety checks prior to starting the growing and processing of medical cannabis.
- 4.1.e. Contamination protocols.
- 4.1.f. Maintenance, cleaning, and sanitation of equipment in the facility or on the site, or both.
- 4.1.g. Maintenance and sanitation of the site or the facility, or both.
- 4.1.h. Proper handling and storage of any solvent, gas, or other chemical used in growing or processing medical cannabis in accordance with this rule and other applicable laws, rules, and regulations.
- 4.1.i. Quality control, including regulation of the amount of THC in each process lot, proper labeling, and minimization of medical cannabis contamination.
- 4.1.j. Inventory maintenance and reporting procedures.
- 4.1.k. The investigation of complaints and potential adverse events from other medical cannabis organizations, patients, caregivers, or practitioners regarding the operation of the grower/processor.
- 4.1.l. A recall plan meeting the requirements of section 23 (Complaints about or recall of medical cannabis).
- 4.2. A grower/processor must make the full and complete plan of operation available to the Bureau upon request and during any inspection of the site and facility.

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- Plans of Operation Status
- Plans of Operation Conditional Approval Summary

Facility

- 64-110-5. Grower/processor facilities.
- 5.1. A grower/processor may only grow, store, harvest, or process medical cannabis in an indoor, enclosed, secure facility as approved by the Bureau.
- 5.2. The following areas of a facility must be clearly marked with proper signage: (These areas must have signage indicating their specific use)
- 5.2.a. Medical cannabis growing and processing areas. These areas must be easily observed by the Bureau and its authorized agents and by law enforcement.
- 5.2.b. Nongrowing and non-processing areas.
- 5.2.c. Limited access areas. All areas of ingress and egress to a limited access area must be clearly identified by the posting of a sign which must be not less than 12 inches wide and 12 inches long, composed of letters not less than one-half inch in height, which must state: "Do Not Enter-Limited Access Area-Access Limited to Authorized Personnel and Escorted Visitors."
- 5.2.d. Areas that include business offices and reception rooms.
- Grower/Processor Facilities Status
- Grower/Processor Facilities Conditional Approval Summary
- 5.3. A facility must have an enclosed secure area out of public sight for the loading and unloading of medical cannabis into and from a transport vehicle. Must be clearly marked with proper signage.

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- Enclosed Secure Area Status
- Enclosed Secure Area Conditional Approval Summary
- 64-110-13. Equipment operation and maintenance. (Check for written polices, logs and training plans)
- 13.1. A grower/processor facility must have a written process in place to maintain the sanitation and operation of equipment that comes into contact with medical cannabis to prevent contamination. The grower/processor must provide a copy of the written process to the Bureau upon request.
- 13.2. As part of the written process required under subsection 13.1., a grower/processor must:
- 13.2.a. Routinely calibrate, check, and inspect the following to ensure accuracy:
- 13.2.a.1. Automatic, mechanical, or electronic equipment;
- 13.2.a.2. Scales, balances, or other measurement devices used in the grower/processor's operations; and
- 13.2.b. Maintain an accurate log recording the following: (Is there a logbook?)
- 13.2.b.1. Maintenance of equipment;
- 13.2.b.2. Cleaning of equipment; and
- 13.2.b.3. Calibration of equipment.
- Equipment Operation and Maintenance Status
- Equipment Operation and Maintenance Conditional Approval Summary
- §64-110-14. Storage requirements.
- 14.1. A grower/processor must have separate locked limited access areas for storage of seeds, immature medical cannabis plants, medical cannabis plants, and medical cannabis that are expired, damaged, deteriorated, mislabeled, contaminated, recalled, or whose containers or packaging have been opened or breached until the seeds, immature medical cannabis plants, medical cannabis plants, and medical cannabis are

Grower/Processor Inspection Report & Checklist

destroyed or otherwise disposed of as required under section 23 (Management and disposal of medical cannabis waste).

- 14.2. A grower/processor must maintain all storage areas in a clean and orderly condition and free from infestation by insects, rodents, birds, and pests.

- Storage Requirements Status

- Storage Requirements Conditional Approval Summary

- 64-110-15. Sanitation and safety in a facility. (check for written policies, training plans, facilities, equipment, and cleaning supplies)

- 15.1. A grower/processor must maintain its facility in a sanitary condition to limit the potential for contamination or adulteration of the medical cannabis grown and processed in the facility. The following apply:

- 15.1.a. Equipment and surfaces, including floors, counters, walls, and ceilings, must be cleaned and sanitized as frequently as necessary to protect against contamination, using a sanitizing agent registered by the United States Environmental Protection Agency, in accordance with the instructions printed on the label.

- Equipment and utensils must be so designed and of such material and workmanship as to be capable of being adequately cleaned.

- 15.1.b. Trash must be properly removed.

