



Alaska Marijuana Control Board

Preliminary Inspection Form
Form MJ-23d: Marijuana Testing Facilities

Licensee:		License Number:	
Doing Business As:		Inspection Date:	

Section 1 – Inspection Checklist

SECURITY	PASS	FAIL	COMMENTS
1. Surveillance System: Install and maintain a video surveillance and camera recording system with a camera resolution that allows for clear and certain identification of any person and activity in the area at all times.			
a.) Required video cameras must be placed in a way that produces a clear view adequate to identify any individual inside the licensed premises or within 20 feet of each entrance to the licensed premises. Both the interior and exterior to the facility must be recorded.			
b.) The video system must cover each restricted access area (to include each entrance to a restricted area). Any area where marijuana is tested or stored or where marijuana waste is destroyed must have a camera placement in the room facing the entry door, and in adequate fixed positions, at a height that will provide a clear, unobstructed view of the regular activity without a sight blockage from any objects, in order to allow for clear and certain ID of any person or activity at all times.			
c.) Surveillance recording equipment and video surveillance records must be housed in a locked and secure area or in a lock box, cabinet, closet or other secure area that is accessible only to the licensee or authorized employee, and to law enforcement personnel including a peace officer or agent of the board. A marijuana establishment may use an offsite monitoring service and offsite storage of video surveillance records if security requirements at the offsite facility are at least as strict as the onsite security requirements.			
d.) Recordings must be preserved for a minimum of 40 days, in a format that can be easily accessed for viewing. All recorded images must accurately display the date and time, and must be archived in a format that does not permit the alteration of the recorded image, so that the images can be readily authenticated. After 40 days, a marijuana establishment may erase video recordings, unless the licensee knows or should know of any pending criminal, civil, or administrative investigation for which the video recording may contain relevant information.			
2. Alarm System: A security alarm system is required on all exterior doors and windows.			
3. Locks: Commercial grade, non-residential door locks on all exterior entry points to the licensed premises.			



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4. Lighting: Exterior lighting must facilitate surveillance.			
5. Internal Policies & Procedures: Shall be designed to prevent diversion of marijuana and marijuana products and prevent loitering. Licensee must also describe the use of any additional security device, such as a motion detector, pressure switch, and duress, panic, or hold-up alarm to enhance security of the licensed premises. Licensee must describe the actions to be taken by a licensee, employee, or agent of the establishment when any automatic or electronic notification system alerts a local law enforcement agency of an unauthorized breach of security.			
6. Display of Identification: Each licensee, employee, or agent shall display an identification badge issued by the establishment at all times when on the licensed premises.			
7. Restricted Access Areas: A marijuana testing facility shall restrict access to any part of the licensed premises where marijuana or marijuana product is tested or stored.			
a.) Each entrance to a restricted access area must be marked by a sign that says "Restricted access area. Visitors must be escorted." The number of visitors shall be limited to not more than five visitors for each licensee, employee, or agent of the licensee who is actively engaged in supervising those visitors.			
b.) In a restricted access area, a licensee, employee, or agent of the marijuana establishment shall wear a current identification badge bearing the person's photograph. A person under 21 years of age may not enter a restricted access area. Any visitor to the restricted access area must show ID to prove they are at least 21 years old, obtain a visitor ID badge before entering the restricted access area, and be escorted at all times.			
8. Metrc: Conduct facility audit. Ensure licensee is using the Metrc system properly and packages have been tagged in accordance with initial instruction provided by AMCO.			

Section 2 – License Briefing

Licensee must sign initials, acknowledging understanding of and certifying compliance with each section:

Initials

1. Marijuana Handler Permits: Each licensee, employee, or agent of the marijuana establishment who tests or transports marijuana or marijuana product, or who checks the identification of a visitor, must obtain a marijuana handler permit from the board before being licensed or beginning employment at a marijuana establishment. The individual must keep the handler permit card in their immediate possession or a valid copy on file at the premises at times when on the licensed premises. **3 AAC 306.700**





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2. Licensed Premises, Alteration: A license will be issued for a specific licensed premises, which is a place clearly designated in a license application and described by a line drawing submitted with the license application. The licensed premises must have adequate space for its approved operations, including packaging or storing marijuana or marijuana products, and be located and constructed to facilitate cleaning, maintenance, and proper operation. A marijuana establishment's license must be posted in a conspicuous place within the licensed premises. *A licensee seeking to change or modify the licensed premises must submit a complete copy of Form MJ-14: Licensed Premises Change, along with the \$250 fee, and receive the director's written approval before altering the functional floor plan or reducing or expanding the area of the licensed premises.* **3 AAC 306.705**

