Georgia Rules and Regulations
Administrative Bulletin for November 2023

OFFICE OF SECRETARY OF STATE
ADMINISTRATIVE PROCEDURE DIVISION
5800 Jonesboro Road
Morrow, GA 30260
(404) 909-8909

Final rules filed with the Georgia Secretary of State during the month of *November 2023:*

Table of Contents

Department	Rules List	Action	Filed	Effective	Page
351. GEORGIA ACCESS TO MEDICAL CANNABIS COMMISSION	351-2-.01	amended	Nov. 9	Nov. 29, 2023	23
	351-3-.02	amended	Nov. 9	Nov. 29, 2023	29
	351-4-.02, 351-4-.06 --- 351-4-.09, 351-4-.12	amended	Nov. 9	Nov. 29, 2023	32
	351-6-.01, 351-6-.02, 351-6-.05, 351-6-.09	amended	Nov. 9	Nov. 29, 2023	43
	351-7-.01, 351-7-.05, 351-7-.07 --- 351-7-.09	amended	Nov. 9	Nov. 29, 2023	47
509. GEORGIA BOARD OF PRIVATE DETECTIVE AND SECURITY AGENCIES	509-2-.02	amended	Nov. 16	Dec. 6, 2023	60
672. STATE DEPARTMENT OF TRANSPORTATION	672-5-.01, 672-5-.11	amended	Nov. 3	Nov. 23, 2023	62

Final rules filed with the Georgia Secretary of State that became effective *November 2023:*

Department	Rules List	Action	Filed	Effective
189. GEORGIA GOVERNMENT TRANSPARENCY AND CAMPAIGN FINANCE COMMISSION	189-3-.12	repealed	Oct. 18, 2023	Nov. 7
351. GEORGIA ACCESS TO MEDICAL CANNABIS COMMISSION	351-2-.01	amended	Nov. 9, 2023	Nov. 29
	351-3-.02	amended	Nov. 9, 2023	Nov. 29
	351-4-.02, 351-4-.06 --- 351-4-.09, 351-4-.12	amended	Nov. 9, 2023	Nov. 29
	351-6-.01, 351-6-.02, 351-6-.05, 351-6-.09	amended	Nov. 9, 2023	Nov. 29
	351-7-.01, 351-7-.05, 351-7-.07 --- 351-7-.09	amended	Nov. 9, 2023	Nov. 29
515. RULES OF GEORGIA PUBLIC SERVICE COMMISSION	515-7-3-.03	amended	Oct. 25, 2023	Nov. 14
560. RULES OF DEPARTMENT OF REVENUE	560-12-2-.117	amended	Oct. 16, 2023	Nov. 5
672. STATE DEPARTMENT OF TRANSPORTATION	672-5-.01, 672-5-.11	amended	Nov. 3, 2023	Nov. 23

Department 53. GEORGIA BOARD OF ATHLETIC TRAINERS

Chapter 53-6. RENEWAL

53-6-.01 Renewal of License, Continuing Education

(1) Athletic trainer licenses expire on June 30th of even numbered years and are renewable for two years upon receipt of a renewal application and renewal fee and upon compliance with the continuing education requirement set forth below.

(2) To be eligible for renewal, an athletic trainer must have completed, within the preceding two years, at least forty contact hours of continuing education acceptable to the Board. Provided, however, that an athletic trainer who received his license within one year of the renewal date shall not be required to meet the continuing education requirements for that renewal period. Each athletic trainer may not complete more than ten (10) hours of continuing education in one calendar day and shall retain proof of attendance of continuing education programs for a period of three years from the date of attendance.

(3) Athletic trainers will be required to answer questions on their biennial renewal form which establish their compliance with the continuing education requirement. A false statement regarding compliance with the continuing education requirement shall be grounds for revocation or other disciplinary action by the Board.

(4) The staff of the Board shall make a random selection of the actively licensed athletic trainers for the purpose of auditing their compliance with the continuing education requirements of this chapter. Failure to submit such proof of compliance shall be grounds for revocation or other disciplinary action by the Board.

Cite as Ga. Comp. R. & Regs. R. 53-6-.01

AUTHORITY: O.C.G.A §§ 43-1-4**,** 43-1-25**,** 43-5-6**,** 43-5-9**.**

HISTORY: Original Rule entitled "Guidelines" adopted. F. June 8, 1978; eff. June 28, 1978.

Repealed: New Rule entitled "Expiration of License" adopted. F. Apr. 28, 1989; eff. May 18, 1989.

Repealed: New Rule entitled "Renewal of License, Continuing Education" adopted. F. May 11, 1994; eff. May 31, 1994.

Amended: F. June 16, 2004; eff. July 6, 2004.

Repealed: New Rule of same title adopted. F. Feb. 1, 2008; eff. Feb. 21, 2008.

Amended: F. Nov. 21, 2023; eff. Dec. 11, 2023.

Department 55. GEORGIA AUCTIONEERS COMMISSION

Chapter 55-3. APPLICATION FOR LICENSURE

55-3-.04 Reinstatement - Auctioneer

(1) Failure to renew an Auctioneer license prior to March 31st of each even numbered year shall have the same effect as revocation. Any consideration for license reinstatement shall be at the discretion of the Commission and shall require submission of a reinstatement application and reinstatement fee.

(2) The Commission in its discretion may reinstate an Auctioneer license upon receipt of an application, evidence of completion of at least eight (8) hours of Commission-approved Continuing Education within the previous 24 months and appropriate fees as noted on the Fee Schedule.

(3) Licenses that have been lapsed for over two (2) years may be reinstated at the discretion of the Commission when the applicant has met the following criteria:

(a) Retaken and passed the Commission-approved examination; or

(b) submitted a verified license in good standing issued by another country, or by any state, territory, or possession of the United States which has requirements for licensure substantially similar to the Commission.