- 15.1.c. Floors, walls, and ceilings must be kept in good repair.

- 15.1.d. Equipment, counters, and surfaces for processing must be food grade quality and may not react adversely with any solvent being used.

- 15.1.e. Adequate protection against pests must be provided through the use of integrated pest management practices and techniques that identify and manage plant pathogens and pest problems, and the regular disposal of trash to prevent infestation.

- 15.1.f. Toxic cleaning compounds, sanitizing agents, solvents used in the growing and processing of medical cannabis, and pesticide chemicals must be labeled and stored in a manner that prevents contamination of seeds, immature medical cannabis plants, medical cannabis plants, and medical cannabis, and in a manner that otherwise complies with other applicable laws, rules, and regulations.

- 15.2. An employee must conform to sanitary practices while on duty, including the following:
- 15.2.a. Maintaining adequate personal hygiene;
- 15.2.b. Wearing proper clothing, including gloves; and
- 15.2.c. Washing hands thoroughly in an adequate hand-washing area before starting work and at any other time when hands may have become soiled or contaminated.
- 15.3. A grower/processor must provide its employees and visitors with adequate and convenient hand-washing facilities furnished with running water at a temperature suitable for sanitizing hands. The following apply:
- 15.3.a. Hand-washing facilities must be located in processing areas and where good sanitary practices require employees to wash and sanitize their hands; and
- 15.3.b. Effective nontoxic sanitizing cleansers and sanitary towel service or suitable drying devices must be provided.
- 15.4. A grower/processor must provide its employees and visitors with adequate, readily accessible lavatories that are maintained in a sanitary condition and in good repair.
- Sanitation and Safety Status
- Sanitation and Safety Conditional Approval Summary
- 15.5. A grower/processor must ensure that its facility is provided with a water supply sufficient for its operations, which must be derived from a source that is a public water system, or a nonpublic system that is capable of providing a safe, potable and adequate supply of water to meet the operational needs of the facility.
- Water Supply Status
- Water Supply Conditional Approval Summary

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- 15.6. A grower/processor must comply with all other applicable state and local building code requirements.
- Building Code Requirements Status
- Building Code Requirements Conditional Approval Summary

Security and Surveillance

- 64-110-8. Security and surveillance.
- Inspect behind every door for verification of room use
- 8.1. A grower/processor must have security and surveillance systems, utilizing commercial-grade equipment, to prevent unauthorized entry and to prevent and detect an adverse loss. The security and surveillance systems must include the following:
- 8.1.a. A professionally monitored security alarm system that includes the following:
- 8.1.a.1. Coverage of all facility entrances and exits, rooms with exterior windows, exterior walls, roof hatches or skylights; storage rooms, including those that contain medical cannabis and safes; and the perimeter of the facility;
- 8.1.a.2. A silent security alarm system signal, known as a duress alarm. generated by the entry of a designated code into an arming station to signal that the alarm user is being forced to turn off the system;
- 8.1.a.3. An audible security alarm system signal, known as a panic alarm, generated by the manual activation of a device intended to signal a life-threatening or emergency situation requiring law enforcement response; (this must be able to be activated in the security room, main entrance area, loading dock, or any other area the public may easily gain access)
- 8.1.a.4. A silent alarm signal, known as a holdup alarm, generated by the manual activation of a device intended to signal a robbery in progress; (this must be able to be activated in the security room, main entrance area, loading dock, or any other area the public may easily gain access)

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- 8.1.a.5. An electrical, electronic, mechanical, or other device capable of being programmed to send a prerecorded voice message requesting dispatch, when activated, over a telephone line, radio or other communication system to a law enforcement, public safety, or emergency services agency;

- 8.1.a.6. A failure notification system that provides an audible, text, or visual notification of any failure in the systems. The failure notification system must provide by telephone, e-mail, or text message an alert to a 10 designated security person within the facility within five minutes after the failure; (unplug a camera to verify)

- 8.1.a.7. Smoke and fire alarms;

- 8.1.a.8. Auxiliary power sufficient to maintain operation of specified growing and processing areas identified in the grower/processor's plan of operation for at least 48 hours following a power outage; (check for logs of routine maintenance/inspection)

- 8.1.a.9. The ability to ensure all access doors are not solely controlled by an electronic access panel to prevent locks from becoming released during a power outage; and

- 8.1.a.10. Motion detectors;

- 8.1.b. A professionally monitored security and surveillance system that is operational 24 hours a day, seven days a week, and records all activity in images at a minimum rate of 15 frames per second, capable of clearly revealing facial detail. The security and surveillance system must include the following:

- 8.1.b.1. Fixed camera placement that allows for a clear image of all individuals and activities in and around the following: (no blind spots)

- 8.1.b.1.A. All limited access areas;

