

Draft Rule: Manufacturing Facilities

*PURPOSE: Under Article XIV, Sections 1 and 2 of the **Missouri Constitution**, the Department of Health and Senior Services has the authority to regulate and control Medical and Marijuana Facilities. This rule explains what regulations apply to Facilities that manufacture marijuana product.*

(1) Manufacturing Facilities, Generally

(A) A manufacturing facility licensee's authority to engage in the process of manufacturing marijuana-infused products includes the ability to:

1. acquire marijuana from and transport marijuana product to or from a cultivation facility;
2. process and store (on- or off-site) marijuana product;
3. manufacture and package marijuana-infused products and prerolls;
4. transport and sell marijuana product to its own warehouse storage facility, another manufacturing facility, dispensary facility, or testing facility; and
5. acquire marijuana product from another manufacturing facility or dispensary facility.

(B) A manufacturing licensee's authority to manufacture marijuana-infused products shall include the creation of prerolls and infused prerolls.

(2) Manufacturing Licensee Requirements. In addition to the requirements for manufacturing facilities and licensees in 19 CSR 30-95.040, manufacturing licensees shall also comply with the following:

(A) Manufacturing licensees must reasonably mitigate odors from all odor sources by—

1. Developing, implementing, and maintaining an odor control plan, which shall address odor mitigation practices including, but not limited to, engineering controls, such as system design and operational processes, which shall be reviewed and certified by a professional engineer or a certified industrial hygienist as sufficient to effectively mitigate odors for all odor sources; and

2. Maintaining compliance with local ordinances related to odor;

(B) Marijuana-infused products shall not be transferred to a dispensary facility until the marijuana-infused product has been tested by a testing facility, according to the provisions of 19 CSR 30-95.XXX and the manufacturing licensee has received verification from the testing facility that the marijuana-infused product passed all required testing;

(C) Manufacturing licensees that produce ingestible marijuana-infused products shall comply with the applicable food safety standards set forth in 19 CSR 20 and any relevant statutes controlling food safety standards. Such licensees are prohibited from producing frozen desserts or acidified foods, as defined by 19 CSR 20;

(D) Manufacturing licensees that use volatile solvents shall install air-handling systems and other controls designed to minimize the risks of explosions and fires. These controls should include systems to prevent ignition; plans for safe storage, use, and disposal of solvents; and policies for continuous staff monitoring of all processes involving volatile solvents.

(E) Any tetrahydrocannabinol in manufactured product shall only be derived from marijuana cultivated in Missouri by a licensed cultivator. A manufactured product may not be sold in Missouri that contains chemical modification, conversion, or synthetic derivation of intoxicating tetrahydrocannabinol isomers, including delta-8, delta-9, and delta-10, or other intoxicating tetrahydrocannabinol isomers.