Cite as Ga. Comp. R. & Regs. R. 55-3-.04

AUTHORITY: O.C.G.A. §§ 43-6-7**,** 43-6-8**,** 43-6-10**,** 43-6-11**,** 43-6-11.2**,** 43-6-12**,** 43-6-13**.**

HISTORY: Original Rule entitled "Reinstatement - Auctioneer" adopted. F. Nov. 16, 2023; eff. Dec. 6, 2023.

Department 160. RULES OF GEORGIA DEPARTMENT OF EDUCATION

Chapter 160-1.

Subject 160-1-4. GRANT PROGRAMS

160-1-4-.318 Science Teacher Equipment and Community Grant

1. **Purpose of Grant.** The Georgia Department of Education (GaDOE) is committed to supporting the growth of the discipline of science in Georgia and has allocated funds to create the Science Teacher Equipment and Community Grant (STEC). This non-renewable, non-transferable grant is intended to support science initiatives during the school year. The primary purpose is to emphasize ongoing professional development and support for science teachers, particularly those with five or less years of science teaching experience. Also, this grant will support the purchase of science equipment or supplies to support standards-based science instruction.

2. **Term and Conditions.** Grants are awarded through a competitive process to local educational agencies (LEA). Grant recipients must use the funding for the teachers identified in the grant application to attend the Georgia Science Teachers Association conference. Additionally, grant recipients must purchase science equipment or supplies to support standards-based science instruction. Grant recipients must submit a completion report and all other reports required by GaDOE. An LEA may be awarded only one STEC grant each fiscal year.

3. **Eligible Recipient(s).** LEAs that employ educators who teach at least one science course, with a prefix of 26, 40, or 41 in a K-12 Georgia public school during the current school year are eligible to apply.

4. **Criteria for Award.** Applications will be reviewed and scored by GaDOE. Funding will be awarded based on rank (highest score first) and available funding. Priority points will be awarded to LEAs whose application identifies educators with five or less years of science teaching experience. Applications must meet or exceed the minimum score set forth in the application to be considered for funding. Partial grants will be awarded.

5. **Directions and Deadlines for Applying.** To apply for the grant, LEAs must complete an electronic application located online on the GaDOE Competitive Grants webpage available at https://plo.gadoe.org/Pages/Competitive-Grants.aspx. Information regarding the deadline will also be on the GaDOE Competitive Grants webpage. All additional requests for information should be made to Science@doe.k12.ga.us.

Cite as Ga. Comp. R. & Regs. R. 160-1-4-.318

AUTHORITY: O.C.G.A. § 20-2-240**.**

HISTORY: Original grant description entitled "Science Teacher Equipment and Community Grant." Submitted Nov. 21, 2023.

Department 180. STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Chapter 180-7. TECHNICAL STANDARDS FOR PROPERTY SURVEYS

180-7-.07 Maps and Plats

All maps, plats and similar documents which depict and describe real property boundaries shall comply with all requirements of O.C.G.A. § 15-6-67 and conform to the following minimum standards and specifications: The sealing of documents, reports, preliminary subdivision plats, topographic surveys, and other drawings that do not depict and describe real property boundaries shall be subject to Rule 180-12 (Sealing of documents). Preliminary subdivision plats shall state the source of the boundary information shown thereon and also bear a note to the effect that it is a preliminary subdivision plat that has been prepared for the purpose of review and approval, is not to be recorded, and is not to be used to convey property. Topographic surveys shall state the source of the boundary information shown thereon and also bear a note to the effect that the surveyor's certification extends only to the topographic and/or geospatial aspects shown thereon, and that the topographic survey does not constitute a boundary survey and is not to be recorded or used to convey title or interest in the property.

(a) Material.

1. Any such surveys, maps, or plats shall be clearly legible;

2. The minimum line widths and letters or character heights delineated on such maps or plats shall be sufficient to be legible when copied or scanned at a resolution of 300 d.p.i.

(b) Required Data. The maps or plats shall have a title or name, and shall also provide the following information:

1. The name of the entity who authorized the survey, the entity for whom the survey is prepared, or the subject of the survey such as a subdivision name or site name;

2. The county, municipality; land district and land lot (if within an area of Georgia that is divided into land lots and districts); Georgia Militia District, Reserve, or other qualifying notation (if within an area of Georgia that is not divided into land lots and districts); and subdivision, if the property lies within a particular subdivision;

3. The date(s) of field work, plat preparation and all subsequent revisions including a brief explanation of each revision;

4. A square box three inches by three inches shall be placed in the upper left-hand corner of the map or plat, which shall be left blank and reserved for recording information by the Clerk of court;

5. The scale, stated and shown graphically;

6. The name, address, telephone number, and registration number of the registered land surveyor who prepared and sealed the survey and, if working for a firm, the name and Certificate of Authorization Number of the firm that prepared the survey (the address and telephone number of the firm are acceptable in lieu of the individual surveyor's address and telephone number) or the statement that he is the county surveyor and is not required by law to be a registered surveyor; and

7. All maps or plats are to contain the applicable Surveyor Certification from O.C.G.A. § 15-6-67(b)(2) and signature in accordance with Board Rule 180-12-.02, in order to be a valid and recordable map or plat. The original maps or plats shall be retained by the land surveyor or land surveying firm in either hard copy or electronic file, along with all applicable work material which includes, but is not limited to, field notes, field data, computations,

coordinate data, electronic drawing files and property research for a period of six years from the more recent date on the map or plat.

(c) Size. Maps and plats shall be of a size that is commonly available. The map or plat shall be drawn to a scale in feet commonly found on an engineer's scale or to a scale in chains commonly found on a forester's scale. Scans or images created electronically shall be at full size and legible at a resolution of 300 d.p.i., so that future users may be able to plot all or part of the map or plat at full size and resolution. The issue of printed reductions of maps or plats which meet this requirement is allowable.

