



## Missouri Department of Health and Senior Services

P.O. Box 570, Jefferson City, MO 65102-0570 | Phone: 573-751-6400 | FAX: 573-751-6010  
RELAY MISSOURI for Hearing and Speech Impaired and Voice dial: 711



**Paula F. Nickelson**  
Acting Director

**Michael L. Parson**  
Governor

February 6, 2023

Missouri Facility Licensees

RE: Second Waiver from the emergency rule filed January 20, 2023

Licensees,

Pursuant to 19 CSR 100-1.020(1)(A), the Division of Cannabis Regulation (DCR) is granting additional waivers related to the emergency rules filed on January 20, 2023. The emergency rules are effective February 3, 2023, and expire on August 1, 2023, when the final rules go into effect.

DCR understands that licensees will need time to come into compliance with some areas of the emergency rules. Listed below are specific rules DCR is issuing a waiver for. A waiver is when a licensee is not required to comply with the rule or specific provision of the rule.

- **19 CSR 100-1.110(4)(F)2** provides for an additional banned analyte, vitamin E acetate, to be included in chemical residue screening for mandatory testing. DCR is **waiving** this requirement until August 1, 2023.
- **19 CSR 100-1.130(1)(F)** requires that the identity of the facility agent making the record into the statewide track and trace system will be included in inventory records. DCR is **waiving** this requirement until May 3, 2023.
- **19 CSR 100-1.180(2)(D)2.B** requires dispensary licensees to verify, at the time of sale or distribution, that the marijuana product is not past its “best if used by” date. DCR is **waiving** this requirement until May 3, 2023.

The Department has determined good cause for granting the above waivers is that licensees will need time to come into compliance with the changed or additional requirements outlined in the emergency rules filed January 20, 2023. As the rules go through the formal rulemaking process, the Department will continue to review the waivers and variances to determine if additional time is needed for licensees to comply.

As of February 3, 2023, licensees must be in compliance with all applicable rules outlined in 19 CSR 100-1, with the exception of the rule citations outlined above and in the January 20, 2023 letter RE: Waivers and variances from the emergency rule filed January 20, 2023. It is the Department’s expectation that licensees immediately begin working towards compliance with the rules for which a waiver or variance has been given so that they can be in compliance on by the dates outlined above. Licensees that are not in compliance upon expiration of the waiver or variance may be subject to disciplinary actions.

Please reach out to your compliance officer if you have any questions.

### PROMOTING HEALTH AND SAFETY

The Missouri Department of Health and Senior Services’ vision is optimal health and safety for all Missourians, in all communities, for life.

Thank you for your cooperation and we look forward to working with all licensees to implement Article XIV and adult use in Missouri.

Andrea Balkenbush, Director  
Section for Compliance & Enforcement  
Division of Cannabis Regulation  
Department of Health & Senior Services