List of amendments to chapter 11-850, HAR, effective November 17, 2022

1) Conform regulations with statutory changes made by 2022 SLH Act 309 [§§6, 7, 46]
   a) Maximum number of allowable production centers and retail dispensing locations per license and cannabis plants per production center
   b) Allowance for transportation of cannabis and manufactured cannabis products from a dispensary to another island or county for laboratory testing only if there is no certified laboratory located on the island or in the county where the dispensary is located

2) Add a dispensary license renewal fee structure differentiated by number of production centers, maximum number of plants, type of manufacturing activity, number of retail dispensing locations, county, and market share [§28]

3) Add delta-8-tetrahydrocannabinol to the definition of total tetrahydrocannabinol [§2]

4) Revise laboratory testing requirements [§135]
   a) Add delta-9-tetrahydrocannabinolic acid and delta-8-tetrahydrocannabinol
   b) Add the following contaminants with testing limits
      i) Solvents: 1,1-dichloroethene, 1,1,1-trichloroethane, 1,2-dichloroethane, acetone, acetonitrile, carbon tetrachloride, chloroform, ethyl acetate, ethyl ether, isopropyl alcohol, methanol, methylene chloride, propane, trichloroethylene
      ii) *Aspergillus terreus*
   c) Replace "(A) Water activity (aw), which shall not exceed 0.65; or (B) Moisture content, which shall not exceed fifteen per cent" with "water activity (aw), which shall not exceed 0.65"
   d) Add water activity limit for kief and hashish

5) Add batch sampling and testing requirements for quality control and procedures for batches failing testing standards [§78, 129, 131, 134, 135(h)(1), (i)]
   a) Add sampling requirements: maximum batch size, multi-incremental sampling, minimum number of increments by batch size, minimum sample size
   b) Clarify requirements for validation studies and proficiency testing
   c) Add documentation relating to validity of laboratory testing of individual products
   d) Expand possibilities and codify procedures for remediation of batches failing testing standards
   e) Clarify timeline for destruction of batches failing testing standards
   f) Reduce reserve sample holding time

6) Add and clarify product safety and labeling requirements [§§2, 72(d), 143, 145(d)]
   a) Clarify banned ingredients by replacing "cannabinoids created through isomerization…" with "artificially derived cannabinoids" and defining the new term
   b) Add delta-8-THC to the definition of total THC, which also means delta-8-THC is included in dosage limits on total THC and labeling for total THC content

c) Add total package content and per serving content labeling for delta-9-THCA and delta-8-THC
d) Ban health or benefit claims that are unsubstantiated, false, or misleading in any particular by a dispensary or on product packaging
e) Require accuracy in cannabinoid content labeling

7) Update and clarify laboratory certification requirements and procedures [§§132, 133]
   a) Add language on scope of accreditation and demonstration of capacity and proficiency to test cannabis and medical cannabis products
   b) Clarify requirement to submit annual proficiency tests with application for certification/re-certification
   c) Reduce requirement for department to conduct on-site evaluation of a laboratory seeking certification: required for initial certification and full certification after a period of provisional certification, at the discretion of the department for renewal of certification

8) Miscellaneous clarifications
   a) Relationships between dispensaries and physician or advanced practice registered nurse who provides written certification [§31(c)]
   b) Procedures for appeals [§§24(c), 136]
   c) Procedure for notifying the department of a security breach [§51(b)]

Conforming changes and organizational changes are also made.