(d) Required Content. All maps and plats shall be made in a professional manner and in accordance with the standards of good drafting procedures and shall show the following information, as specified:

1. The direction and distance from a point of reference to a point on the boundary of the individual survey, and such additional data as may be required to relocate the boundary point from the point of reference with the same degree of accuracy required of the parcel surveyed. The point of reference shall be an established, monumented position which can be identified or relocated from maps, plats or other documents on public record, including state plane coordinates when applicable. The point of reference may lie on or within the boundary of the survey;

2. Bearings of all lines of the boundary or lot lines, and distances of all boundary or lot lines, and area of the parcels expressed in acres or square feet. All bearings, distances, and areas shown on the survey shall be based upon the measurements of the surveyor, except that both the measured and the record measurements may be shown if the surveyor feels that such comparison is necessary or otherwise required, in which case a clear distinction shall be made as to which are measured and which are record. Distances that are shown for proximity purposes only and have not been measured shall be clearly labeled as "approximate";

3. The closure precision of the field survey as the ratio of one foot to the traversed distance in which an error of one foot would occur, angular error, and a statement as to the method of adjustment. The field closure stated shall be the actual linear error of closure calculated from the surveyor's actual field measurements, whether a closed traverse or otherwise, and shall not be a generalization.

If the surveyor determines that a closure precision statement is not appropriate for the survey because a substantial portion of the field measurements were obtained using Global Positioning Systems, then a note of precision or positional accuracy may be placed in compliance with Rule 180-7-.09; or if the surveyor feels that a closure precision statement is not appropriate for the survey because redundant linear measurements were used to verify accuracy, the calculated positional tolerance shall be stated and shall comply with Rule 180-7-.03;

4. The closure precision of the data shown on the map or plat. The closure may be stated as follows: "This map or plat has been calculated for closure and is found to be accurate within one foot in _____ feet". The closure precision placed on the survey shall be based on an actual map closure that has been independently calculated by the surveyor by using the bearings and distances from the face of the plat, and shall not be a generalization. All lots or parcels shown on the plat shall be map checked for closure and area. In the case of a subdivision plat or a survey that depicts more than one tract, the closure precision stated may be that of the exterior or an average of the tracts;

5. The width and the former widths, if pertinent, of easements or rights-of-way adjacent to or crossing the property;

6. Apparent encroachments and observed evidence of human burials or cemeteries;

7. In the case of curved lines, the curve shall be defined by curve data to include the radius, arc length, chord bearing, and distance of regular curves. Chord distances and directions shall be given for irregular curves;

8. All land lot lines, land district lines, land section lines, and city, county, and state boundaries intersecting or adjacent to the surveyed property indicated by lines drawn upon the map or plat with appropriate words and figures, it shall be acceptable for the surveyor to label such lines as "apparent", "accepted", or "approximate", or other such qualifying language as the surveyor considers necessary or appropriate;

9. All corner markers and markers of pertinent reference points shall be fully described and indicated as to the material or types, size or dimensions, and whether set, found, or replaced. In the case of badly disturbed or deteriorated monuments that are replace for the purpose of position preservation, the survey shall indicate the size, type, and material of both the found monument and the monument with which it was replaced;

10. An arrow to indicate the principal meridian and a notation as to the reference of bearings to magnetic north, astronomic north, record or grid north. A grid north reference shall indicate the zone. Record north shall reference the document or survey to which the meridian is oriented and the line of the survey to which the "record bearing" was applied;

11. All linear distances shown on maps or plats shall be expressed as follows:

a. Distances shall be horizontal distances.

b. Distances shall be stated as "ground" distances (which shall also be the basis for any corresponding area calculations). Should it be necessary to state "grid" distances, both "ground" and "grid" distances shall be stated, along with the grid scale factor used, the elevation scale factor used, and the combined factor used.

c. When expressed in feet, the definition of the foot shall be based on the conversion of the meter equals 3.280839895 feet or 1 foot equals 30.48 centimeters. Nothing in this rule shall prohibit the stating of distances in meters or units other than feet, provided that a conversion factor to the foot must be stated;

12. All angular directions shall be represented in degrees, minutes, and seconds. All angular directions shall be referenced to the meridian of the survey and be denoted starting with the letter N or S (for North or South), and the degrees, minutes, and seconds, followed by the letter E or W (for East or West). All bearings and distances around the perimeter of the property shall progress consistently in either a clockwise or counter-clockwise direction so as to form a closed shape. Azimuths, or interior (or exterior) angles may also be shown for reference but not in lieu of bearings and shall also be stated in degrees, minutes, and seconds;

13. A statement to indicate the type of equipment used to obtain the linear and angular measurements used in the preparation of the map or plat, or the proper notations required by Rule 180-7-.09 when GPS equipment is used in performing the survey;

14. The names of adjacent property owners on all lines, along with a notation as to what documents were reviewed for each adjacent property as required by Rule 180-7-.02(1)(a). Such notation may be the deed book and page of the record title description, recorded plats, and other documents or surveys that were obtained through the course of the survey. In cases where the adjacent property is a recorded subdivision, it is sufficient to state the name, phase if applicable, and recording information of the subdivision plat, along with lot lines and lot numbers. (A title search is not required for this.);

15. All water boundaries or similar irregular boundaries shown in sufficient detail to clearly identify the surveyed tract and the adjoining tract;

16. The character of any and all evidence of possession along or related to boundary lines clearly depicted and stated, and overlaps and gores in property lines along or within the surveyed property in compliance with Rule 180-7-.02;

17. Any features within or along the boundary located as requested by the client, or in conformity with the rules or requirements of any mortgagor or insurer, provided the technical standards of such rules or requirements are not less than those provided for by this chapter;

18. The surveyor shall state the type of survey depicted, whether it is a retracement survey of an existing tract (or combination of tracts), a subdivision plat, a division from a parent tract, a depiction of a disputed area or other special purpose limited survey, a utility or easement survey, or other classification of land survey as may be deemed necessary. The source of title description of the property depicted shall be stated, along with the name of the current owner(s) as indicated by the tax records or deeds.

Cite as Ga. Comp. R. & Regs. R. 180-7-.07

AUTHORITY: O.C.G.A. §§ 15-6-67**,** 43-15-4**,** 43-15-6**,** 43-15-19**,** 43-15-22**,** 44-4-27**.**

HISTORY: Original Rule entitled "Engineers-in-Training" adopted. F. and eff. June 30, 1965.