- 8.1.b.1.B. A room or area containing a security and surveillance system storage device or equipment;

- 8.1.b.1.C. Entrances to and exits from the facility. Entrances and exits must be recorded from both indoor and outdoor vantage points;

- 8.1.b.I.D. Rooms with exterior windows, exterior walls, roof hatches, or skylights and storage rooms, including those that may contain medical cannabis and safes; and

Grower/Processor Inspection Report & Checklist

- 8.1.b.1.E. Twenty feet from the exterior of the perimeter of the facility;
- 8.1.b.2. Auxiliary power sufficient to maintain operation for at least 48 hours following a power outage;
- 8.1.b.3. Ability to operate under the normal lighting conditions of each area under surveillance;
- 8.1.b.4. Ability to immediately produce a clear, color, still photograph in a digital format that meets the requirements of this subsection;
- 8.1.c. Ability to clearly and accurately display the date and time. The date and time must be synchronized and set correctly and may not significantly obscure the picture;
- 8.1.d. Ability to record all images captured by each surveillance camera at a minimum rate of 15 frames per second, for a minimum of six months in a format that may be easily accessed for investigative purposes. The recordings must be kept:
- 8.1.d.1. At the facility:
- 8.1.d.1.A. In a locked cabinet, closet, or other secure place to protect it from tampering or theft; and
- 8.1.d.1.B. In a limited access area or other room to which access is limited to authorized individuals; or
- 8.1.d.2. At a secure location other than the location of the facility if approved by the Bureau;
- 8.1.e. A security alarm system SEPARATE from the facility's primary security system covering the limited access area or other room where the recordings under subdivision 8.1.d. are stored. The separate security alarm system must meet the same requirements as the facility's primary security alarm system.
- Security and Surveillance Status
- Security and Surveillance Conditional Approval Summary
- (Check for written policies and logs to record the below inspections)

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- 8.2. The following apply regarding the inspection, servicing, or alteration of, and the upgrade to, the site's and facility's security and surveillance systems:

- 8.2.a. The systems must be inspected, and all devices tested once every year by a qualified alarm system vendor and a qualified surveillance system vendor as approved by the Bureau;

- 8.2.b. The grower/processor must conduct maintenance inspections once every month to ensure that any repairs, alterations, or upgrades to the security and surveillance systems are made for the proper operation of the systems;

- 8.2.c. The grower/processor must retain at the facility, for at least four years, records of all inspections,servicing, alterations, and upgrades performed on the systems and must make the records available to the Bureau and its authorized agents within two business days following a request; (make request during inspection)

- 8.2.d. In the event of a mechanical malfunction of the security or surveillance system that a grower/processor anticipates will exceed an eight-hour period, the grower/processor must notify the Bureau immediately and, with Bureau approval, provide alternative security measures that may include closure of the facility; (Has there been a failure of more than 8 hours? If “yes”, record date, verify notification.)

- Has there been a failure of more than 8 hours? If “yes”, record date, verify notification.

- 8.2.e. The grower/processor must designate an employee to continuously monitor the security and surveillance systems at the facility

- 8.2.f. The following apply regarding records retention:

- 8.2.f.1. Within two business days following a request, a grower/processor must provide up to four screen captures of an unaltered copy of a video surveillance recording to the Bureau or its authorized agents, law enforcement, or other federal, state or local government officials if necessary to perform the governmental officials' functions and duties (make request during inspection)

- Security and Surveillance Maintenance Status

- Security and Surveillance Maintenance Conditional Approval Summary

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- 8.3. The grower/processor must install commercial-grade, nonresidential doors and door locks on each external door of the facility. Keys or key codes for all doors must remain in the possession of designated authorized individuals.

- 8.4. During all non working hours, all entrances to and exits from the site and facility must be securely locked. (check how this is verified?)

- Doors and Door Locks Status

- Doors and Door Locks Conditional Approval Summary

- 8.5. The grower/processor must have an electronic back-up system for all electronic records. (backups stored in secure location)

- Electronic Backup System Status

- Electronic Backup System Conditional Approval Summary

- 8.6. The grower/processor must install lighting to ensure proper surveillance inside and outside of the facility.

