



## Pre-Licensure Inspection List

***Disclaimer:** The Office of Cannabis Management (OCM) is providing a list of items likely to be inspected as a part of a pre-license inspection. This list may not be exhaustive of all items that the office will be inspecting during a pre-license inspection. OCM is tasked with inspecting the entire premises of a cannabis business and is in no way limited in its authority to inspect any and all parts of a cannabis business. This list is based on requirements in Minnesota Rules (M.R.), chapter 9810, and Minnesota Statutes (M.S.), chapter 342.*

### License type: lower-potency hemp edible (LPHE) retailer

#### Endorsements and activity types available:

- LPHE retailer operations endorsement**
  - (M.S. § 342.46, subd. 1a)
- On-site consumption endorsement (LPHE)**
  - (M.S. § 342.46, subd. 8)
- Delivery endorsement (LPHE)**
  - (M.S. § 342.46, subd. 1b)
- Internal/external transport activity**
  - (M.S. § 342.46, subd. 5)

*Not all questions will apply; requirements will vary based on what endorsements and activity types you selected in your application.*

## On-site inspection list

### Facility/property

- **Does the building have a certificate of occupancy?**
  - [M.R. P. 9810.1100, subp. 6(B)]
  - **If no, proceed through the next four questions (one of these must be yes to pass).**
    - **Has the municipality waived the requirement?**
    - **Does the applicant have a letter or certification from the municipality that the building does not need a certificate of occupancy?**
    - **Does the applicant have a letter or certification from the municipality or third-party certifier that the building meets all codes?**
    - **Is the building exempt under an “agricultural building” designation?**

## If retail:

### Facility/property

- **Do they have hemp-derived cannabinoid products (HCDPs) for sale under Minnesota Statutes, section 342.01, subdivisions 38 and 50?**
- **Are the products compliant with Minnesota Statutes, chapter 342, and if not, what is the business' plan to either cease sale or update them?**
  - (M.S. § 342.46, subd. 6)
- **Are they currently selling non-compliant product?**
- **Are they currently selling cannabis?**
  - [M.S. § 342.46, subd. 7(3)]
- **Are product display areas (except for those applicable to beverage products) located behind a checkout counter where the public is not permitted, or in a locked case?**
  - (M.S. § 342.46, subd. 4)
- **Is there a secure storage area for lower-potency hemp edibles that are not being displayed?**
  - (M.S. § 342.46, subd. 4)
- **Is the facility clean and in sanitary condition, free from infestation by insects, rodents, or other pests?**
  - [M.S. § 342.46, subd. 10(b)]
- **Is a notice posted stating that operating a motor vehicle under the influence of intoxicating cannabinoids is illegal?**
  - [M.S. § 342.27, subd. 6(2)]
- **Is a notice posted stating that lower-potency hemp edibles and hemp-derived consumer products are only intended for consumption by individuals who are at least 21 years of age?**
  - [M.S. § 342.27 subd. 6(3)]
- **Does the facility contain vending machines for the dispensing of lower-potency hemp edibles or hemp-derived consumer products?**
  - [M.S. § 342.46 subd. 7(4)]
- **Does the business have a standard operating procedure (SOP) they are following for handling fraudulent identification documents as required under Minnesota Statutes, section 342.27, subdivision 4?**
  - (M.R. P. 9810.2500, subp. 3)

### On-site consumption

- **Does the business hold an on-sale license issued under Minnesota Statutes, chapter 340A?**
  - [M.S. § 342.46, subd. 8(b)]
- **Does the business have an SOP for ensuring that LPHE products are not sold to someone visibly intoxicated?**
  - [M.S. § 342.46, subd. 8(h)(1)]
- **Are any LPHE beverages being sold that are designed or reasonably expected to be mixed with an alcoholic beverage?**
  - [M.S. § 342.46, subd. 8 (h)(2)]
- **Does the business have an SOP for ensuring that LPHE products removed from their original packaging are not removed from the retail premises?**
  - [M.S. § 342.46, subd. 8(h)(3)]

- **If LPHE beverages are served outside of the original packaging, how does the business ensure the information that is required to be contained on the label of a lower-potency hemp edible is posted or otherwise displayed by the lower-potency hemp edible retailer?**
  - [M.S. § 342.46, subd. 8(e)]

### Delivery endorsement (if applicable)

- **Confirm the following characteristics of the vehicle's product storage feature: Ensures that regulated products are not visible from outside the vehicle.**
  - [M.S. § 342.46, subd. 1b(b)(1)]
- **Describe your business plan and policies for ensuring that lower-potency hemp edibles are not sold to individuals under 21 years of age, including the procedures you will use to verify age before completing a sale.**
  - [M.S. § 342.46, subd. 1b(a)(2)]
- **How are you training staff to ensure that lower-potency hemp edibles are not sold to individuals under 21 years of age, including the procedures you will use to verify age before completing a sale?**