3. Health and Safety Standards: A marijuana testing facility is subject to inspection by the local fire department, building inspector, or code enforcement officer to confirm that no health or safety concerns are present. Adequate sanitation principles must be used in any receiving, inspecting, transporting, and storing of marijuana or marijuana product and any marijuana or marijuana product must be held in a manner that prevents the growth of bacteria, microbes, or other undesirable microorganisms. A marijuana establishment shall ensure that any marijuana or marijuana product that has been stored beyond its usable life, or was stored improperly, is not salvaged and returned to the marketplace; "stored improperly" means being exposed to extremes in temperature, humidity, smoke, fumes, pressure, or radiation due to a natural disaster, fire, accident, or equipment failure. **3 AAC 306.735**

4. Chain of Custody: A marijuana testing facility shall establish an adequate chain of custody and sample requirement instructions that include issuing instructions for the minimum sample requirements and storage requirements; documenting the condition of the external package and integrity seals utilized to prevent contamination of or tampering with the sample; documenting the condition and amount of sample provided at the time the sample is received at the marijuana testing facility; documenting each person handling the original samples, aliquots, and extracts; documenting any transfer of samples, aliquots, and extracts to another marijuana testing facility for additional testing or at the request of the marijuana cultivation facility or marijuana product manufacturing facility that provided the testing sample; maintaining a current list of authorized persons and restricting entry to the marijuana testing facility to those authorized persons; securing the marijuana testing facility during non-working hours; securing short-term and long-term storage areas when not in use; using a secured area to log in and aliquot samples; ensuring samples are stored appropriately; and documenting the disposal of samples, aliquots, and extracts. **3 AAC 306.650**

5. Failed Materials, Retests:

a.) If a sample tested by a marijuana testing facility does not pass the required tests based on the standards set out in 3 AAC 306.645, the marijuana establishment that provided the sample shall dispose of the entire harvest batch or production lot from which the sample was taken; and document the disposal of the sample using the marijuana establishment's marijuana inventory tracking system.

b.) If a sample of marijuana fails a required test, any marijuana plant trim, leaf, and other usable material from the same plants automatically fail the required test. The board may approve a request to allow a batch of marijuana that fails a required test to be used to make a carbon dioxide or solvent-based extract. After processing, the carbon dioxide or solvent-based extract must pass all required tests.

c.) If a marijuana cultivation facility or a marijuana product manufacturing facility petitions for a retest of marijuana or a marijuana product that failed a required test, the board may authorize a retest to validate the test results. The marijuana cultivation facility or a marijuana product manufacturing facility shall pay all costs of a retest.



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6. Waste Disposal: A marijuana establishment shall store, manage, and dispose of any solid or liquid waste, including wastewater generated during marijuana testing, in compliance with applicable federal, state, and local laws and regulations. **3 AAC 306.740**

a.) Marijuana waste must be rendered unusable for any purpose for which it was grown or produced before it leaves a marijuana establishment.

b.) Marijuana waste includes: marijuana plant waste, including roots, stalks, leaves, and stems that have not been processed with solvent and other waste as determined by the board. Keep a record of the final destination of marijuana waste made unusable.

c.) You must give the board at least 3-days notice in the marijuana inventory tracking system required under 3 AAC 306.760 before making the waste unusable and disposing of it, except that the director may authorize immediate disposal on an emergency basis. Keep a record of the final destination of marijuana waste made unusable.

d.) Marijuana plant waste must be made unusable by grinding the marijuana plant waste and mixing it with at least an equal amount of other compostable or non-compostable materials. A marijuana establishment may use other methods to make marijuana waste unusable if the board approves the method in advance. Material that may be mixed with the marijuana waste includes *compostable materials* including food waste, yard waste, vegetable based grease or oils, or other wastes approved by the board when the mixed material can be used as compost feedstock or in another organic waste method such as an anaerobic digester with approval of any applicable local government entity; or *non-compostable materials* including paper waste, cardboard waste, plastic waste, oil, or other wastes approved by the board when the mixed material may be delivered to a permitted solid waste facility, incinerator, or other facility with approval of any applicable local government entity.

7. Reporting, Verification: A marijuana testing facility shall report the result of each required laboratory test directly into its marijuana inventory tracking system not later than 24 hours after the test is completed. A marijuana testing facility shall provide the final report in a timely manner to the marijuana establishment that submitted the sample and to the director not later than 72 hours after the marijuana testing facility determines that results of tested samples exceed allowable levels. **3 AAC 306.670**

a.) A marijuana testing facility shall establish procedures to ensure that reported results are accurate, precise, and scientifically valid. To ensure reported results are valid, a marijuana testing facility shall include in a final report the name and location of the marijuana testing facility; the unique sample identifier assigned by the marijuana testing facility; the marijuana establishment or other person that submitted the testing sample; the sample identifier provided by the marijuana establishment or other person that submitted the testing sample; the date the marijuana testing facility received the sample; the chain of custody identifier; the date of report; the type of marijuana or marijuana product tested; the test results; the units of measure; and any other information or qualifiers needed for interpretation of the test method and the results being reported, including any identified and documented discrepancy.

b.) A marijuana testing facility may amend a final report for clerical purposes except that test results may not be amended.



