DECLARATION OF EMERGENCY

Department of Health
Office of Public Health

Regulation of Medical Marijuana
(LAC 51:XXIX.Chapters 1, 5, 7, 9, 21, 23, and 25)

The Department of Health, Office of Public Health (LDH/OPH), pursuant to the emergency rulemaking authority granted by R.S. 40:4(A)(13) and R.S. 3:1483(L), hereby adopts the following Emergency Rule for the protection of public health. This Emergency Rule is effective on March 28, 2025, and is adopted in accordance with R.S. 49:962 of the Administrative Procedure Act (R.S. 49:950, et seq.).

This Emergency Rule reenacts and amends certain sections of Part XXIX of Title 51 of the *Louisiana Administrative Code* (also known as *Public Health—Sanitary Code*) and enacts a new Subpart as a consequence of changes made to medical marijuana regulations under Act No. 150 and Act No. 693 of the 2024 Louisiana Legislature. The following changes will update the language in Part XXIX to address terminology changes and alter the pesticide-testing schedule to streamline product testing and approval. The new Subpart 2. Marijuana Retailers authorizes the LDH/OPH to transition to conducting oversight of the retail distribution of medical marijuana products through the network of approved retailers. Chapter 21 provides for general requirements and definitions. Chapter 23 provides for the transfer of new LDH-issued permits for retailers that currently hold marijuana-pharmacy permits through the Board of Pharmacy as of November 2024 and application requirements for new applicants should a current permit-holder neglect to renew its existing permit. Chapter 25 provides for general operational requirements for marijuana retailers, including distribution requirements, recommendations, home-delivery services, disposal procedures for waste products, inventory control, point-of-sale tracking systems, and general design, construction, and sanitary requirements.

Title 51
PUBLIC HEALTH—SANITARY CODE
Part XXIX. Medical Marijuana
Subpart 1. Marijuana Manufacturers

Chapter 1. General Requirements

§101. Definitions

A. Except as may be otherwise defined in any provision of this Part, and unless the context or use thereof clearly indicates otherwise, the following words and terms used in this Part of the *Sanitary Code* are defined for the purposes thereof, and for purposes of any other Parts which are adopted or may hereafter be adopted, as follows.

* * *

Licensee—as defined in R.S. 40:1046(H)(1)(a), an entity authorized by the Louisiana Department of Health to cultivate, extract, process, produce and transport therapeutic marijuana.

* * *

Permittee—Repealed.

Therapeutic Marijuana—see *Medical Marijuana*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:2976 (December 2022), amended LR 51:

Chapter 5. Licensure

§501. Licensure of Authorized Entities

A. The department shall issue a nontransferable license to the licensees successfully completing the application process referenced in §505 of this Chapter to produce medical marijuana. Such license shall be renewable annually on July 1.

B. Only a total of two licenses may be issued for the production of medical marijuana.

C. Licensees shall comply with all applicable requirements of R.S. Title 40, Chapter 4, Part X-E (R.S. 40:1046 et seq.), including payment of all fees, allowance of all inspections, and provision of all information required thereunder. Each license is subject to an annual administration fee of $100,000.00.

D. New licenses may be issued only under the following circumstances:

1. A current licensee surrenders its active license voluntarily; or

2. A current licensee fails to renew its active license in a timely fashion. A license may only be revoked in this circumstance if the licensee fails to respond to a written notification by the department with the necessary documentation and fees within a thirty-day timeframe.

E. New licenses shall be awarded by means of a competitive bid process in accordance with the applicable provisions of the Procurement Code (R.S. 39:1551 et seq.).

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:2977 (December 2022), amended LR 51:

§503. Permitting

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:2977 (December 2022), repealed LR 51:

§505. Application Process

A. Applications for licensure shall be made using documents supplied by the department for this purpose.

B. - B.5. …

6. a recall plan; and

7. any other information or plans required to be provided under R.S. Title 40, Chapter 4, Part X-E (R.S. 40:1046 et seq.).