- Lighting Status

- Lighting Status Conditional Approval Summary

- 8.7. A grower/processor must limit access to a room containing security and surveillance monitoring equipment to persons who are essential to maintaining security and surveillance operations; federal, state and local law enforcement; security and surveillance system service employees; the Bureau or its authorized agents; and other persons with the prior written approval of the Bureau. The following apply:

- 8.7.a. A grower/processor must make available to the Bureau or the Bureau's authorized agents, upon request, a current list of authorized employees and service employees or contractors who have access to any security and surveillance areas; (request list) and

- 8.7.b. A grower/processor must keep security and surveillance rooms locked at all times and may not use these rooms for any other purpose or function. (verify room is locked and in use)

- Surveillance Room Access Status

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- Surveillance Room Access Conditional Approval Summary

Tracking

- (Verify access to Metrc and confirm policies mandating its use. Verify staff are trained in Metrc.)
- 16A-7-1. Electronic Tracking.
- 1.a. A medical cannabis organization must implement an electronic inventory tracking system which shall be directly accessible to the Bureau through its electronic database 14 that electronically tracks all medical cannabis on a daily basis. The system shall include tracking of all of the following:
- 1.a.1. For a grower or processor, a seed-to-sale tracking system that tracks the medical cannabis from seed to plant until the medical cannabis is sold to a dispensary.
- 1.a.3. For a medical cannabis organization, a system for recall of defective medical cannabis.
- 1.a.5. For a medical cannabis organization, a system to track the plant waste resulting from the growth of medical cannabis or other disposal, including the name and address of any disposal service.
- 1.b. Each medical cannabis organization shall track the following:
- 1.b.1. Security and surveillance.
- 1.b.2. Recordkeeping and record retention.
- 1.b.3. The acquisition, possession, growing and processing of medical cannabis.
- 1.b.4. Delivery and transportation, including amounts and method of delivery.

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- 1.d. Within one year of the issuance of the first permit to a medical cannabis organization, and every three months thereafter in a form and manner prescribed by the Bureau, the following information shall be provided to the Bureau, which shall compile the information and post it on the Bureau's publicly accessible

- Internet website:

- 1.d.1. The amount of medical cannabis sold by a grower and a processor during each three-month period.

- 1.d.2. The price of amounts of medical cannabis sold by growers and processors as determined by the Bureau.

- 1.d.3. The amount of medical cannabis purchased by each dispensary in this state.

- 1.d.4. The cost of amounts of medical cannabis to each dispensary in amounts as determined by the Bureau.

- 64-110-12. Inventory data.

- 12.1. A grower/processor must maintain the following inventory data in its electronic tracking system which must include an accounting of and an identifying tracking number for:

- 12.1.a. The number, weight, and type of seeds;

- 12.1.b. The number of immature medical cannabis plants;

- 12.1.c. The number of medical cannabis plants;

- 12.1.d. The number of medical cannabis products ready for sale; and

- 12.1.e. The number of damaged, defective, expired, or contaminated seeds, immature medical cannabis plants, medical cannabis plants, and medical cannabis products awaiting disposal.

- 12.2. A grower/processor must establish inventory controls and procedures to conduct inventory reviews and comprehensive inventories at its facility. The following apply:

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- 12.2.a. Inventory reviews of medical cannabis plants in the process of growing and medical cannabis and medical cannabis products that are being stored for future sale must be conducted monthly;

- 12.2.b. Comprehensive inventories of seeds, immature medical cannabis plants, medical cannabis plants, medical cannabis, and medical cannabis products must be conducted at least annually; and

- 12.3. A written or electronic record must be created and maintained of each inventory conducted under subsection 12.2. that includes the date of the inventory, a summary of the inventory findings, and the employee identification numbers and titles or positions of the individuals who conducted the inventory.

- Electronic Tracking and Inventory Data Status

- Electronic Tracking and Inventory Data Conditional Approval Summary

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Growing and Processing

- 64-110-9. Requirements for growing and processing medical cannabis.4

- 9.3 A grower/processor must maintain a log via Metrc of all actions taken to detect pests or pathogens, and the measures taken for control.

- 9.4 A grower/processor must:

- 9.4.a. Use appropriate nutrient practices;

- 9.4.b. Use a fertilizer or hydroponic solution of a type, formulation and at a rate to support healthy growth of plants; and

- 9.4.c. Maintain records of the type and amounts of fertilizer and any growth additives used.

- 9.5. A grower/processor must perform visual inspections of growing plants and harvested plant material to ensure there is no visible mold, mildew, pests, rot, or grey or black plant material that is greater than an acceptable level as determined by the Bureau.

- Growing and Processing Requirements Status
- Growing and Processing Requirements Conditional Approval Summary
- 9.6. A grower/processor may not add any additional active ingredients or materials to medical cannabis that alters the color, appearance, smell, taste, effect, or weight of the medical cannabis unless the grower/processor has first obtained the prior written approval of the Bureau. Excipients must be pharmaceutical grade, unless otherwise approved by the Bureau.
- 9.8. A grower/processor must only process the parts of the medical cannabis plant that: (check separation process in written policies)
- 9.8.a. Are free of seeds and stems;
- 9.8.b. Are free of dirt, sand, debris, or other foreign matter; and
- 9.8.c. Contain a level of mold, rot, or other fungus or bacterial diseases acceptable to the Bureau.
- 9.9. A grower/processor must process the medical cannabis plants in a safe and sanitary manner. The following apply:
- 9.9.a. Medical cannabis raw material and other product used in the processing of medical cannabis must be handled on food-grade stainless steel benches or tables;
- 9.9.b. Proper sanitation must be maintained; and
- 9.9.c. Proper rodent, bird and pest exclusion practices must be employed.
- 9.10. A grower/processor must install a system to monitor, record, and regulate:
- 9.10.a Temperature;
- 9.10.b. Humidity;
- 9.10.c. Ventilation;

