



SOUTH DAKOTA MEDICAL CANNABIS PROGRAM

600 EAST CAPITOL AVENUE
PIERRE, SD 57501-2536

“MC MINUTE”

08/03/2023

Question of the day: **What can be sold or donated?**

Per SDCL 34-20G-12, a cardholder, nonresident cardholder, or the equivalent of a medical cannabis establishment that is registered in another jurisdiction may sell or donate cannabis seeds to a cultivation facility in this state.

Top Ten Establishment Deficiencies

- 1. 44:90:04:16 Record-keeping -- Use of inventory tracking system -- Training requirements**
 - All staff must complete the required two- or four-hour METRC training and ensure that the training is documented in the establishment's records.
- 2. 44:90:04:07 Placement of security cameras**
 - Cameras must be installed in each room where cannabis plants are located, allowing clear view in its entirety, at each door
- 3. §§ 44:90:10:07 through 44:90:10:14, inclusive -- Labeling requirements**
 - Labels may not contain cartoons or appeal to anyone under the age of 21.
 - Labels must contain THC content in milligrams of total THC and as a percentage of the product's weight.
- 4. 44:90:03:05 (9) Operating procedures -- Required contents -- All medical cannabis establishments**
 - Must have a waste management plan that includes how cannabis waste will be rendered unrecognizable and unfit for use, how it will be hauled from the premises.
 - Provide a written explanation for the destruction of any cannabis or cannabis products.
- 5. 44:90:11:01 Inventory tracking -- Requirements and procedures**
 - Be sure to reconcile all “in-transit” and “on-premises” cannabis products in the inventory tracking system by midnight each day.

6. **44:90:04:11. Agent identification badges to be provided by establishments**
 - Ensure that all staff and visitors display required identification
7. **44:90:03:05 (2) Operating procedures -- Required contents -- All medical cannabis establishments**
 - Ensure site plan matches physical facility.
8. **44:90:11:09. Dispensary inventory records -- Additional requirements**
 - Ensure METRC tags are kept with product that is received from another establishment.
9. **44:90:04:19. Transport manifests -- Form and content**
 - Incomplete manifests, missing information, arrival, and departure dates/times are not sequential
10. **44:90:05:02. Packaging and labeling cannabis for retail sale**
 - Flower/trim/pre-rolled cigarettes packaged by a cultivation facility must contain registration and batch numbers, cultivation, and production dates as outlined in ARSD 44:90:10.

Tips for a Successful Inspection:

- Be prepared for a visit at any time.
- Establishment practices should always follow state requirements.
- Ensure SOPs and staff training records are accurate and readily accessible to the inspection team.



Upcoming Public Hearing Date to be Announced.

The Department has collaborated with industry stakeholders across the state and will be submitting the proposed rule changes. The Public Hearing date will be announced soon!