C. As a condition of renewal of a license, the licensee shall supply the following additional information in writing to the department by January 10 of the renewal year:

1. - 3. …

4. the total quantity of medical marijuana generated as a finished product within that year and the quantity distributed to each licensed marijuana retailer;

5. - 6. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:2977 (December 2022), amended LR 51:

Chapter 7. Inspections and Operational Requirements

§701. Inspections

A. Licensed facilities require a preoperational or initial inspection and this shall follow review and acceptance of the plans required in §505. Inspections are designed to ensure the following:

1. - 9. …

B. As a condition of its license, the licensee shall allow the State Health Officer or his/her designee(s) to review all records relevant to the operations and management of the licensed facility.

C. Routine inspections of licensed facilities to assess continued compliance shall occur no less frequently than twice per fiscal year. Complaint-based inspections may be conducted at any time during business hours and without prior notice.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:2978 (December 2022), amended LR 51:

§703. Product and Site Security

A. Licensed facilities shall maintain an onsite security system that includes, at a minimum, the following components:

A.1. - D ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:2978 (December 2022), amended, LR 51:

§705. Louisiana Medical Marijuana Tracking System

A. Licensed facilities shall possess and maintain required hardware and software to connect to the Louisiana Medical Marijuana Tracking System (LMMTS).

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:2978 (December 2022), amended LR 51:

§707. Inventory Control

A. Licensed facilities shall maintain an inventory of medical marijuana, including medical marijuana waste, on their premises and update these records no less frequently than once per week.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:2979 (December 2022), amended, LR 51:

§709. Toxic Chemical Use and Storage

A. Licensed facilities shall handle and store any chemicals for direct or indirect contact with medical marijuana in accordance with its written operations plan and the manufacturer's directions.

B. ...

C. Licensees shall maintain records of material safety data sheets (MSDS) for all chemicals currently in use at the facility.

D. - D.4 ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:2979 (December 2022), amended LR 51:

§711. Transportation of Medical Marijuana

A. Licensed facilities shall generate an inventory manifest prior to transporting any medical marijuana to a licensed marijuana retailer, laboratory, contractor or disposal site. The manifest shall include the following items:

A.1. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:2979 (December 2022), amended LR 51:

§713. Sampling Requirements

A. Licensees shall sample every batch of product to ensure compliance with the standards of quality outlined below. Licensees shall not release any batch of product for sale until the representative sample has been verified as compliant. Batches may be tested prior to portioning or packaging.

B. Sample verification shall be by means of the issuance of a certificate of analysis from the approved laboratory conducting the sample analysis issued to the Louisiana Department of Health and the originating facility no later than 24 hours after testing is complete.

C. Any batch with a sample failing one or more of the tests (by exceeding allowable limits for contaminants or residues) shall be remediated or destroyed, at the option of the licensee. A batch shall only be remediated once, and if subsequent sampling fails to correct the exceedance, the affected batch shall be destroyed.

D. - E. ...

F. Medical marijuana samples shall be required to meet the following standards of quality:

1. microbiological contaminants:

a. mold/yeast <100,000 CFU/g;

1.b. - 6....

G. Table 1. Pesticide Residue Maximum Contaminant Levels (MCL) in parts per million (ppm) by dosage form

Name	Ingested	Inhaled
Abamectin	0.5	0.5
Acephate	0.4	0.4
Acetamiprid	0.2	0.2
Acequinocyl	2	2
Azoxystrobin	0.2	0.2
Bifenzate	0.2	0.2
Bifenthrin	0.2	0.2
Boscalid	0.4	0.4
Carbaryl	0.2	0.2
Carbofuran	0.2	0.2
Chlorantraniliprole	0.2	0.2
Chlorfenapyr	1	1
Chlorpyrifos	0.2	0.2
Clofentezine	0.2	0.2
Cyfluthrin	1	1
Cypermethrin	1	1
Daminozide	1	1
DDVP (Dichlorvos)	0.1	0.1
Diazinon	0.2	0.2
Dimethoate	0.2	0.2
Ethoprophos	0.2	0.2
Etofenprox	0.4	0.4
Etoxazole	0.2	0.2
Fenoxycarb	0.2	0.2
Fenpyroximate	0.4	0.4
Fipronil	0.4	0.4

