

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-licensing 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) manufacturer

Endorsements and activity types available:

- ❑ **Edible cannabinoid product handler endorsement (LPHE)** *(required)*
  - (M.S. § 342.07, subd. 3)
- ❑ **Lower-potency hemp extraction and concentration endorsement**
  - (M.S. § 342.45, subd. 3)
- ❑ **Lower-potency hemp creation of artificially derived cannabinoids endorsement**
  - (M.S. § 342.45, subd. 3)
- ❑ **Internal/external transport activity**
  - (M.S. § 342.45, subd. 5)
- ❑ **Hemp product exporter endorsement**
  - (M.S. § 342.45, subd. 4a)

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 business have procedures to ensure that all in-state purchasers hold a valid LPHE or cannabis license under Minnesota Statutes, chapter 342?**
    - (M.S. § 270C.726)
- **Is the facility suitable for its commercial use, and does the applicant have authorization to operate their business there?**
- **If the business has structures on-site, is building and fire code compliance demonstrated? Both building and fire codes must be addressed:**
    - [M.R. P. 9810.1100, subp. 6(B), M.S. § 342.45, subd. 6]
    - **Building code can be met by meeting one of the following options.**
        - **The applicant has documentation from their local certified building official certifying building code compliance (in the form of a certificate of occupancy or other official documentation).**
        - **The applicant has official documentation from a private certified building official certifying building code compliance.**
    - **Fire code can be met by meeting one of the following options:**
        - **The applicant has a certificate of occupancy or other official documentation from their local fire code official certifying fire code compliance.**
        - **The applicant has official documentation from a state fire marshal inspector certifying fire code compliance.**

General/operational

- **Are they manufacturing hemp-derived cannabinoid products (HCDPs) under Minnesota Statutes, section 342.45?**
- **Are the products compliant with Minnesota Statutes, chapter 342, and if not, what is the business' plan to either cease sales or update them?**
    - [M.S. § 342.45, subd. 1(4)-(10)]
- **Is any non-compliant product being manufactured onsite?**
- **Is the manufacturing area completely enclosed and locked, and used only for manufacturing purposes?**
    - (M.S. § 342.26, subd. 2)
- **Are there hand-washing facilities in all manufacturing areas where unpackaged product is handled, and do they have hot and cold water supply?**
    - [M.R. P. 9810.2102, subp. 10(A)(2)(a)]
- **Do hand-washing facilities include soap and paper towels, sanitary towel service, or an electric hand dryer?**
    - [M.R. P. 9810.2102, subp. 10(A)(2)(c)]
- **Is there at least one toilet facility located on the premises in a completely enclosed room with a tight-fitting and self-closing door?**
    - [M.R. P. 9810.1100, subp. 6(A)]
- **Is there a ventilation and air-handling system that includes humidity and temperature controls that are adequate for safe processing and sanitary operations?**

    - [M.R. P. 9810.2102, subp. 6(A)(3)]
- **Does the product storage area allow regulated products to be stored at least six inches above the ground?**
    - (M.R. P. 9810.1104, subp. 2)
- **Is the product storage area clean, well ventilated, and free from condensation, sewage, dust, dirt, pests, chemicals, and other contaminants?**
    - (M.R. P. 9810.1104, subp. 2)
- **Is manufacturing equipment used exclusively for the manufacture of hemp concentrate, creation of artificially derived cannabinoids, creation of lower-potency hemp edibles, or creation of hemp-derived consumer products?**
    - [M.S. § 342.26, subd. 2(b)]
- **Has OCM been notified of all methods of extraction and concentration intended to be used, along with any volatile chemicals that will be used, if applicable?**
    - [M.S. § 342.45, subd. 3(b)]
- **Has OCM been notified of all methods of cannabinoid conversion intended to be used, along with any catalysts that will be used, if applicable?**
    - [M.S. § 342.45, subd. 3(c)]
- **Are any products being manufactured that have not been disclosed to OCM?**
- **Is the business co-packing and/or co-manufacturing for another business?**
    - [M.S. § 342.45, subd. 1(A)(10)]
- **If the business is creating hemp concentrate via any method of extraction and concentration, has the business obtained a certification from an independent third-party industrial hygienist or professional engineer approving all electrical, gas, fire suppression, and exhaust systems, and the plan for safe storage and disposal of hazardous substances, including volatile chemicals?**
    - [M.S. § 342.45, subd. 3(d)]
- **Does the facility have adequate physical space for all manufacturing, including storage?**
    - [M.R. P. 9810.2102, subd. 6(A)(1)]
- **Are there lighting fixtures adequate for safely performing manufacturing and sanitation functions?**
    - [M.R. P. 9810.2205, subp. 6(A)(4)]
- **Are floors, walls, and ceilings in the manufacturing area constructed with materials that are easily cleaned and maintained in good repair?**
    - [M.R. P. 9810.2205, subp. 6(A)(5)]
- **Is screening or another method used to prevent the entry of pests?**
    - [M.R. P. 9810.2102, subp. 10(C)(1)]
- **Are all toxic cleaning compounds, sanitizing agents, and other potentially harmful chemicals stored in a separate location away from regulated products?**
    - [M.R. P. 9810.2102, subp. 10(D)]
- **Does the business have a scale?**
    - (M.R. P. 9810.1100, subp. 7)
- **Is all equipment for weighing and measuring maintained in a sanitary manner that does not contaminate any products?**
    - (M.R. P. 9810.1100, subp. 7)
- **Does the business have SOPs for the safe and sanitary storage of LPHEs, including maintaining the cleanliness of the building or equipment that the business uses to store products in?**
    - (M.R. P. 9810.1104, subp. 1)

