

SENATE BILL REPORT

SB 5698

As of February 10, 2017

Title: An act relating to cannabis health and beauty aids.

Brief Description: Concerning cannabis health and beauty aids.

Sponsors: Senators Rivers and Liias.

Brief History:

Committee Activity: Health Care: 2/14/17.

Brief Summary of Bill

- Establishes a Cannabis Health and Beauty Aid permit to be issued by the Liquor and Cannabis Board.

SENATE COMMITTEE ON HEALTH CARE

Staff: Kathleen Buchli (786-7488)

Background: Marijuana is generally defined as all parts of the plant cannabis, whether growing or not, with a Tetrahydrocannabinol (THC) concentration greater than 0.3 percent on a dry-weight basis. THC is a psychoactive, organic compound that in sufficient concentrations will cause intoxication in humans. Products with very low levels of THC do not have psychoactive effects or cause intoxication. For example, industrial hemp is generally defined as a plant containing no more than 0.3 percent THC. Marijuana, by contrast, has much higher concentrations of THC, ranging anywhere from 5 to 25 percent.

Cannabis health and beauty aids are exempt from all regulations in the Controlled Substances Act pertaining to marijuana, marijuana concentrates, or marijuana-infused products. Cannabis health and beauty aids are those products containing parts of the cannabis plant and which are intended for use only as a topical application to provide therapeutic benefit or to enhance appearance and is not intended for consumption.

The law is silent on how cannabis health and beauty aid manufacturers obtain the marijuana they use to make their products and whether any testing of these products is required.

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.

Summary of Bill: Cannabis health and beauty aids are defined as products containing part of the cannabis plant and which:

- are intended for use only as a topical application;
- contains a THC concentration of not more than 0.3 percent;
- does not cause psychoactivity; and
- is not intended for ingestion by humans or animals.

A cannabis health and beauty aid permit is established, to be issued by the Liquor and Cannabis Board (LCB). Permit holders may purchase marijuana and marijuana byproducts from marijuana producers in order to manufacture cannabis health and beauty aid products for retail sale. Marijuana purchased by a permit holder may only be used for the production of cannabis health and beauty aids and may not be otherwise sold, traded, or donated. Marijuana and marijuana byproducts purchased by a permit holder are subject to seed to sale traceability, permitting the LCB to track sales of marijuana from marijuana producers to permit holders. The cannabis health and beauty aids are subject to random testing by the LCB to ensure a THC level of 0.3 percent or less.

Labels for cannabis health and beauty aids must comply with labeling requirements for useable marijuana and marijuana-products and must prominently state, "This product is not approved by the FDA to treat, cure, or prevent any disease." Additionally, labels may not:

- use any word, symbol, or image commonly used by medical or pharmaceutical professions;
- state or imply any specific medical or therapeutic benefit; or
- mimic an over-the-counter or legend drug.

The application fee for a cannabis health and beauty aid permit is \$250. Annual and renewal fees are to be determined on a sliding scale based on the amount of cannabis health and beauty aids annually produced by the permit holder. Permit applicants must display a sign on the outside of the premises to be permitted notifying the public that the premises are subject to an permit application.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.