Grower/Processor Inspection Report & Checklist

- 9.10.d Lighting; and
- 9.10.e Water supply.
- Active Ingredients, Plant Parts, Sanitation and Environment Monitoring Status
- Active Ingredients, Plant Parts, Sanitation and Environment Monitoring Conditional
- 64-110-24. Pesticides. (Verify written policies and training plans)
- 24.3. The following apply regarding recordkeeping requirements for pesticide applications via Metrc additives tab:
- 24.3.a. The grower/processor shall maintain a record of each application of a pesticide using Metrc's "record additives tab". The record must include the following information:
- 24.3.a.1. The date of application. For a pesticide requiring a re-entry time, the date of application must include the hour completed;
- 24.3.a.2. The place of application, including the specific block, section, or immature medical cannabis plants or medical cannabis plants treated;
- 24.3.a.3. The size of the area treated;
- 24.3.a.4. The product name of every pesticide used;
- 24.3.a.5. The United States Environmental Protection Agency product registration number. This requirement is unnecessary for products exempted under section 25 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.5.C.A. § 136w);
- 24.3.a.6. The total amount of every pesticide used in pounds, ounces, gallons, or liters applied to a treated area;
- 24.3.a.7. The dosage or rate of application of every pesticide used;
- 24.3.a.8. If applicable, the employee identification numbers of the individuals involved in making the pesticide and the permit or certification numbers of the individuals making or supervising the application; and

Grower/Processor Inspection Report & Checklist

- 24.3.a.9. Copies of pesticide labels and Safety Data Sheets for the pesticides used at the facility.
- 24.3.b. A record required to be kept under this section must be completed within 24 hours of the completion of the application and maintained for at least four years. A record must be made immediately available to the Bureau or its authorized agents and medical personnel or first responders in an emergency. A record must be made available to the Bureau upon request.
- 24.5. A grower/processor must only use the pesticide active ingredients in Appendix A in the growing and processing of medical cannabis.
- Pesticides Status
- Pesticides Conditional Approval Summary

Laboratory Services

- 64-111-10. Testing requirements. (Verify written policies)
- 10.1. Prior to conducting any testing of a sample at the request of a grower/processor, an approved laboratory must enter into a written contract with the grower/processor for testing services. The approved laboratory must provide a copy of the contract to the Bureau within two days following the Bureau's request. (note lab name(s), cross check to confirm receipt of contracts)
- Laboratory Name
- 10.2. A grower/processor must submit through Metrc, a request to the approved laboratory with which it hasa written contract under subsection 10.1. of this rule for each test to be conducted.
- 64-111-7. Stability testing and retention of samples. (not applicable to initial inspection)
- 7.1. A grower/processor must request that a sample be identified and collected by an approved laboratory from each harvest batch sufficient to perform stability testing at six-month intervals for a one-year period.

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- 64-111-12. Test results and reporting. (not applicable to initial inspection)
- 12.5. An approved laboratory must issue to a grower/processor a certificate of analysis, including the supporting data, for each harvest batch, harvest lot, or process lot sample that was tested at the request of the grower/processor. The certificate of analysis must include: (view certifications on file)
- 12.5.a. Whether the chemical profile of the harvest batch, harvest lot, or process lot conforms to the chemical profile of the strain as determined by the Bureau for the following compounds:
- 12.5.a.1. Tetrahydrocannabinol (THC).
- 12.5.a.2. Tetrahydrocannabinol acid (THCA).
- 12.5.a.3. Tetrahydrocannabivarin (THCV).
- 12.5.a.4. Cannabidiol (CBD).
- 12.5.a.5. Cannabinadiolic acid (CBDA).
- 12.5.a.6. Cannabidivarine (CBDV).
- 12.5.a.7. Cannabinol (CBN).
- 12.5.a.8. Cannabigerol (CBG).
- 12.5.a.9. Cannabichromene (CBC).
- 12.5.a.10. Any other cannabinoid component at > 0.1 percent.
- 12.5.b. That the presence of the following contaminants within the harvest batch, harvest lot, or process lot does not exceed the levels as determined by the Bureau for the following:
- 12.5.b.1. Heavy metals, mercury, lead, cadmium, or arsenic.
- 12.5.b.2. Foreign material such as hair, insects, or any similar or related adulterant.