Name	Ingested	Inhaled
Flonicamid	1	1
Fludioxionil	0.4	0.4
Hexythiazox	1	1
Imazalil	0.2	0.2
Imidacloprid	0.4	0.4
Kresoxim-methyl	0.4	0.4
Malathion	0.2	0.2
Metalaxyl	0.2	0.2
Methiocarb	0.2	0.2
Methomyl	0.4	0.4
Methyl parathion	0.2	0.2
MGK-264	0.2	0.2
Myclobutanil	0.2	0.2
Naled	0.5	0.5
Oxamyl	1	1
Paclobutrazol	0.4	0.4
Permethrins*	0.2	0.2
Phosmet	0.2	0.2
Piperonylbutoxide	2	2
Prallethrin	0.2	0.2
Propiconazole	0.4	0.4
Propoxur	0.2	0.2
Pyrethrins**	1	1
Pyradiben	0.2	0.2
Spinosad	0.2	0.2
Spiromesifen	0.2	0.2
Spirotetramat	0.2	0.2
Spiroxamine	0.4	0.4
Tebuconazole	0.4	0.4
Thiacloprid	0.2	0.2
Thiamethoxam	0.2	0.2
Trifloxystrobin	0.2	0.2

*Permethrins should be measured as cumulative residue of *cis*- and *trans*-permethrin isomers.

**Pyrethrins should be measured as the cumulative residue of pyrethrin 1, cinerin 1, and jasmolin 1.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:2979 (December 2022), amended LR 51:

§715. Basic Facility Requirements

A. Licensed facilities shall provide finishes to floors, walls, and ceilings that are durable, light in color, and easily cleanable.

B. - I. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:2980 (December 2022), amended LR 51:

Chapter 9. Approved Laboratories for Testing Medical Marijuana

§901. General Requirements

A. Licensed facilities shall only utilize approved laboratories, as defined in this Section, for testing of medical marijuana.

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:2981 (December 2022), amended LR 51:

Subpart 2. Marijuana Retailers

Chapter 21. General Requirements

§2101. Definitions

A. Except as may be otherwise defined in any provision of this Part, and unless the context or use thereof clearly indicates otherwise, the following words and terms used in this Part of the *Sanitary Code* are defined for the purposes thereof, and for purposes of any other Parts which are adopted or may hereafter be adopted, as follows:

Authorized Clinician—licensed health professional authorized to recommend therapeutic marijuana as defined in R.S. 40: 1046.

CFR—Code of Federal Regulations

Department—herein, unless otherwise indicated, the Louisiana Department of Health.

Marijuana Product—any product containing marijuana, including raw plant material, that requires no further processing

Pharmacist—a natural person holding an active license to practice as a pharmacist issued by the Louisiana Board of Pharmacy.

Retailer—retail facility meeting the requirements of this Subpart that sells therapeutic marijuana to patients or caregivers.

Recommendation—a written or electronic communication from an authorized clinician to a retailer indicating that in the clinician's professional judgment a patient would benefit from therapeutic marijuana.

Use—to assimilate therapeutic marijuana into the body by ingestion, inhalation, topical application or any other route of administration by the patient, whether aided or unaided.

Usable Marijuana—the dried leaves and flowers of the marijuana plant, and any mixtures or preparations of such leaves and flowers that are appropriate for the therapeutic use of marijuana, but does not include the seeds, stalks, and roots of the marijuana plant.

Visiting Qualifying Patient—non-resident of the state of Louisiana or person who has been a resident for fewer than thirty days who provides a Louisiana retailer with a copy of a medical-marijuana registry card or similar credential indicating that the patient currently receives medical marijuana in another state under that jurisdiction's medical-marijuana laws and rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40: 1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

§2103. Marijuana Product Requirements

A. Retailers may only stock marijuana products obtained from in-state licensed medical marijuana manufacturing facilities. No other sources may be utilized for the supply of marijuana products to patients.