Amended: ER. 180-7-0.7-.07 entitled "Maps and Plats" adopted. F. and eff. July 31, 1975.

Amended: Permanent Rule of same title adopted. F. Nov. 4, 1975; eff. Nov. 24, 1975.

Amended: F. Aug. 9, 1990; eff. Aug. 29, 1990.

Repealed: New Rule of same title adopted. F. July 10, 1991; eff. July 30, 1991.

Repealed: New Rule of same title adopted. F. Aug. 12, 1993; eff. Sept. 1, 1993.

Amended: F. Sept. 12, 2002; eff. Oct. 2, 2002.

Repealed: New Rule of same title adopted. F. Feb. 25, 2008; eff. Mar. 16, 2008.

Repealed: New Rule of same title adopted. F. Mar 19, 2013; eff. April 8, 2013.

Amended: F. May 30, 2017; eff. June 19, 2017.

Amended: F. Nov. 28, 2023; eff. Dec. 18, 2023.

Department 220. STATE BOARD OF REGISTRATION FOR FORESTERS

Chapter 220-3. FEES AND RENEWALS

220-3-.04 Late Renewal

Late Renewal applications submitted during the one-month penalty period following license expiration which are accompanied by a statement from the licensee affirming completion of the continuing education requirements provided for in Chapter 220-4 must be accompanied by a late renewal fee.

Cite as Ga. Comp. R. & Regs. R. 220-3-.04

AUTHORITY: O.C.G.A. §§ 12-6-46**,** 12-6-47**,** 12-6-50**,** 12-6-51**,** 12-6-52**,** 12-6-56**,** 43-1-4**,** 43-1-19**,** 43-1-25**.**

HISTORY: Original Rule entitled "Late Renewal" adopted. F. Feb. 12, 1990; eff. Mar. 4, 1990.

Amended: F. July 24, 2002; eff. August 13, 2002.

Amended: F. Nov. 21, 2023; eff. Dec. 11, 2023.

Department 250. RULES OF GEORGIA STATE BOARD OF FUNERAL SERVICE

Chapter 250-6. ESTABLISHMENT/CREMATORY LICENSURE AND REGULATIONS

250-6-.06 Funeral Establishment Inspections; Fines

(1) A representative of the Board shall regularly inspect establishments between the hours of 9:00 A.M. and 4:30 P.M., Monday through Friday, with the exception of State government-mandated holidays. Although the funeral director in full and continuous charge need not be present for the inspections, the establishment must be available during these hours for inspection. Upon finding a funeral establishment unavailable during an inspection attempt, the Board representative shall contact the establishment at the telephone number of record with the Board, or an alternative telephone number conspicuously posted at the establishment. If the establishment is not made available for an inspection by an establishment employee within sixty (60) minutes of the telephone contact, or if telephone contact is unsuccessful, the Board representative shall issue a written warning notifying that an inspection attempt was made. Any funeral establishment not inspected during a calendar year may have the establishment license suspended, revoked, or put on probation, or fines may be imposed by the Board.

(2) Any violation under this section shall be deemed a violation of minimum standards and threat to the health, safety, and welfare of the public. A funeral establishment licensed by the Board shall be required to pay a fine to the Board for each violation of this section. At the time of inspection, a citation shall be issued by an inspector or representative of the Board which shall list each violation. Following the issuance of the citation, the licensee shall either remit the amount of the fine to the Board or submit a written request for an appearance before the Board. A request for an appearance before the Board must be received by the Board within thirty (30) days after issuance of the citation. Failure to either pay the fine or request an appearance before the Board within thirty (30) days from the issuance of the citation shall cause further disciplinary proceedings to be instituted against the licensee. The requirements for inspections and the fines for violations under this section are as follows:

(a) all outside openings must be screened where left open for ventilation. The fine for a violation of this subsection shall be $50.00.

(b) all embalming rooms shall be equipped with the following:

1. hot and cold running water; the fine for a violation under this subsection shall be $200.00;

2. non-absorbent sanitary floor and walls; the fine for a violation under this subsection shall be $200.00;

3. permanently installed ventilation; the fine for a violation under this subsection shall be $200.00;

4. a non-absorbent preparation table; the fine for a violation of this subsection shall be $200.00;

5. preparation table equipped with receptacle and a non-porous sanitary cover or dedicated drain directly connecting into a sewerage or septic tank; the fine for a violation under this subsection shall be $200.00;

(c) each embalming room shall be equipped with a sink for disinfecting of hands and a separate sink or other Board-approved method for disinfecting of instruments. The fine for a violation under this subsection shall be $50.00;

(d) Each embalming room, including all instruments and tables, shall be kept in a sanitary and clean condition at all times. The fine for a violation of this subsection shall be $200.00;

(e) Each embalming room shall contain instruments and supplies for the preparation and embalming of dead bodies. Instruments and equipment must consist of the following:

1. at least one scalpel; the fine for a violation of this subsection shall be $50.00;

2. at least two aneurysm needles; the fine for a violation of this subsection shall be $50.00;

3. at least two cannulas; the fine for a violation of this subsection shall be $50.00;

4. embalming machine, or gravity bottle or bulb or hand pump; the fine for a violation of this subsection shall be $50.00;

5. 24 bottles arterial fluid and 24 bottles cavity fluid; the fine for a violation of this subsection shall be $50.00;

6. suture; the fine for a violation of this subsection shall be $50.00;

7. 1 suture needle; the fine for a violation of this subsection shall be $50.00;

8. trocar; the fine for a violation of this subsection shall be $50.00;

9. hydro aspirator or electric aspirator; the fine for a violation of this subsection shall be $50.00; and

10. a permanently installed back flow preventer for the hydro aspirator; the fine for a violation of this subsection shall be $50.00.