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- 12.5.b.3. Any microbiological impurity, including:
- 12.5.b.3.A. Total aerobic microbial count.
- 12.5.b.3.B. Total yeast mold count.
- 12.5.b.3.C. P. aeruginosa.
- 12.5.b.3.D. Aspergillus spp.
- 12.5.b.3.E. S. aureus.
- 12.5.b.3.F. Aflatoxin B1, B2, G1 and G2.
- 12.5.b.3.G. Ochratoxin A.
- 12.5.b.3.H. Pesticide residue.
- 12.5.b.4. Whether the harvest batch, harvest lot or process lot is within the specification for the strain for the characteristics of:
- 12.5.b.4.A. Odor.
- 12.5.b.4.B. Appearance.
- 12.5.b.4.C. Fineness.
- 12.5.b.4.D. Moisture content.
- 16A-7-4. Laboratory. (not applicable to initial inspection)
- 4.a. A grower/processor shall contract with an independent laboratory to test the medical cannabis produced by the grower or processor. Testing has been done at harvest and at final processing. (check that testing has been done)
- Testing Requirements Status
- Testing Requirements Conditional Approval Summary

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Finished Product Forms

- 64-110-10. Forms of medical cannabis.
- 10.1. A grower/processor may only process medical cannabis for dispensing to a patient or caregiver in the following forms:
- 10.1.a. Pill;
- 10.1.b. Oil;
- 10.1.c. Topical forms, including gel, creams, and ointments;
- 10.1.d. A form medically appropriate for administration by vaporization or nebulization;
- 10.1.e. Tincture;
- 10.1.f. Liquid;
- 16A-3-2.a.2.G. Dermal patch;
- Dry leaf and plant
- 10.3. A grower/processor may not manufacture, produce, or assemble any medical cannabis product, instrument, or device without prior written approval of the Bureau.
- Forms of Medical Cannabis Status
- Forms of Medical Cannabis Conditional Approval Summary

Packaging and Labeling

- 16A-3-2. Lawful use of medical cannabis
  .
- 2.a.8. Products packaged by a grower/processor or sold by a dispensary shall only be identified by the nameof the grower/processor, the name of the dispensary, the form and

species of medical cannabis, the percentage of tetrahydrocannabinol (total THC) and cannabinol (CBN) contained in the product.

- 64-110-16. Packaging and labeling of medical cannabis. (verify written policies, package and label samples)
- 16.1. A grower/processor must package and label at its facility each form of medical cannabis prepared for sale. The original seal of a package may not be broken, except for quality control testing at an approved laboratory, for adverse loss investigations conducted by the Bureau or by a dispensary that purchased the medical cannabis.
- 16.2. A grower/processor must package the medical cannabis in a package that minimizes exposure to oxygen and that is:
- 16.2.a. Child-resistant;
- 16.2.b. Tamper-proof or tamper-evident;
- 16.2.c. Light-resistant and opaque; and
- 16.2.d. Resealable.
- 16.3. A grower/processor must identify each process lot of medical cannabis with a unique identifier.
- 16.4. A grower/processor must obtain the prior written approval of the Bureau of the content of any label to be affixed to a medical cannabis package. Each label must:
- 16.4.a. Be easily readable:
- 16.4.b. Made of weather-resistant and tamper-resistant materials;
- 16.4.c. Be conspicuously placed on the package;
- 16.4.d. Include the name, address, and permit number of the grower/processor;
- 16.4.e. List the form, quantity, and weight of medical cannabis included in the package;
- 16.4.f. List the number of individual doses contained within the package, and the species and percentage of THC and CBD;

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- 16.4.g. Contain an identifier that is unique to a particular harvest batch of medical cannabis, including the number assigned to each harvest lot or process lot in the harvest batch;

- 16.4.h. Include the date the medical cannabis was packaged;

- 16.4.i. State the employee identification number of the employee preparing the package and packaging the medical cannabis;

- 16.4.j. State the employee identification number of the employee shipping the package, if different than the employee described in subdivision 16.4.i.;

- 16.4.k. Contain the name and address of the dispensary to which the package is to be sold;

- 16.4.l. List the date of expiration of the medical cannabis;

- 16.4.m. Include instructions for proper storage of the medical cannabis in the package;

- 16.4.n. Contain the following warning stating: "This product is for medicinal use only. Women should not consume during pregnancy or while breastfeeding except on the advice of the practitioner who issued the certification and, in the case of breastfeeding, the infant's pediatrician. This product might impair the ability to drive or operate heavy machinery. Keep out of reach of children.";

- 16.4.o. Contain a warning that the medical cannabis must be kept in the original container in which it was dispensed; and

- 16.4.p. Contain a warning that unauthorized use is unlawful and will subject the purchaser to criminal penalties.

