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**SENATE BILL 5951**

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**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** Senator Hasegawa

1 AN ACT Relating to agricultural hemp products to ensure the safe  
2 implementation of Washington state's industrial hemp program; adding  
3 a new section to chapter 15.140 RCW; and prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 15.140  
6 RCW to read as follows:

7 (1)(a) Notwithstanding subsection (4) of this section, no person  
8 may knowingly sell or offer for sale any hemp cannabinoid product  
9 that is marketed or labeled as "CBD" or any other class B cannabinoid  
10 if the hemp cannabinoid product has less than the marketed or labeled  
11 concentration of CBD or any other class B cannabinoid or does not  
12 contain CBD or any other class B cannabinoid.

13 (b) Such a representation can be made orally or in writing, or by  
14 display of a sign, mark, insignia, or simulation.

15 (2) A violation of this section constitutes a violation of the  
16 consumer protection act, chapter 19.86 RCW.

17 (3) The definitions in this subsection apply throughout this  
18 section unless the context clearly requires otherwise.

19 (a) "CBD" has the same meaning as "CBD product" as defined in RCW  
20 69.50.101(e).

1 (b) "Class A cannabinoid" is a substance that meets the following  
2 structural and functional criteria:

3 (i) The substance exhibits the structural backbone of  
4 tetrahydrocannabinols and tetrahydrocannabinol-like (THC-like)  
5 molecules that include the interconnected three-ring system of a:  
6 Six-carbon aromatic ring; pyran ring; and cyclohexene ring. Known  
7 compounds that fit the description provided in this subsection  
8 (3) (b) (i) include:

9 (A) Tetrahydrocannabinols - a single double-bond in the C ring:  
10 (I) Delta-10-THC and isomers;  
11 (II) Delta-9-THC and isomers;  
12 (III) Delta-8-THC and isomers;  
13 (IV) Delta-7-THC and isomers;  
14 (V) Delta-6a-THC and isomers; and  
15 (VI) Delta-10a-THC and isomers;  
16 (B) Carboxylates (C-2 and C-4) of tetrahydrocannabinols:  
17 (I) Delta-9-THCA acid (Delta-9-THCA);  
18 (II) Similar carboxylates of Delta-9-THCA for  
19 tetrahydrocannabinols in (b) (i) (A) (I) through (VI) of this  
20 subsection; and  
21 (III) Carboxylate esters in (b) (i) (A) (I) through (VI) of this  
22 subsection;  
23 (C) Alkyl analogues (C-3) of tetrahydrocannabinols:  
24 (I) Delta-9-THCP (Delta-9-tetrahydrocannabiphorol) and n-alkyl  
25 analogues;  
26 (II) Similar alkylated analogues of Delta-9-THC for  
27 tetrahydrocannabinols in (b) (i) (A) (I) through (VI) of this  
28 subsection; and  
29 (D) Hydroxylated analogues of tetrahydrocannabinols:  
30 (I) 11-hydroxy-delta-9-THC and 8- and 10-hydroxy analogues; and  
31 (II) Similar hydroxylated analogues of Delta-9-THC for  
32 tetrahydrocannabinols in (b) (i) (A) (I) through (VI) of this  
33 subsection;

34 (ii) Possesses significant CB1 agonist activity as demonstrable  
35 by binding affinity (Ki) to the CB1 receptors at less than 200 nM;  
36 and

37 (iii) Results in positive effects for all four components of the  
38 tetrad test in rodents or reliably causes functional impairment in  
39 humans as assayed by a method possessing scientific consensus.

1 (c) "Class B cannabinoid" means all hemp cannabinoids that do not  
2 meet the form and function of class A cannabinoids.

3 (d) "Hemp cannabinoid product" means any consumable class B  
4 product derived from hemp as defined in RCW 15.140.020, which  
5 explicitly or implicitly markets cannabinoid concentration or  
6 otherwise contains a cannabinoid or cannabinoids to a significant  
7 degree for human or animal consumption above two percent.

8 (e) "Person" includes individuals, partnerships, corporations,  
9 and associations.

10 (4) This section does not apply to products sold at a retail  
11 outlet licensed under RCW 69.50.325.

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