(f) The embalming room of an establishment shall be used only for the purpose of embalming of dead human bodies. The fine for a violation of this subsection shall be $200.00;

(g) An establishment must maintain on the premises a display room containing actual adult caskets, or models, mockups, or sections of caskets if all such caskets are available and in stock for purchase at the establishment or can be delivered within twenty-four (24) hours. Each funeral establishment shall maintain on the premises at each of its locations an adequate stock of funeral caskets which shall not be less than eight (8) and which shall meet other criteria as necessary to protect the public; The fine for a violation under this subsection shall be $100.00 per casket short of the minimum;

(h) The establishment shall have a room with adequate seating for a minimum of thirty (30) people in which funeral services may be conducted. The fine for a violation under this subsection shall be $100.00;

(i) One (1) operable motor hearse or combination hearse/ambulance with current Georgia registration for the transportation of casketed human remains must be maintained at each establishment. The fine for a violation under this subsection shall be $100.00;

(j) One (1) church truck. The fine for a violation of this subsection shall be $50.00;

(k) A funeral establishment shall not be located in the same facility as public cafes, restaurants or any place where food is prepared and sold for public consumption. The fine for a violation of this subsection shall be $500.00;

(l) A funeral establishment whose funeral director resides in the funeral establishment in order to satisfy the requirements of funeral director in full and continuous charge must include in his or her living quarters furnished sleeping quarters, cooking, refrigerating, and bathing facilities. The fine for a violation of this subsection shall be $200.00;

(m) An establishment must have at least one sanitary rest room facility for public use. The fine for a violation of this subsection shall be $200.00;

(n) A new establishment must submit proof of having met zoning requirements and public health standards of its local municipalities;

(o) An establishment must be maintained in a state of clean, sound, safe, and acceptable repair and condition at all times;

(p) A funeral home shall have a card or brochure in each casket stating the price of the casket. When the client has decided on the type of service desired, the funeral director must provide, at the time the arrangements are completed and prior to the time of rendering the service or providing the merchandise, a written statement that has been signed and certified by a licensed funeral director showing:

1. the price of the service that the person or persons has selected and what is included therein;

2. the price of each of the supplemental items of service and merchandise requested; and

3. the amount involved for each of the items for which the funeral home will advance monies as an accommodation to the family.

4. The fine for failure to comply fully with the requirements of this subsection shall be $200.00.

(q) A current license for the establishment, embalmer, funeral director and any apprentices must be conspicuously displayed in the establishment. The Funeral Director in Full and Continuous Charge for each funeral establishment and crematory establishment shall conspicuously display his/her name and current active license in all designated arrangement offices. The fine for a violation of this subsection shall be $100.00.

(r) For purposes of identification of the body or remains of a deceased person for tagging purposes as required by O.C.G.A. 43-18-8, tags or labels must be attached to the deceased human body in the funeral establishment at the time the body is placed in the casket or shipping container, or prior to leaving the funeral establishment to go to the crematory. The fine for failure to comply fully with the requirements of this subsection shall be $100 per occurrence; and

(s) The Board may issue a Cease and Desist order and, at the Board's discretion, a monetary penalty for unsanitary conditions.

(3) The Board shall require funeral establishments to pass an inspection of the establishment prior to the closure of an establishment. The Board shall be notified of the establishment's intent to close fifteen (15) days prior to the intended closure. The inspection shall verify:

(a) the status of any preneed contracts;

(b) that cremains/remains, biohazards, and any items detrimental to the public or the environment have been removed from the establishment;

(c) that all signs and indications of the establishment have been removed;

(d) that the establishment has notified their local County Coroner/Medical Examiner and Vital Records registrar that establishment intends to close;

(e) that all death certificates and SSA-721 forms have been filed; and

(f) that all known personal property of all deceased have been returned to the family or individual(s) authorized to direct disposition.

Cite as Ga. Comp. R. & Regs. R. 250-6-.06

AUTHORITY: O.C.G.A. §§ 43-1-19**,** 43-1-25**,** 43-18-2**,** 43-18-10**,** 43-18-23**,** 43-18-46**,** 43-18-70**,** 43-18-71**,** 43-18-75**,** 43-18-76**.**

HISTORY: Original Rule entitled "Determination of Funeral Director in Full and Continuous Charge" adopted. F. Dec. 18, 1991; eff. Jan. 7, 1992.

Amended: Rule renumbered from 250-6-.04 to 250-6-06. F. Jan. 30, 1996; eff. Feb. 13, 1996.

Amended: F. May 1, 1998; eff. May 21, 1998.

Repealed: New Rule of same title adopted. F. Sept. 22, 2003; eff. Oct. 12, 2003.

Repealed: New Rule of same title adopted. F. Mar. 15, 2007; eff. Apr. 4, 2007.

Amended: F. May 9, 2007; eff. May 29, 2007.

Amended: F. Dec. 10, 2009; eff. Dec. 30, 2009.

Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.

Amended: F. July 19, 2017; eff. August 8, 2017.

Amended: F. Oct. 16, 2018; eff. Nov. 5, 2018.

Amended: F. Nov. 20, 2023; eff. Dec. 10, 2023.

250-6-.07 Crematory Inspections. Amended

(1) A representative of the Board shall regularly inspect crematories no less frequently than annually between the hours of 8:00 A.M. and 4:30 P.M., Monday through Friday. The funeral director in full and continuous charge need not be present for the inspection, but the crematory must be open during these hours for inspection. Requirements of inspections are as follows:

(a) A room with seating for a minimum of thirty (30) people in which funeral services may be conducted; the fine for a violation under this subsection shall be $100.00;

(b) A display room containing an adequate supply of urns; the fine for a violation under this subsection shall be $50.00;

(c) One (1) operable motor hearse with current Georgia registration for the transportation of human remains which must be either owned or leased by said firm; the fine for a violation under this subsection shall be $100.00;

(d) At least one (1) operable retort for cremation; the fine for a violation of this subsection shall be $200.00;

(e) At least one (1) operable processing station for grinding of cremated remains; the fine for a violation of this subsection shall be $200.00;

(f) At least one (1) church truck; the fine for a violation of this subsection shall be $50.00;

(g) A current license for the crematory and funeral director, which must be conspicuously displayed; the fine for a violation of this subsection shall be $100.00;

(h) The provisions of paragraphs (a), (b), and (f) of this Rule shall not apply to crematories which provide cremation services only to other funeral establishments; and

(i) The Funeral Director in Full and Continuous Charge for each crematory shall conspicuously display their name and valid license in all designated arrangement rooms; the fine for a violation of this subsection shall be $100.00.

