

Legal Alerts

Comply Before You Try: Washington's Revamped Cannabis Sampling Rules

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Following years of stakeholder engagement, the Washington State Liquor and Cannabis Board has finalized significant changes to its cannabis sampling rule. The revised rule, which becomes effective April 29, 2025, specifies who can give and receive cannabis samples, the purposes for which samples can be used and how sampling must be documented and tracked.

These updates respond to industry concerns about ambiguity and inconsistency in the prior rule and aim to create clearer standards for sampling that support business needs while protecting public health and maintaining regulatory oversight.

Key Provisions of Washington's Revised Cannabis Sampling Rule

What is a cannabis sample?

- Previously, cannabis samples were regulated based on their type (e.g., vendor vs. educational). The revised rule streamlines regulations cannabis samples under a single "trade sample."
- Trade samples mean **usable cannabis**, **cannabis-infused products** and **cannabis concentrates** that are provided for free for the purpose of negotiating a sale and educating budtenders who sell cannabis products at retail.
- Cannabis samples may be used for negotiating a sale on product not currently carried by a licensed retailer, educating budtenders on new products that the licensed retailer has not previously had for sale, and educating new budtenders on existing products the licensed retailer sells.
- The revised rule still allows internal quality control sampling, subject to updated requirements. These are distinct from the samples submitted to laboratories for testing. Rather, these are meant for internal quality control purposes.

Who can give cannabis samples?

- A licensed **producer** may give a cannabis sample only to a licensed **processor** who has requested the sample or consents to receiving the sample (no more than 96 trade sample units per processor per calendar quarter).
- A licensed **processor** may give cannabis samples only to a licensed **retailer** who has requested the sample or consents to receiving the sample (no more than 120 trade sample units per retailer, regardless of form, per calendar quarter).
- A retailer **may not** give cannabis samples to a customer.

Who can receive cannabis samples?

- Only **current paid employees** of the licensee may receive cannabis samples.
- An employee of a **licensed processor** may receive up to 50 internal quality control sample units (but no more than 25 sample units of cannabis concentrates) from their employer per calendar quarter.
- An employee of a **licensed retailer** may receive no more than 30 trade sample units and 50 internal quality control samples from their employer per employee per calendar quarter.

What are the caps and restrictions for cannabis samples?

- Cannabis samples are limited to 3.5 grams of cannabis, 1 gram of cannabis concentrate and 100 milligrams of cannabis-infused product (no more than 10 milligrams of active delta-9 THC per serving).
- Samples must be clearly labeled "NOT FOR RESALE OR DONATION" (in addition to other labeling requirements).
- Cannabis samples cannot be used to tie in sales of other cannabis products. They also cannot be used as a form of compensation, incentive or reward. They may only be given away for free without charge.
- Internal quality control samples are limited to 1 gram of cannabis flower, 1 gram of usable cannabis, 10 milligrams of THC in a cannabis-infused product in edible or liquid form and 1 gram of cannabis concentrate.

What are other requirements for cannabis samples?

- Licensees must keep detailed records about cannabis samples and comply with traceability rules.
- Licensees have a duty to disclose certain information and documents for the cannabis samples they provide to other licensees.
- Licensed retailers must keep cannabis samples physically separate from non-sample products.
- Sample jars used for retail display have their own labeling and packaging requirements. Any usable cannabis no longer needed for display in samples jars may be given to the licensed retailer's paid employees free of charge (subject to recordkeeping and traceability requirements).

More information about the updated rule can be found in [guidance published by the Washington State Liquor and Cannabis Board](#).

The revised cannabis sample rule gives Washington licensees more flexibility to educate staff, evaluate product quality, and build industry relationships – activities essential to operating in a competitive marketplace.

Still, noncompliance could expose Washington cannabis businesses to violations or enforcement action. Businesses should review the new rule now and update sampling protocols, inventory systems and employee training before the April 29th effective date. All samples previously identified as vendor or educational samples must be properly disposed of by September 1, 2025.

If you have questions about the revised rule or would like assistance in reviewing your compliance protocols, inventory practices or employee training materials, please contact our [team](#).

This is a high-level summary of a complex topic. It is intended for general informational purposes only and does not constitute legal advice.

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