- **Does the business have SOPs that include the proper segregation and disposal of a regulated product that is damaged, has a broken seal, has been contaminated, has not been sold by the expiration date on the label, or is the subject of a recall?**
    - (M.R. P. 9810.1100, subp. 6)
- **Is each worker provided with information about hazardous materials that may be present on the premises?**
    - [M.R. P. 9810.1102, subp. 3(C)]
- **Is each worker provided with information about procedures for safely handling and operating equipment or tools?**
    - [M.R. P. 9810.1102, subp. 3(D)]
- **Does the business have procedures for storing regulated products in a controlled environment, ensuring that products are free from contamination?**
    - (M.R. P. 9810.1104, subp. 1)
- **Does the business have procedures to ensure that all in- state purchasers hold a valid LPHE license?**
- **Does the business have an SOP for maintaining accurate inventory records?**
    - [M.R. P. 9810.1100, subp. 2(A)(4)]
- **Is manufacturing activity taking place outside of areas identified in the manufacturing plan?**
    - [M.R. P. 9810.2102, subp. 4(A)]
- **Are any solvents in use that were not approved on their FPOR?**
    - [M.R. P. 9810.2102, subp. 9(A)(1)]
- **Are all inputs and ingredients stored in original containers with original labels intact, or in working containers of diluted or prepared applications labeled with required information?**
    - [M.R. P. 9810.2102, subp. 9(A)(4)]
- **Is all extraction and concentration equipment designed to consistently function, operate safely, and provide sanitary production conditions?**
    - (M.R. P. 9810.2205, subp. 1)
- **If performing cannabinoid extraction and concentration, have any methods of cannabinoid extraction and concentration methods not been certified by an industrial hygienist or a professional engineer?**
    - (M.R. P. 9810.2205, subp. 1)
- **Does the business have an SOP that describes how to collect a representative sample for each regulated product?**
    - [M.R. P. 9810.3100, subp. 3(A)]
- **Does the sampling SOP contain details necessary for accurate and consistent actions by assigned staff?**
    - [M.R. P. 9810.3100, subp. 3(A)(2)]
- **Are records for training of staff conducting sampling activities or sample testing maintained (for three years)?**
    - [M.R. P. 9810.3100, subp. 3(B)]
- **Does the business have SOPs that include procedures for reporting all potential substances that the business uses during manufacturing to the lab for batch safety testing?**
    - [M.R. P. 9810.1100, subp. 2(A)(11)]
- **Does the business have annual worker training, including product recall procedures, worker safety, and the business's standard operating procedures?**
    - [M.R. P. 9810.1100, subp. 2(A)(2)-(3)]

- **Does the business have procedures for storing regulated products in a controlled environment, ensuring that products are free from contamination?**
    - (M.R. P. 9810.1104, subp. 1)
- **Do the business's storage procedures ensure that product storage areas are only used for the storage of regulated products, and that no cross-contamination or mixing of batches will occur?**
    - [M.R. P. 9810.1104, subp. 1(A)]

Transport activity (if applicable):

- **Confirm the following characteristics of the vehicle's product storage feature: lockable, secured to the vehicle, ensuring that regulated products are not visible from outside the vehicle.**
    - [M.S. § 342.45, subd. 5(a)(1)-(2)]
- **If the vehicle utilizes the entire cargo bay, cargo area, or trunk for regulated product storage, does it have the following: A locking mechanism with a lock or keypad separate from the vehicle's door locks, ensuring that no regulated products are visible from outside the vehicle?**
    - [M.S. § 342.45, subd. 5(a)(1)-(2)]
- **Are all departures, arrivals, and stops appropriately documented and does each shipment have an accompanying shipping manifest?**
    - [M.S. § 342.45, subd. 5(a)(4)]