- 16.5. Labeling by a grower/processor of any medical cannabis may not bear:

- 16.5.a. Any resemblance to the trademarked, characteristic, or product-specialized packaging of any commercially available food or beverage product;

- 16.5.b. Any statement, artwork, or design that could reasonably lead an individual to believe that the package contains anything other than medical cannabis;

Grower/Processor Inspection Report & Checklist

- 16.5.c. Any seal, flag, crest, coat of arms, or other insignia that could reasonably mislead an individual to believe that the product has been endorsed, manufactured, or approved for use by any state, county, or municipality or any agency thereof; or

- 16.5.d. Any cartoon, color scheme, image, graphic, or feature that might make the package attractive to children.

- Packaging and Labeling Status

- Packaging and Labeling Conditional Approval Summary

Management and Disposal of Waste

- 64-110-9. Requirements for growing and processing medical cannabis.

- 9.7. A grower/processor must have a separate and secure area for temporary storage of medical cannabis that is awaiting disposal by the grower/processor.

- 64-110-22. Management and disposal of medical cannabis waste. Areas used to store waste are to be considered limited access areas.

- 22.1. Medical cannabis waste generated by a grower/processor or an approved laboratory must be stored, collected, and transported in accordance with W.V. Code §22-15-1 et seq. (Solid Waste Management Act), provided the medical cannabis waste is not hazardous.

- 22.2. The following types of medical cannabis waste must be rendered unusable and unrecognizable prior to being transported from a grower/processor or an approved laboratory:

- 22.2.a. Unused, surplus, returned, recalled, contaminated, or expired medical cannabis; and

- 22.2.b. Any medical cannabis plant material that is not used in the growing, harvesting, or processing of medical cannabis, including flowers, stems, trim, leaves, seeds, dead medical cannabis plants, dead immature medical cannabis plants, unused medical cannabis plant parts, and unused immature medical cannabis plant parts or roots.

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- 22.3. Medical cannabis waste is unusable and unrecognizable if all components of the waste are indistinguishable and incapable of being ingested, inhaled, injected, swallowed, or otherwise used for certified medical use. Acceptable methods of rendering the waste unusable and unrecognizable include thermal treatment or melting, shredding, grinding, or tearing and incorporating the medical cannabis waste with other municipal waste.

- 22.4. Unusable and unrecognizable medical cannabis waste identified in subsection 22.2. And other solid or semi-solid medical cannabis waste that is not hazardous must be disposed of at a permitted municipal waste landfill or processed at a permitted resource recovery facility or incinerator.

- 22.5. Wastewater or spent hydroponic nutrient solution generated or produced from the growing, harvesting, or processing of immature medical cannabis plants or medical cannabis plants must be managed in accordance with one of the following:

- 22.5.a. Discharged into a permitted sewage treatment system in accordance with local, federal, and state requirements, including the Water Pollution Control Act (W. Va. Code§§ 22-11-1et seq.);

- 22.5.b. Treated and discharged into waters of the state under a National Pollutant Discharge Elimination System permit or water quality management permit in accordance with the requirements of including the Water Pollution Control Act (W. Va. Code§§ 22-11-1 et seq.); (if applicable, record permit number) and

- 22.5.c. Disposed in a solid waste landfill if placed in a container that is less than 1 gallon in size.

- 22.6. Hazardous waste must be managed in accordance with federal and state law, rules and regulations related to hazardous waste, including sections 3001-3024 of the Resource Conservation and Recovery Act of 1976 (42 U.S.C.A. §§ 6921-6939g), the Hazardous Waste Management Act (W. Va. Code §§ 22-18-1 et seq.) and rules promulgated thereunder. (ask if any such waste created, verify disposal record)

- 22.7. The type of medical cannabis waste identified in subdivision 22.2.b. may be composted and beneficially used at the grower/processor facility through a permit provided the requirements of W.V. Code R. §§ 33-3-1et seq. (Yard Waste Composting Rule) are satisfied, and the compost is beneficially used at the grower/processor facility as a soil substitute, soil conditioner, soil amendment, fertilizer, or mulch. (if applicable, record permit number; area must be limited access)

- Management and Disposal of Waste Status
- Management and Disposal of Waste Conditional Approval Summary

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Transportation

- 16A-6-13. Limitations on permits.
- 13.a.8. A grower or processor may only provide medical cannabis to a dispensary holding a valid permit.
- 64-110-17. Transportation of medical cannabis. (Verify written policies)
- 17.1.a. A grower/processor may deliver medical cannabis to a medical cannabis organization or an approved laboratory only between 7:00 a.m. and 9:00 p.m.;
- 17.1.b. A grower/processor may contract with a third-party contractor for delivery so long as the contractor complies with this section;
- 17.1.c. A grower/processor may not transport medical cannabis to any location outside of this state; and
- 17.1.d. A grower/processor must use a global positioning system to ensure safe, efficient delivery of the medical cannabis to a medical cannabis organization or an approved laboratory.
- 17.2. Vehicles permitted to transport medical cannabis must:
- 17.2.a. Be equipped with a secure lockbox or locking cargo area;
- 17.2.b. Have no markings that would either identify or indicate that the vehicle is being used to transport medical cannabis;

