



To: Liquor and Cannabis Board Rulemaking Coordinator  
From: The Washington Sun and Craft growers Association and The Cannabis Alliance  
Re: LCB petition to amend State Administrative Rule WAC 314-55-102 (9)

This is additional information to support a petition to amend rule WAC 314-55-102 (9). The current rule requires that QA testing expires after a 12-month period. This petition seeks to extend that 12-month period to 18 months. This change is needed because the current 12-month period creates an unnecessary burden on farmers that grow outdoors and whose crops are planted and harvested seasonally. The problem that the 12 months period creates is that given the seasonal variability of harvest dates a farmer will likely not have harvested the next crop prior to the last harvest QA test expiring. This creates a situation where a farmer may not have sellable crops or strains between the time that the new crop is harvested and the QA test for the prior year's crop is expired. Given the variability of growing crops this may be a significant amount of time. This creates a clear disadvantage for outdoor farmers. Changing the expiration date of the QA test to 18 months would reduce the negative impacts to farmers without any effect on consumer safety.

A recent example of the burden this rule poses to outdoor farmers follows. A farmer harvested in the fall of 22' after the rulemaking was adopted in the spring of 22'. The farmer harvested in mid-September and had the crop dried and ready for testing 3 weeks later. This QA test was received on October 5, 2022, and expires on October 5, 2023. However, the following years crop came later in the year and was not harvested until mid-October and was tested by mid-November. This creates a significant period of time that this farmer would not have product to sell. Retesting the prior year's product is not allowed by rule and this farmer would not be able to continue to generate revenue to keep operations funded.

Another example is a farmer that uses light deprivation techniques and harvests different strains at different times during the harvest period between July and November. A unique strain that

this farmer relies on for a significant portion of its revenue has an expiration date in July but is not expected to harvest this strain until late September, leaving the farmer without the ability to sell this unique strain for a period of time that is critical to their revenue and operations. Of course, we all know that farming is intrinsically variable and by allowing 18 months for a test to expire would allow for seasonal variability between harvests and prevent these scenarios from occurring.

We encourage the LCB to accept this petition and adopt the suggested changes in a timely manner. Extending this expiration period to 18 months would provide relief to growers without significantly altering the intent of the rule.