

Nancy Dahlstrom
Lieutenant Governor
State Capitol
Juneau, Alaska 99811
907.465.3520
WWW.LTGOV.ALASKA.GOV



530 West 7th Ave, Suite 1700
Anchorage, Alaska 99501
907.269.7460
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Sara Chambers, Boards and Regulations Advisor
Department of Commerce, Community and Economic Development

FROM: April Simpson, Alaska Administrative Code Coordinator 
Office of the Lieutenant Governor

DATE: March 20, 2025

RE: Filed Permanent Regulations: Marijuana Control Board

Marijuana Control Board regulations re: Labeling Requirements for Marijuana Test Results (3 AAC 306.475(e)(4))

Attorney General File:	2024200426
Regulation Filed:	3/20/2025
Effective Date:	4/19/2025
Print:	254, July 2025

cc with enclosures: Beth Parsons, Paralegal 2
Department of Law

Bob Dame, Alaska Legal Analyst
LexisNexis

Kristina Serezhenkov, Regulations Specialist 2
Department of Commerce, Community and Economic Development



THE STATE
of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

P.O. Box 110300
Juneau, Alaska 99811
Main: 907.465.3600
Fax: 907.465.2520

March 20, 2025

The Honorable Nancy Dahlstrom
Lieutenant Governor
State of Alaska
P.O. Box 110015
Juneau, AK 99811-0015

Re: *3 AAC 306.475(e)(4): AMCO: Labeling Requirements for Marijuana Test Results*
Our file: 2024200426

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Marijuana Control Board against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This letter constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Marijuana Control Board after the close of the public comment period.

The regulations adjust labeling requirements for marijuana test results.

The December 1, 2024 public notice and the March 17, 2025 certification of adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.060 is not required.

We have made a technical correction to conform the regulations in accordance with AS 44.62.060. The correction is incorporated into the attached copy of the regulations.

Sincerely,

TREG TAYLOR
ATTORNEY GENERAL

By: **Rebecca C. Polizzotto**
Rebecca C. Polizzotto
Chief Assistant Attorney General
Legislation, Regulations, and
Legislative Research Section

Digitally signed by
Rebecca C. Polizzotto
Date: 2025.03.20
08:58:45 -08'00'

SCW/fcb

CC w/enclosure: Kristina Serezhenkov, Regulations Specialist 2
Department of Commerce, Community and Economic Development

Kevin A. Higgins, Assistant Attorney General
Department of Law

Steven C. Weaver, Assistant Attorney General
Department of Law

APPENDIX J: Certification Order

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE MARIJUANA CONTROL BOARD

The attached three pages of regulations, dealing with labelling requirements for marijuana test results, is certified to be a correct copy of the regulation changes that the Marijuana Control Board adopted at its February 6, 2025, meeting, under the authority of AS 17.38.121 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Marijuana Control Board paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: 3/17/2025



Kevin Richard, Director

April Simpson for

FILING CERTIFICATION

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on

March 20, 2025 at 3:18 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

for 
Lieutenant Governor *Nancy Dahlstrom*

Effective: April 19, 2025.

Register: 254, July 2025

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:

April Simpson, Regulations and Initiatives Specialist

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on May 15th, 2023.



A handwritten signature in blue ink, reading "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM
LIEUTENANT GOVERNOR**

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

3 AAC 306.475(e) is amended to read:

(e) If a marijuana cultivation facility transports wholesale marijuana to another marijuana establishment for sale at retail or for use in manufacturing a marijuana product, a label must be affixed to the shipping container showing that a licensed marijuana testing facility has tested each harvest batch in the shipment as provided in 3 AAC 306.645. The label must report the test results, including

(1) a cannabinoid potency profile expressed as a range of percentages that extends from the lowest percentage to highest percentage of concentration for each cannabinoid listed from every test conducted on that strain of marijuana from the same marijuana cultivation facility within the last three months;

(2) a statement listing the results of microbial testing required under 3 AAC 306.645(b)(2); **and**

(3) a statement listing the results of residual solvent testing required under 3 AAC 306.645(b)(3), if applicable [; AND

(4) A STATEMENT LISTING ANY CONTAMINANTS FOR WHICH THE PRODUCT WAS TESTED IN ADDITION TO CONTAMINANTS FOR WHICH 3 AAC 306.645(b) REQUIRES TESTING; ANY ADDITIONAL TESTED CONTAMINANTS INCLUDE

(A) MOLDS, MILDEW, AND FILTH;

(B) HERBICIDES, PESTICIDES, AND FUNGICIDES; AND

(C) HARMFUL CHEMICALS].

3 AAC 306.475(f) is amended to read:

(f) If a marijuana cultivation facility ships wholesale marijuana from a harvest batch that has not been tested for each contaminant listed in **(g)** [(e)(4)] of this section, the label for that batch must include a statement identifying each contaminant listed in **(g)** [(e)(4)] of this section for which that harvest batch has not been tested.

3 AAC 306.475 is amended by adding a new subsection to read:

(g) If a marijuana cultivation facility transports wholesale marijuana to another marijuana establishment for sale at retail or for use in manufacturing a marijuana product, the marijuana cultivation facility shall produce a statement that lists contaminants for which the wholesale marijuana was tested in addition to the contaminant testing required under 3 AAC 306.645(b) immediately upon request of the receiving marijuana establishment. Additional tested contaminants may include

- (1) molds, mildew, and filth;
- (2) herbicides, pesticides, and fungicides; and
- (3) harmful chemicals. (Eff. 2/21/2016, Register 217; am 11/8/2018, Register

228; am 4 / 19 / 2025, Register 254)

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

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

(52) "filth" has the meaning given "contaminated with filth" in AS 17.20.370 (Alaska Food, Drug, and Cosmetic Act; definitions). (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 3/13/2020, Register 233; am 12/6/2020, Register 236; [AM 12/10/2020, REGISTER 236;] am 8/7/2021, Register 239; am 7/23/2023, Register 247; am 4 / 19 / 2025, Register 254)

Authority: AS 17.38.010 AS 17.38.121 AS 17.38.900
AS 17.38.040 AS 17.38.190 AS 18.35.301
AS 17.38.070 AS 17.38.200

((Publisher: At the end of 3 AAC 306.990(b)(51), please change the period to a semicolon.)))