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- 17.2.c. Be capable of being temperature-controlled for perishable medical cannabis, as appropriate;

- 17.2.d. Display current state inspection stickers and maintain a current state vehicle registration; and

- 17.2.e. Be insured in an amount that is commercially reasonable and appropriate.

- 17.3. A transport vehicle must be staffed with a delivery team consisting of at least two individuals and comply with the following:

- 17.3.a. At least one delivery team member must remain with the vehicle at all times that the vehicle contains medical cannabis;

- 17.3.b. Each delivery team member must have access to a secure form of communication with the grower/processor, such as a cellular telephone, at all times that the vehicle contains medical cannabis; (a radio is not acceptable)

- 17.3.c. Each delivery team member must carry an identification badge or card at all times and must, upon demand, produce it to the Bureau or its authorized agents, law enforcement, or other federal, state or local government officials if necessary, to perform the government officials' functions and duties;

- 17.3.d. Each delivery team member must have a valid driver's license; and

- 17.3.e. While on duty, a delivery team member may not wear any clothing or symbols that may indicate ownership or possession of medical cannabis.

- 17.4. Medical cannabis stored inside the transport vehicle may not be visible from the outside of the transport vehicle.

- 17.5. Except as provided in subsection 17.8., a delivery team shall proceed in a transport vehicle from the facility, where the medical cannabis is loaded, directly to the medical cannabis organization or approved laboratory, where the medical cannabis is unloaded, without unnecessary delays. Notwithstanding the foregoing, a transport vehicle may make stops at multiple facilities or approved laboratories, as appropriate,to deliver medical cannabis.

- 17.6. A grower/processor must immediately report to the Bureau, either through a designated phone line established by the Bureau or by electronic communication with the Bureau in a manner prescribed by the Bureau, vehicle accidents, diversions, losses, or other reportable events that occur during transport of medical cannabis.

- 17.7. A grower/processor must notify the Bureau by logging the transport in METRC, of its delivery schedule, including routes and delivery times.

- 17.8. A transport vehicle is subject to inspection by the Bureau or its authorized agents, law enforcement, or other federal, state, or local government officials if necessary, to perform the government officials' functions and duties. A transport vehicle may be 26 stopped and inspected along its delivery route or at any medical cannabis organization or approved laboratory.

- 64-110-18. Transport manifest.

- 18.1. A grower/processor must generate a printed or electronic transport manifest using Metrc, that accompanies every transport vehicle and contains the following information:

- 18.1.a. The name, address, and permit number of the grower/processor and the name of and contact information for a representative of the grower/processor who has direct knowledge of the transport;

- 18.1.b. The name, address, and permit number of the medical cannabis organization or approved laboratory receiving the delivery and the name of and contact information for a representative of the medical cannabis organization or approved laboratory;

- 18.1.c. The quantity, by weight or unit, of each medical cannabis harvest batch, harvest lot, or process lot contained in the transport, along with the identification number for each batch or lot;
- 18.1.d. The date and approximate time of departure;

- 18.1.e. The date and approximate time of arrival;

- 18.1.f. The transport vehicle's make and model and license plate number; and

- 18.1.g. The identification number of each member of the delivery team accompanying the transport.

- 18.2. When a delivery team delivers medical cannabis to multiple medical cannabis organizations or approved laboratories, the transport manifest must correctly reflect the specific medical cannabis in transit. Each recipient must provide the grower/processor with a printed receipt for the medical cannabis received.

- 18.3. All medical cannabis being transported must be packaged in shipping containers and labeled in accordance with section 16 (Packaging and labeling of medical cannabis).

- 18.4. A grower/processor must provide a copy of the transport manifest to the recipient receiving the medical cannabis described in the transport manifest. To maintain confidentiality, a grower/processor may prepare separate manifests for each recipient.

- 18.5. A grower/processor must, if requested, provide a copy of the printed transport manifest, and any printed receipts for medical cannabis being transported, to the Bureau or its authorized agents, law enforcement, or other federal, state or local government officials if necessary, to perform the government officials' functions and duties.

- Limitations on Permits, Transportation, and Transport Manifest Status

- Limitations on Permits, Transportation, and Transport Manifest Conditional Approval Summary

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Summary

Summary of Findings

Overall Inspection Status

- Inspection Status

- Conditional Approval Summary