B. Retailers may distribute only the following acceptable dosage forms of formulated therapeutic marijuana to patients:

1. oils, extracts, tincture or sprays;
2. solid oral dosage forms (e.g., pills, capsules, tablets);
3. liquid oral dosage forms (e.g., solutions or suspensions);
4. gelatin- or pectin-based chewables;
5. topical creams, unguents, or lotions;
6. transdermal patches;
7. suppositories;
8. metered-dose inhalers; or
9. other forms approved by the department.

C. Retailers may also distribute edible products (intended for ingestion) and combustible forms (intended for inhalation) made from marijuana flower.

D. No therapeutic marijuana product of any kind may include or be incorporated into the following:

1. an alcoholic beverage;

2. a dietary supplement; or

3. a drug other than marijuana, cannabis extracts, or cannabis derivatives.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40: 1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

Chapter 23. Permits

§2303. Application Requirements

A. In accordance with the statutory limits provided for in R.S. 40:1046(G), the department may issue no more than thirty permits for therapeutic marijuana retailers and their approved satellite locations.

B. Permits are not transferable to other locations or owners.

C. In the circumstance that one of the existing permit-holders for a primary retailer location or its satellite chooses to surrender that permit or the facility undergoes a change-of-ownership, an applicant may submit a packet for review to include the following:

1. A completed application form provided by the department;

2. Detailed plans of the facility, including a site plan and plumbing, electrical, mechanical, HVAC, and drainage schedules as well as a schedule of finishes for floors, walls, and ceilings in all areas; plans should include measures to secure the area where marijuana product is being held to prevent the entry of unauthorized personnel;

3. Proposed hours of operation, anticipated staffing levels, and a list of other goods and services to be provided on the premises;

4. The name and contact telephone number and email address of the registered pharmacist designated to be available to the retailer; and

5. A notarized, sworn affidavit that the proposed location meets the separation distance requirements stipulated in R.S. 40:1040(G)(6) and that any applicable zoning requirements have been met.

D. Any plans packet that is incomplete or lacks the required supporting documentation will be returned without processing.

E. To comply with statutory population-survey requirements and as a condition of permitting, each permitted facility must supply the department with registered patient counts based on the previous 24-month period on a quarterly basis.

F. Per the provisions of R.S. 40:1046(F), each permitted facility must designate at least one registered pharmacist to be available to the primary site and its satellite locations by virtue of the pharmacist's physical presence or availability by telephone or videoconference during its hours of operation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40: 1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

§2305. Renewal, Suspension, and Revocation

A. A marijuana retailer permit shall be subject to renewal on a calendar-year basis utilizing a form supplied by the Louisiana Department of Health.

B. Renewal packets (to include ancillary documentation required by the renewal form) must be submitted to LDH no later than December 1 to renew for the following year.

C. Permits that are not renewed by December 31 are subject to suspension until such time as the proper packet has been submitted, reviewed, and accepted by LDH.

D. Permits that have not been renewed by March 1 of the subsequent calendar year or whose holders have been documented to be in violation of any provisions of this Subpart may be subject to revocation in accordance with the applicable provisions of LAC 51:I.113.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40: 1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

§2307. Renovations

A. Any permitted marijuana retailer that is undergoing substantial renovations (per LAC 51.I:101) must submit plans for review and approval to the Louisiana Department of Health. The department must approve the plans prior to the onset of construction/substantial renovations to the existing facility.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40: 1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

Chapter 25. Inspections and Operational Requirements

§2501. Inspections

A. Permitted facilities are required to be inspected at least once annually. Inspections are intended to verify compliance with the provisions of this Subpart, including §2511.

B. As a condition of its permit, the permittee shall allow the surgeon general or his/her designee(s) to review all records relevant to the operations and management of the permitted facility.

