

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) wholesaler

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 license holder ensure they do not make any sales or deliveries to another license holder that is included on the most recent monthly notice by the Minnesota Department of Revenue (DOR) for "Posting of Tax Delinquency"?**
    - (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. § 342.455, subd. 2(b)]
    - **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.**

Operational requirements

- **Do they have hemp-derived cannabinoid products (HCDPs) manufactured on-site under Minnesota Statutes, section 151.72?**
- **Are any products not compliant with Minnesota Statutes, chapter 342, and if so, what is the business' plan to either cease sale or update them?**
    - [M.S. § 342.455, subd. 5(a)]
- **Are they currently purchasing or selling non-compliant products?**
    - [M.S. § 342.455, subd. 2(c)]
- **Are they currently purchasing or selling cannabis?**
- **Is the facility clean and in sanitary condition, free from infestation by insects, rodents, or other pests?**
    - [M.S. § 342.455, subd. 2(b)]
- **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)]
- **Does the product storage area allow regulated products to be stored at least six inches above the ground?**
    - [M.S. § 342.07, subd.3(c)]
- **Does the business have a scale?**

- **Is all equipment for weighing and measuring maintained in a sanitary manner that does not contaminate any products?**
    - [M.S. § 342.07 subd.3(c)]
- **Does the business have standard operating procedures (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. 9810.1110, subp. 2(A)(5)]
- **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. 2)
- **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.S. § 342.07, subd.3(c)]
- **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. § 342.455, subd. 1(2)]
- **Does the business have an SOP for maintaining accurate records?**
    - [M.S. § 342.455, subd. 2(a)]
- **Hemp product exporter endorsement questions (if applicable):**
    - **Does the business have procedures to ensure that all exported products meet the packaging and labeling requirements of the destination market?**
        - [M.S. § 342.455, subd. 4a(g)]
    - **Does the business have mechanisms in place to ensure products pending export remain separate from products for in-state sale throughout production, packaging, and transport?**
        - [M.S. § 342.455, subd. 4a(d)]
    - **Does the business have mechanisms in place to ensure that products sold out of state do not re-enter the in-state market?**
        - [M.S. § 342.455, subd. 4a(h)]

LPHE importer endorsement questions (if applicable):

- **Does the business have procedures in place to ensure that all imported products meet Minnesota regulations for lower-potency hemp edibles and the definition of hemp products (≤0.3% total THC)?**
    - [M.S. § 342.455, subd. 3(b)(2)]
- **Does the business have procedures in place to ensure that all imported products meet Minnesota's packaging and labeling requirements prior to sale or distribution?**
    - (M.R. P. 9810.1400, subp. 1)

- **Does the business have procedures in place to ensure products meet testing requirements under Minnesota Statutes, chapter 342 and the Cannabis Testing Authority?**
    - [M.R. P. 9810.3100, subp. 2(A)]

Transport endorsement (if applicable):

- **Confirm the following characteristics of the vehicle's product storage feature: lockable, secured to the vehicle and non-removable, ensuring that regulated products are not visible from outside the vehicle.**
    - [M.S. § 342.455, subd. 5(c)]
- **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. § 342.455, subd. 5(c)]
- **Does the vehicle contain any identifying logos or business names that may identify the type of cargo, including in the vehicle's external paint, on any vehicle wrap or stick-on products, or otherwise directly affixed to the vehicle?**
    - (M.S. § 342.42, subd. 6)
- **Are departures, arrivals, and stops appropriately documented and does each shipment have an accompanying shipping manifest?**
    - [M.S. § 342.455, subd. 5(c)(3)-(4)]
- **Does the business have a current surety bond, certificate of insurance, or otherwise meet the requirements in Minnesota Statutes, section 342.455, subdivision 5 (b)(1)-(2)?**