



MEMORANDUM

TO: Mark Springer, Chair, and
Members of the Board

DATE: October 16, 2018

FROM: Erika McConnell, Director
Marijuana Control Board

RE: Regulations Project – Sample Jars

The board requested at the last meeting that the staff bring a revised draft to this meeting that focuses more on a retail store licensee maintaining control of any marijuana sample displays, rather than restricting amounts and jar types.

Options for the board:

- Put out for public comment as written
- Amend and put out for public comment
- Send back to staff for revisions
- Close the project without action

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

3 AAC 306.325 is amended by adding a new subsection to read:

(d) If a retail marijuana store displays marijuana to a consumer for the purpose of smelling the marijuana before purchase, the retail marijuana store shall package the marijuana in a sample jar that is protected by a plastic, metal or other protective mesh screen, and the jar must remain in the monitored custody of the retail marijuana store during consumer inspection. (Eff. 2/21/2016, Register 217; am __/__/____, Register__)

3 AAC 306.460(a) is amended to read:

(a) A marijuana cultivation facility may provide a free sample of marijuana to a retail marijuana store if packaged in a sample jar containing not more than three and one-half grams of marijuana and protected by a plastic or metal mesh screen to allow **the retail marijuana store** [CUSTOMERS] to smell the product before purchase.

(Eff. 2/21/2016, Register 217; am 5/25/2018, Register 226; am __/__/____, Register__)

| | | | |
|-------------------|--------------|--------------|--------------|
| Authority: | AS 17.38.010 | AS 17.38.150 | AS 17.38.200 |
| | AS 17.38.070 | AS 17.38.190 | AS 17.38.900 |
| | AS 17.38.121 | | |