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8. Standardized Scales: A marijuana establishment shall use certified scales in compliance with AS 45.75.080, the Alaska Weights and Measures Act. A marijuana establishment shall maintain registration and inspection reports of certified scales, and upon request by the board or the director, provide a copy of the registration and inspection reports of the certified scales to the board or the director for review. **3 AAC 306.745**

9. Business Records/Records Retention: A marijuana establishment shall maintain, in a format that is readily understood by a reasonably prudent business person, the following information (**3 AAC 306.755**):

- All books and records necessary to fully account for the business transactions conducted under its license for the current year and three preceding calendar years; records for the last six months must be maintained on the marijuana establishment's licensed premises; older records may be archived on or off premises;
- A current employee list setting out the full name and marijuana handler permit number of each licensee, employee, and agent who works at the marijuana establishment;
- The business contact information for vendors that maintain video surveillance systems and security alarm systems for the licensed premises;
- Records related to advertising and marketing;
- A current diagram of the licensed premises including each restricted access area;
- A log recording the name, and date and time of entry of each visitor permitted in a restricted access area;
- All records normally retained for tax purposes;
- Test results; quality control and quality assurance records; standard operating procedures; chain-of-custody records; proficiency testing records; analytical data to include printouts generated by the instrumentation; accession numbers; specimen type; raw data of calibration standards and curves, controls, and subject results; final and amended reports; acceptable reference range parameters; the identity of the analyst; and the date of the analysis;
- Transportation records for marijuana and marijuana product as required under 3 AAC 306.745(f).

a.) A marijuana establishment shall provide any record required to be kept on the licensed premises to an employee of the board upon request. Any record kept off premises must be provided to the board's employees within three business days after a request for the record.

b.) A marijuana establishment is required to exercise due diligence in preserving and maintaining all required records. *Loss of records and data, including electronically maintained records, will not be considered an excuse for a violation of this rule. Failure to retain records required under this section may be interpreted by the board as a license violation affecting public safety.*



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10. Inspection and Investigation: A marijuana establishment, and any licensee, employee, or agent in charge shall cooperate with the director, an enforcement agent, an employee of the board, or a peace officer acting in an official capacity, to enforce the laws related to marijuana, including permitting entry upon and inspection of the licensed premises and providing access to business records at reasonable times when requested by the director, an enforcement agent, an employee of the board, or a peace officer. The director, an enforcement agent, an employee of the board, or a peace officer acting in an official capacity, may

- Inspect the licensed premises of any marijuana establishment, including any marijuana and marijuana product on the premises, equipment used in cultivating, processing, testing, or storing marijuana, the marijuana establishment’s inventory tracking system, business records, and computers, at any reasonable time and in a reasonable manner;
- Issue a report or notice as provided in 3 AAC 306.805;
- As authorized under AS 17.38.085, exercise peace officer powers and take any other action the director determines is necessary.

3 AAC 306.800

11. Report or Notice of Violation: The director, an enforcement agent, an employee of the board, or a peace officer acting in an official capacity, may issue an inspection report, an advisory report, or a notice of violation before taking action to suspend or revoke a marijuana establishment license.

- An **advisory notice** may be issued when an incident occurs or a defect is noted that could result in a violation of a statute, regulation, or municipal ordinance. An advisory notice may result from an inspection report, but is not a basis for administrative action unless the incident or defect continues or is not corrected.
- A **notice of violation** may be issued when an inspection report or other credible information shows a marijuana establishment is in violation of AS 17.38, 3 AAC 306, or other law relating to marijuana. The notice of violation must be delivered to the marijuana establishment at its licensed premises, and to the board. The notice must describe any violation, and cite an applicable statute, regulation, or order of the board. A marijuana establishment that receives a notice of violation may respond to the notice orally or in writing, and may, within ten days after receiving the notice, request an opportunity to appear before the board. A notice of violation may be the basis of a proceeding to suspend or revoke a marijuana establishment’s license as provided under 3 AAC 306.810.

Section 3 – Inspection and Briefing Acknowledgement

I have received information on the above subjects, and I am aware I must become familiar with and abide by the laws covering the licensing and operation of my business as prescribed in AS 17.38 and 3 AAC 306. I understand I am responsible to operate my business in compliance with all Alaska laws and regulations.

Signature of licensee

Investigator

Printed name of licensee

Date