C. Complaint-based inspections may be conducted at any time during business hours and without prior notice to the firm.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40: 1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

§2503. Product and Site Security

A. Permitted facilities shall maintain an onsite security system that includes, at a minimum, the following components:

1. secured locks on doors throughout the facility;

2. audible alarms and a system of audio and video surveillance cameras that cover points of entry and egress as well as restricted-access areas;

3. restricted-access areas denoted by suitable signage and protected by means of secured-access locks where marijuana products are held and provided to patients or caregivers. Access to areas where marijuana inventory is stored and orders are fulfilled shall meet the following requirements:

a. be restricted to authorized personnel and not allowed to the general public;

b. be secured by suitable physical barriers and monitored by the facility's security system;

c. be inaccessible to any non-employee unless that person remains under the constant supervision of an employee authorized to be in the secure area.

B. The security system shall be documented in detail in the firm's security plan and subject to review during inspection by the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40: 1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

§2505. Inventory Control and Required POS (Point-of-Sale) System

A. Permitted facilities shall be required to maintain a point-of-sale software system that will interface with the Louisiana Medical Marijuana Tracking System to allow for seed-to-sale tracking of all medical marijuana transactions (including home deliveries and waste disposal) conducted at the facility.

B. The system shall be capable of documenting the amount of marijuana, dosage form, and amount provided under the active recommendation for each patient registered at the retailer.

C. Additionally, the system shall allow the agent or pharmacist to cross-reference the patient's sales history in the LMMTS. A retailer shall perform such cross-reference prior to sale, and shall refuse a sale if necessary to ensure that no patient receives more than 71 g of raw marijuana in a 14-day period or any amount of another dosage form in excess of the authorized clinician's recommendation.

D. Retailer staff must maintain a perpetual inventory of marijuana products received, held, sold, and disposed of by the facility. Inventory reconciliations shall be conducted on at least a semi-annual (every six months) basis and documents related to reconciliations shall be maintained on the premises for at least two calendar years.

E. Retailer staff must enter information into the LMMTS for new patients within 24 hours of receipt of a recommendation from an authorized clinician. The patient profile information provided must include the following elements:

1. unique patient identification number that will attach to all relevant records;

2. status of the recommendation (active or inactive);

3. recommendation start date; and

4. data on purchase limits or restrictions other than those referenced in Subsection C. above, if applicable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40: 1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

§2507. Deliveries, Fulfillment and Labeling/Packaging Requirements

A. Retailers may refuse delivery from a manufacturing facility of marijuana products if it is determined at receiving that the product is misbranded, adulterated, expired, or otherwise in a non-saleable condition. Such refusals shall be recorded in the POS system and the Louisiana Medical Marijuana Tracking System.

B. Marijuana products may be issued by appropriate retailer staff to a patient or the patient's caregiver on the premises or by delivery to the patient's or caregiver's home address.

1. Patients or caregivers must have an authorized clinician send a paper or electronic recommendation bearing the clinician's signature directly to the retailer prior to fulfillment.

2. Recommendations must include the following information, at a minimum:

a. the name, address, and telephone number of the authorized clinician;

b. name, address and date-of-birth of the patient;

c. the name of the debilitating medical condition listed in R.S. 40:1046 for which the therapeutic marijuana will act as a treatment;

d. if applicable, a list of any dosage forms of marijuana that may be contraindicated by the patient's debilitating condition or co-morbidities;

e. date of recommendation and an expiration date not to exceed 12 months from the date of the recommendation; and

f. self-certification that the authorized clinician is in good standing with the relevant licensing board as specified in R.S. 40:1046(B). For nurse practitioners, the self-certification shall affirmatively state that the recommender has prescriptive authority conferred by the State Board of Nursing.

3. The retailer shall provide laboratory test results for any marijuana product available for sale to the patient upon request.

C. Deliveries must be made available upon request at least once per month per ZIP code serviced by the retailer; however, no delivery may be made outside the state of Louisiana.

D. Any marijuana product that is part of a delivery that is not completed must be returned to the retailer of origin, and if the packaging integrity cannot be verified by retailer staff, it must be disposed of by a department-approved method and that disposal documented in the firm's POS system.

E. Marijuana products, whether provided on- or off-premises, must be packaged in tightly-sealed and light-impermeable packaging.

F. Retailers may utilize a recommendation issued by an authorized clinician to supply a patient on multiple occasions with marijuana products, provided that the fulfillment is consistent with the requirements of §2505.C and that the fulfillment does not exceed the amount indicated on the recommendation or consist of a dosage form not specified under §2103.B of this Subpart.