(2) A representative of the Board shall be authorized to obtain information on the retort used by the establishment for cremations. The information shall include, but not be limited to:

(a) Make and model of the retort;

(b) Manufacturer's name;

(c) Year installed;

(d) Date of most recent manufacturer's inspection;

(e) Copy of most recent inspection report from manufacturer; and

(f) Documentation regarding necessary repairs to the retort.

(3) The Board shall require crematories to have annual inspections of the retort by the manufacturer or other authorized crematory repair company to ensure proper operations. The Funeral Director in Full and Continuous Charge shall notify the Board within 5 (five) days of the inspection of a less than satisfactory report by presenting the Board with a copy of the inspection report. The Board shall require crematories to make necessary repairs to the retort immediately, not to exceed thirty (30) days without approval by the Board. Any crematory that does not make the necessary repairs noted on the manufacturer's inspection within the time allowed by the Board shall be subject to immediate suspension of licensure until the Board is satisfied that proper repairs have been made.

(4) The Board shall require the Funeral Director in Full and Continuous Charge to be certified as crematory operator from a course approved by the Board.

(5) The Board shall require crematories to pass an inspection of the crematory prior to the closure of the crematory. The Board shall be notified of the crematory's intent to close fifteen (15) days prior to the intended closure. The inspection shall verify:

(a) the status of any preneed contracts;

(b) that cremains/remains, biohazards, and any items detrimental to the public or the environment have been removed from the crematory;

(c) that all signs and indications of the crematory have been removed;

(d) that the crematory has notified their local County Coroner/Medical Examiner and Vital Records registrar that crematory intends to close;

(e) that all death certificates and SSA-721 forms have been filed; and

(f) that all known personal property of all deceased have been returned to the family or individual(s) authorized to direct disposition.

Cite as Ga. Comp. R. & Regs. R. 250-6-.07

AUTHORITY: O.C.G.A. §§ 43-1-19**,** 43-1-25**,** 43-18-2**,** 43-18-10**,** 43-18-23**,** 43-18-46**,** 43-18-71**,** 43-18-72**,** 43-18-75**,** 43-18-76**.**

HISTORY: Original Rule entitled "Crematory Inspections" adopted. F. Jan. 30, 1996; eff. Feb. 19, 1996.

Amended: F. Aug. 16, 2002; eff. Sept. 5, 2002.

Repealed: New Rule with same title adopted. F. Dec. 13, 2012; eff. Jan. 2, 2013.

Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.

Amended: F. July 19, 2017; eff. August 8, 2017.

Amended: F. Oct. 16, 2018; eff. Nov. 5, 2018.

Amended: F. Nov. 22, 2022; eff. Dec. 12, 2022.

Amended: F. Nov. 20, 2023; eff. Dec. 10, 2023.

Department 290. RULES OF DEPARTMENT OF HUMAN SERVICES

Chapter 290-2. FAMILY AND CHILDREN SERVICES

Subject 290-2-31. RULES AND REGULATIONS FOR RESPITE CARE OF MORE THAN 72 HOURS FOR CHILDREN IN FOSTER CARE

290-2-31-.01 Definitions

Unless a different meaning is required by the context, the following terms as used in these Rules and Regulations shall have the meaning hereafter respectively ascribed to them:

(a) "Child-placing agency" or "CPA" means any institution, society, agency, or facility, whether incorporated or not, which places children in foster homes for temporary care or adoption.

(b) "Department" means the Department of Human Services of the State of Georgia.

(c) "DFCS" means the Department of Human Services Division of Family and Children Services of the State of Georgia.

(d) "Caregiver" means a foster parent with whom a child in foster care has been placed.

(e) "Foster parent(s)" means the adult member(s) of a foster family who provides supervision and care in a parental role for a child in foster care in full approval status through DFCS or a CPA.

(f) "Short-term" means up to seventy-two (72) consecutive hours or for such longer periods of time under such circumstances as may be promulgated by the department pursuant to rules and regulations.

(g) "Occasional" means once per week or less on varying days and not exceeding twice per month.

(h) "Respite care" means occasional or short-term relief for a caregiver by a person or entity.

(i) "Extended" means more than seventy-two (72) hours.

Cite as Ga. Comp. R. & Regs. R. 290-2-31-.01

AUTHORITY: O.C.G.A. §§ 49-5-3**,** 49-5-8**,** 49-5-8.1**.**

HISTORY: Original Rule entitled "Definitions" adopted. F. Nov. 30, 2023; eff. Dec. 20, 2023.

290-2-31-.02 Applicability

An individual who is not a Foster Parent is subject to an assessment by DFCS to determine suitability prior to providing Extended Respite Care for any Foster Parent. No additional assessment is required for a Foster Parent to provide Respite Care and Extended Respite Care to another Foster Parent.

Cite as Ga. Comp. R. & Regs. R. 290-2-31-.02

AUTHORITY: O.C.G.A. §§ 49-5-3**,** 49-5-8**,** 49-5-8.1**.**

HISTORY: Original Rule entitled "Applicability" adopted. F. Nov. 30, 2023; eff. Dec. 20, 2023.

290-2-31-.03 Procedure for Respite Care of More than 72 Hours for Children in Foster Care

(a) A Foster Parent will provide their DFCS case manager or such case manager's supervisor and, if applicable, the CPA, advance written notice of an intent to use Extended Respite Care.

i. The notice shall identify who will be providing Extended Respite Care, where Extended Respite Care will occur, and when the Extended Respite Care period will begin and end.

ii. Email is the preferred method for providing advance notice to DFCS and, if applicable, the CPA.

iii. Approval shall be obtained from DFCS prior to a Foster Parent utilizing Extended Respite Care.

iv. Email is the preferred method for DFCS to provide approval to the foster parent utilizing extended respite care.

