

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

- **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. § 342.46, subd. 10]
  - **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.**

If retail:

Facility/property

- **If outdoor signage is present, does the business have no more than two fixed exterior signs on the building or property?**
    - [M.S. § 342.64, subd. 2(b)]
- **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?**