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

**Throughout- there are mentions of 'total THC', 'active THC' 'total amount of THC', 'THC content', and simply 'THC'.**

**3 AAC 306.560. Potency limits per serving and transaction for edible marijuana products**

A marijuana product manufacturing facility may not prepare a marijuana product with potency levels exceeding the following, as tested in compliance with 3 AAC 306.645:

(1) for a single serving of a marijuana product, not more than **15** [10] milligrams of **total THC** [ACTIVE TETRAHYDROCANNABINOL (THC) OR DELTA 9];

(2) in a single packaged unit of a marijuana product to be eaten or swallowed, not more than 10 servings or 100 milligrams of **total** [ACTIVE] THC [OR DELTA 9]; the THC content must be homogenous, or evenly distributed throughout the marijuana-infused product. (Eff. 2/21/2016, Register 217; am 9/1/2021, Register 239)

306.645 Laboratory testing of marijuana and marijuana products.

(B) a marijuana testing facility shall report potency test results as follows:

(i) for a potency test on marijuana and marijuana concentrate, the marijuana testing facility shall list for each required cannabinoid a single percentage concentration, based on dry weight, that represents an average of all samples within the test batch; additionally, total THC and total CBD shall be reported;

(ii) for a potency test on a marijuana product, whether conducted on each individual production lot or using process validation, the marijuana testing facility shall list for each cannabinoid the total number of milligrams contained within a single retail marijuana product unit for sale;

(iii) testing whether the THC content is homogenous, the marijuana testing facility shall report the THC content of each single serving in a multi-unit package; the reported content must be within 20 percent of the

manufacturer's target; for example, in a 100 milligrams total THC package with 10 servings, each serving must contain between eight and 12 milligrams of THC;

(C) the marijuana testing facility shall determine an edible marijuana product to have failed potency testing if

(i) an individually packaged edible retail marijuana product with 10 servings that is contained within a test lot is determined to have more than 120 milligrams of THC within it; or

(ii) the THC content of an edible marijuana product is not homogenous;

18 references to 'potency' in 306.

**3 AAC 306.355. Limit on quantity sold.**

(a) A retail marijuana store may not sell to any one person per day

(1) more than one ounce of usable marijuana;

(2) more than seven grams of marijuana concentrate for inhalation; or

(3) more than 5,600 milligrams of THC in combined sales of marijuana and marijuana products.

(b) The limits set out in (a) of this section include marijuana or marijuana product sold for onsite consumption under 3 AAC 306.370.

What is a CAS number.

Chemical Abstracts Service (CAS) Registry number referred to as 'CAS Registry'

3 AAC 306.990(b)(48) is amended to read:

(48) "total THC" means the sum of **Delta 9** THC**, Delta 8 THC,** and (0.877)*(THCA)**;**[.]

Delta 9 defined by CAS #?

Delta 8 defined by CAS #?

**Commented [KRS1]:** 1972-08-3

Δ9-THC (Dronabinol, NSC 134454, Δ9-Tetrahydrocannabinol, CAS Number: **1972-08-3**)

**Commented [KRS2]:** Δ8-THC (NSC 134453, Δ8-Tetrahydrocannabinol, CAS Number: **5957-75-5**)

As opposed to Law's edits? These definitions mirror Div of Ag per Law

3 AAC 306.990(b) is amended by adding new paragraphs to read:

(54) "delta-8-THC" means delta-8-tetrahydrocannabinol concentration

(A) determined by a post-decarboxylation chemical analysis; and

(B) found in only trace-to-very-small quantities in a cannabis plant, and virtually all of which is found in a marijuana product that is isomerized from hemp-derived CBD;

(55) "delta-9-THC" means delta-9-tetrahydrocannabinol concentration determined by a post-decarboxylation chemical analysis.

(Eff. 2/24/2015, Register 213; am 2/21/2016, Register 217; am 10/11/2017, Register 224; am 8/11/2018, Register 227; am 10/20/2018, Register 228; am 4/11/2019, Register 230; am 5/9/2019, Register 230; am 03/13/2020, Register 233; am 12/10/2020, Register 236; am 8/7/2021, Register 239; am 7/23/2023, Register 247; am ____/____/_____, Register _____)

**Authority:** AS 17.38.010 AS 17.38.150 AS 17.38.900

AS 17.38.070 AS 17.38.190 AS 18.35.301

AS 17.38.121 AS 17.38.200

Delta-9 as determined by a licensed testing facility (under 306.600)…4/22/25 possible definition suggested at board meeting by? Lab possibly?.