(b) An individual designated to provide Extended Respite Care who is not a Foster Parent shall be assessed by DFCS prior to providing Extended Respite Care in accordance with the DFCS Child Welfare Policy Manual, Policy, and Procedures.

Cite as Ga. Comp. R. & Regs. R. 290-2-31-.03

AUTHORITY: O.C.G.A. §§ 49-5-3**,** 49-5-8**,** 49-5-8.1**.**

HISTORY: Original Rule entitled "Procedure for Respite Care of More than 72 Hours for Children in Foster Care" adopted. F. Nov. 30, 2023; eff. Dec. 20, 2023.

Department 295. JOINT SECRETARY, PROFESSIONAL LICENSING BOARDS

Chapter 295-2. EXPIRATION AND RENEWAL DATES

295-2-.01 Licenses Expiring June 30-Odd Years

The following licenses expire on June 30 of the odd numbered years, effective as of the 2021 renewal cycle:

(a) Architects; with a lapsed, late renewal period from July 1 to July 31 of odd years;

(b) Athlete Agents; with a lapsed, late renewal period from July 1 to July 31 of odd years;

(c) Barbers (Instructors, Schools, and Shops); with a lapsed, late renewal period from July 1 to July 31 of odd years;

(d) Cosmetology (Instructors, Schools, and Shops, with the exception of Hair Design Instructors and Schools); with a lapsed, late renewal period from July 1 to July 31 of odd years;

(e) Private Detective and Security Agencies (Companies and Instructors); with a lapsed, late renewal period from July 1 to July 31 of odd years; and

(f) Water and Wastewater Treatment Plant Operators and Laboratory Analysts with a lapsed, late renewal period from July 1 to July 31 of odd years.

Cite as Ga. Comp. R. & Regs. R. 295-2-.01

AUTHORITY: O.C.G.A. § 43-1-4**.**

HISTORY: Original Rule entitled "Licenses Expiring June 30-Odd Years" adopted. F. Apr. 16, 1974; eff. May 6, 1974.

Repealed: New Rule of same title adopted. F. June 29, 1983; eff. July 19, 1983.

Amended: F. Dec. 5, 1983; eff. Dec. 25, 1983.

Amended: F. May 22, 1985; eff. June 11, 1985.

Amended: F. July 26, 1985; eff. August 15, 1985.

Amended: F. Nov. 7, 1989; eff. Nov. 27, 1989.

Amended: F. Feb. 14, 1994; eff. Mar. 6, 1994.

Amended: F. Jan. 24, 1995; eff. Feb. 13, 1995.

Amended: F. Apr. 18, 1995; eff. May 8, 1995.

Repealed: New Rule of same title adopted. F. Sept. 11, 2007; eff. Oct. 1, 2007.

Amended: F. Oct. 15, 2009; eff. Nov. 4, 2009.

Repealed: New Rule of same title adopted. F. Mar. 14, 2012; eff. Apr. 3, 2012.

Amended: F. Nov. 1, 2016; eff. Nov. 21, 2016.

Amended: F. May 13, 2020; eff. January 1, 2021, as specified by the Agency.

Amended: F. Nov. 27, 2023; eff. Dec. 17, 2023.

295-2-.06 Licenses Expiring March 31-Even Years

The following licenses expire on March 31 of the even numbered years, effective as of the 2022 renewal cycle:

(a) Cosmetology (Masters); with a lapsed, late renewal period from April 1 to April 30 of even years;

(b) Funeral Services (Directors, Embalmers and Apprentices); with a lapsed, late renewal period from April 1 to April 30 of even years;

(c) Funeral Service (Homes); with a lapsed, late renewal period from April 1 to April 30 of even years;

(d) Occupational Therapy; with a lapsed, late renewal period for April 1 to April 30 of even years;

(e) Dietitian; with a lapsed, late renewal period from April 1 to April 30 of even years;

(f) Lactation Consultant; with no lapsed late renewal period;

(g) Music Therapy; with no lapsed late renewal period.

Cite as Ga. Comp. R. & Regs. R. 295-2-.06

AUTHORITY: O.C.G.A. § 43-1-4**.**

HISTORY: Original Rule entitled "Renewal Dates" adopted. F. Apr. 16, 1974; eff. May 6, 1974.

Repealed: New Rule entitled "Licenses Expiring December 31-Even Years" adopted. F. June 29, 1983; eff. July 19, 1983.

Amended: F. June 19, 1984; eff. July 9, 1984.

Amended: F. Nov. 30, 1984; eff. Dec. 20, 1984.

Repealed: New Rule entitled "Licenses Expiring September 30-Even Years" adopted. F. Apr. 20, 1987; eff. May 10, 1987.

Repealed: New Rule entitled "Licenses Expiring June 30-Even Years" adopted. F. July 15, 1988; eff. August 4, 1988.

Repealed: New Rule entitled "Licenses Expiring March 31-Even Years" adopted. F. Sept. 20, 1995; eff. Oct. 9, 1995.

Amended: ER. 295-2-0.2-.06 adopted. F. and eff. Feb. 25, 2002, the date of adoption.

Repealed: New Rule of same title adopted. F. Mar. 17, 2014; eff. Apr. 6, 2014.

Amended: F. Nov. 1, 2016; eff. Nov. 21, 2016.

Amended: F. May 13, 2020; eff. January 1, 2022, as specified by the Agency.

Amended: F. May 6, 2022; eff. May 26, 2022.

Amended: F. Aug. 24, 2022; eff. Sept. 13, 2022.

Amended: F. Nov. 27, 2023; eff. Dec. 17, 2023.

295-2-.18 Licenses Expiring Every Three Years

The following licenses expire every three years from the issue date of the license:

(a) Trauma Scene Practitioners; with a late renewal period of thirty (30) days after the license expiration date.

Cite as Ga. Comp. R. & Regs. R. 295-2-.18

AUTHORITY: O.C.G.A. § 43-1-4.

