



Missouri Department of Health and Senior Services

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Paula F. Nickelson
Director

Michael L. Parson
Governor

November 28, 2023

Missouri Facility Licensees

RE: Waiver/variance from the final rule effective July 30, 2023 – Updated

Licensees,

Pursuant to 19 CSR 100-1.020(1)(A), the Division of Cannabis Regulation (DCR) is granting waivers related to the final rules effective on July 30, 2023.

DCR understands licensees need time to come into compliance with impending statewide track and trace system (Metrc) changes required to support testing final rules. A waiver means a licensee is not required to comply with the rule or specific provision of the rule. A variance means that a licensee must comply with an alternative requirement to be considered in compliance with the rule or provision of the rule.

- **19 CSR 100-1.110(7)(E)6-8** provides for additional analytes, tetrahydrocannabivarin (THCV), cannabidivarin (CBDV), and delta 8 tetrahydrocannabinol (Δ 8-THC), to be included in mandatory testing of the cannabinoid profile. DCR is **waiving** this requirement until December 28, 2023.
- **19 CSR 100-1.110(7)(G)2** requires an additional analyte, vitamin E acetate, to be included in chemical residue screening for mandatory testing of marijuana product tested as inhalables and concentrates. DCR is **waiving** this requirement for vitamin E acetate until December 28, 2023.
- **19 CSR 100-1.110(7)(G)4** requires residual solvent testing for all final marijuana product including raw plant material. DCR is **waiving** this requirement for final marijuana product tested as raw plant material until December 28, 2023.
- **19 CSR 100-1.110(7)(G)5** provides for additional final marijuana products, prerolls, infused prerolls, manually extracted concentrates, and solid infused products to be included in water activity and moisture content screening for mandatory testing. DCR is **waiving** this requirement until December 28, 2023.
- **19 CSR 100-1.110(7)(G)6.A-D** provides for more specific requirements related to foreign matter screening for mandatory testing. DCR is **waiving** the additional requirements until December 28, 2023.
- **19 CSR 100-1.110(8)** requires terpene analysis to be included in a testing licensee's scope of accreditation and scope of proficiency testing when tested in conjunction with mandatory testing. DCR is **waiving** this requirement until December 28, 2023.

The final rules are located at <https://www.sos.mo.gov/CMSImages/AdRules/csr/current/19csr/19c100-1.pdf>.

Licensees must be in compliance with all applicable rules outlined in the final rules, 19 CSR 100-1, with the exception of the rules for which waivers and variances have been issued and have not expired.

DCR and Metrc will communicate the impending system changes prior to implementation to allow licensees time to make necessary adjustments to systems integrated with the statewide track and trace system. It is DCR's expectation that licensees are actively working towards compliance with the rules for which a waiver or variance has been issued so 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.

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. We look forward to working with all licensees as we continue to implement Article XIV and adult use in Missouri.

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

Andrea Balkenbush, Deputy Director
Division of Cannabis Regulation
Department of Health & Senior Services

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