

HOUSE BILL REPORT

HB 2474

As Passed Legislature

Title: An act relating to information on marijuana product container labels about the businesses that produced, processed, or sold the marijuana product.

Brief Description: Modifying marijuana product labeling requirements.

Sponsors: Representatives Condotta, Sawyer and Kloba.

Brief History:

Committee Activity:

Commerce & Gaming: 1/15/18, 1/16/18 [DP].

Floor Activity:

Passed House: 1/22/18, 88-7.

Passed Senate: 3/2/18, 45-3.

Passed Legislature.

Brief Summary of Bill

- Requires the label on a marijuana product container sold at retail to include the business or trade name and Washington Unified Business Identifier (UBI) number of the marijuana producer and processor that produced and processed the marijuana product, consistent with Liquor and Cannabis Board rules.
- Provides that the label on a marijuana product container sold at retail is not required to include the business or trade name or UBI number of, or any information about, the marijuana retailer selling the marijuana product.

HOUSE COMMITTEE ON COMMERCE & GAMING

Majority Report: Do pass. Signed by 9 members: Representatives Sawyer, Chair; Kloba, Vice Chair; Condotta, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake, Jenkin, Kirby, Ryu and Young.

Staff: Peter Clodfelter (786-7127).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Initiative 502 of 2012, which legalized recreational marijuana in the state, required the Liquor and Cannabis Board (LCB) to adopt rules determining the nature, form, and capacity of all containers used by licensees to contain marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products, and their labeling requirements.

The LCB's rules must include but are not limited to the following labeling requirements for marijuana products sold at retail:

- the business or trade name and Unified Business Identifier (UBI) number of the licensees that processed and sold the marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products;
- lot numbers of the marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products;
- the tetrahydrocannabinol (THC) concentration and cannabidiol (CBD) concentration of the marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products;
- medically and scientifically accurate information about the health and safety risks posed by marijuana use; and
- the statement "Warning—May be habit forming[.]" which is required pursuant to a separate state law on the misbranding of drugs.

Through rulemaking, the LCB requires additional labeling information like product weight, a statement disclosing all pesticides applied to the marijuana plants and growing medium during production and processing, and all of the following warning statements:

- "Warning: This product has intoxicating effects and may be habit forming. Smoking 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";
- "For use only by adults twenty-one and older. Keep out of reach of children";
- "Marijuana can impair concentration, coordination, and judgment. Do not operate a vehicle or machinery under the influence of this drug[.]"

Summary of Bill:

The label on a marijuana product container sold at retail must include the business or trade name and Washington Unified Business Identifier (UBI) number of the marijuana producer and processor that produced and processed the marijuana product.

The label on a marijuana product container sold at retail is not required to include the business or trade name or UBI number of, or any information about, the marijuana retailer selling the marijuana product.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill comes out of a work group convened by the Liquor and Cannabis Board over the 2017 interim on how to improve and streamline labeling marijuana products. This is a slight adjustment to the law, but will be beneficial and make the regulatory program more efficient. Currently, so much information is required to be included on the container label that it's overcrowded, which defeats the purpose of the mandatory warnings. The goal is to ensure warnings are clear and people know what product they are purchasing. This bill accomplishes this goal. It makes sense for information about the producer and processor to be included on the label from a public safety perspective, but requiring the retailer's name to also be included does not aid in protecting public health and safety. This bill should also address labeling requirements regarding any pesticides applied to the product and information about the laboratory that performed the quality assurance testing.

(Opposed) None.

Persons Testifying: Representative Condotta, prime sponsor; Vicki Christopherson, Washington CannaBuisness Association; Kirk Ludden, VIPER Pac; and Jedidiah Haney, Higher Influence.

Persons Signed In To Testify But Not Testifying: None.