G. As long as no marijuana product is provided to an out-of-state address, retailer staff may provide marijuana products to a visiting qualifying patient in compliance with the provisions of this Section and R.S. 40:1046.1. A retailer shall retain all documents required by R.S. 40:1046.1(C)(2) for at least three years.

H. No marijuana product may be sold by the retailer unless it bears a label including the following information:

1. the name, address, and telephone number of the retail firm;

2. the name of the authorized clinician recommending the product;

3. the name of the patient;

4. date of fulfillment;

5. transaction identification number, which shall be a unique identifier;

6. the identity of the product;

7. quantity of product in the package;

8. directions for use; and

9. expiration date, as provided by the manufacturing facility.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40: 1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

§2509. Disposal of Marijuana Product Waste

A. Marijuana product in inventory that is no longer suitable for sale due to deterioration, expiration or other conditions rendering the product unsaleable shall be stored in a temporary morgue area pending disposal. Waste products may not be held on the premises longer than thirty days.

B. Waste products must be rendered into a non-usable state by grinding and mixing with non-marijuana waste products such that the end product is at least 50% non-marijuana waste by volume, and this end product may then be transported from the premises and disposed of by means of the following processes:

1. composting;
2. incineration; or
3. compaction and subsurface burial.

C. Acceptable materials for mixing include yard waste; paper or cardboard waste; plastic waste; or soil.

D. Retailer personnel must document every disposal activity in the facility's POS system, including the identifying characteristics of the waste, the quantity of waste, and the method of its disposal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40: 1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

§2511. Basic Facility Requirements

A. Retailers shall provide and maintain finishes to floors, walls, and ceilings in all public areas that are smooth, light-in-color, durable, and easy-to-clean.

B. Retailers shall be sufficient in size to allow space for the following:

1. orderly placement of equipment and materials to minimize the possibility of contamination;

2. holding of waste products in secure storage while pending disposal;

3. storage of packages, containers, and labeling;

4. packaging and labeling operations;

5. fulfillment operations; and

6. secure storage of marijuana products pending order fulfillment.

C. Retailers shall provide lighting, ventilation, and screening (if applicable) as needed to do the following:

1. prevent contamination of products in storage with extraneous adulterants; and

2. minimize dissemination of microorganisms from one area to another.

D. Retailers shall provide locker rooms adequate for the storage of employee personal belongings.

E. Retailers shall provide a plumbing system designed and installed to meet the requirements of the Uniform Construction Code. Additionally the system shall include the following:

1. no cross-connections between any potable and non-potable water supply;

2. at least one hand lavatory in the storage/fulfillment areas equipped with hot-and-cold running water by means of a mixer-type faucet as well as adequate supplies of hand soap and paper towels and a suitable waste-receptacle located nearby.

3. at least one utility sink for the disposal of mop wastes; and

4. adequate means of sanitary disposal of wastewater.

F. Retailers shall provide adequate means of conveyance, storage, and disposal of refuse and non-medical marijuana waste products so as to minimize the development of odors, prevent waste products from becoming an attractant to and harborage for vermin, and prevent contamination of marijuana products, other products, facility surfaces, grounds, or water supplies.

G. Retailers shall provide toilet rooms as required by the Uniform Construction Code. Additionally toilet rooms shall be maintained in proper working order and in a sanitary condition. Adequate security measures shall be put into place to prevent the use of marijuana products in toilet rooms and signage shall be provided advising that such use is prohibited by law. Toilet rooms shall be equipped with self-closing doors and shall provide signage advising employees to wash hands with soap and water after using the toilet.

H. Retailers shall be located on premises that are maintained free from the following:

1. disused equipment, waste, debris or other materials that may serve as harborages for or attractants to vermin;

2. overgrowth of vegetation;

3. poorly-drained areas; and

4. excessively-dusty areas.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40: 1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

Ralph L. Abraham, MD
Surgeon General
and
Drew P. Maranto
Interim Secretary

2504#008