HISTORY: Original Rule entitled "Licenses Expiring Every Three Years" adopted. F. Aug. 24, 2022; eff. Sep. 13, 2022.

Note: Rule 295-2-.18, correction of administrative typographical error in Rule History, **"History.** Original Rule entitled "Licenses Expiring Even Three Years" adopted. F. Aug. 24, 2022; eff. Sep. 13, 2022." corrected to "**History.** Original Rule entitled "Licenses Expiring Every Three Years" adopted. F. Aug. 24, 2022; eff. Sep. 13, 2022." Effective Dec. 17, 2023.

Amended: F. Nov. 27, 2023; eff. Dec. 17, 2023.

Department 351. GEORGIA ACCESS TO MEDICAL CANNABIS COMMISSION

Chapter 351-2. DEFINITIONS

351-2-.01 Definitions

(1) "Accreditation" means the procedure by which an authoritative body gives formal recognition that an organization is competent to carry out specific tasks and verifies that the appropriate quality management system is in place.

(2) "Act" means O.C.G.A. Sections 16-12-200 through 16-12-236, as amended, and referred to as "Georgia's Hope Act."

(3) "Action level" means the threshold at or above which the testing of a product sample would result in a failed certificate of analysis for a given analyte.

(4) "Adverse event" means an undesirable experience associated with the lawful use of product in final packaged form where the outcome was death, life-threatening complications, hospitalization, disability or permanent damage, congenital anomaly or birth defect, required intervention to prevent permanent impairment or damage, or any other medical event that required medical treatment.

(5) "Advertise" means, but is not limited to, the act of publicizing, disseminating, soliciting, or circulating visual, oral, or written communication to induce or persuade any person to purchase or consume any specific regulated cannabis. This definition does not include education and consultation provided directly to patients and caregivers regarding product safety information.

(6) "Agent" means a person who is authorized to serve as a representative of an entity and whose signature has binding legal authority of such an entity.

(7) "Analyte" means a chemical, compound, element, bacteria, yeast, fungus, microbial, or toxin for which a product sample is tested by an independent laboratory.

(8) "Applicant" means an entity applying for a license as set forth in Code Section 16-12-200(1).

(9) "Batch" means a quantity of regulated cannabis harvested or produced together at the same time by the same production licensee, the meaning of which shall include the following:

(a) "Harvest batch" means a specific quantity of regulated cannabis grown under the same conditions, and harvested during a specified period of time from specified cultivation space(s) using the same standards.

(b) "Manufactured batch" means a quantity of regulated cannabis produced and manufactured together at the same time, using the same standards.

(10) "Batch number" means the number assigned to each batch of regulated cannabis by a production licensee.

(11) "Cannabinoid profile" means a list of the chemical compounds that are the active constituents of cannabis, which are present in the product.

(12) "Cannabis" means marijuana, hashish, and other substances which are identified as including any parts of the plant family Cannabaceae and including any and all genera, strains, and subspecies, such as cannabis sativa, indica, ruderalis, and any and all derivatives thereof, whether growing or not, the seeds thereof, the resin extracted from any part of such plant, and any compound, salt, derivative, mixture, or preparation of such plant, its seeds, or resin,

including tetrahydrocannabinol (THC), cannabidiol, and all other cannabinol derivatives, including its naturally occurring ingredients, whether produced directly or indirectly by extraction.

(13) "Canopy" means the designated area(s) of a production licensee's cultivation space that contains mature, flowering plants at any point in time.

(14) "Caregiver" shall have the same meaning as set forth in Code Section 31-2A-18.

(15) "Certificate of analysis" means the report of analytical testing of product in final packaged form performed and the results obtained by an independent laboratory.

(16) "Child-resistant package" means the special packaging of a product in final package form in compliance with the United States Poison Prevention Packaging Act of 1970, 15 U.S.C. Section 1471 *et seq.*, as amended, and with the rules of the Commission.

(17) "Clone" means regulated cannabis that is produced by asexual reproduction and is a genetic match to the mother plant.

(18) "Commission" or "GMCC" means the Georgia Access to Medical Cannabis Commission created as set forth in Code Section 16-12-202.

(19) "Complainant" means the person who submitted a written complaint to the Commission alleging violations of state laws, rules, and/or regulations by an entity or person.

(20) "Concentrate" means a condensed accumulation of cannabis, having a greater proportion of cannabinoids and terpenes than those that are naturally occurring in cannabis.

(21) "Contaminant" means any pollutant, physical, chemical, biological, or radiological substance or matter found in the production of regulated cannabis.

(22) "Contractor" means a third-party person or entity performing work for a licensee or registrant under contractual agreement directly associated with the operations and activities regulated by the Commission.

(23) "Corrective action plan" means the plan created by a licensee or registrant detailing how they will correct any deficiencies or violations found during an inspection.

(24) "Cultivation space" means the measured canopy for the indoor production of regulated cannabis and equipped with locks or other security devices that allow access only by an authorized person, but which does not include propagation or vegetative spaces, ancillary spaces, and aisles between grow spaces, as set forth in Code Sections 16-12-211 and 16-12-212.

(25) "Day" means a calendar day.

(26) "Dispensary" means the retail location of a dispensing licensee. As used throughout the rules of the Commission, the related terms "dispensing licensee" and "dispensing license" refer to such terms as set forth in Code Section 16-12-206(a)(2).

(27) "Duress alarm" means a silent security alarm signal generated by the entry of a designated code into an arming station that signals duress.

(28) "Employee" means, but is not limited to, a person whose duties involve any aspect of the production, research, testing, transportation, or dispensing of regulated cannabis, whether or not compensated for the performance of such duties. This definition does not apply to the term "employee" as used in these rules when referring to the employees of the Commission.

(29) "Enclosed" means a structure with a floor that is covered securely, or able to be covered securely on all vertical sides and an ultimate horizontal covering affixed on top of said vertical sides.

(30) "Entity" means, but is not limited to, a corporation and foreign corporation, nonprofit corporation and foreign nonprofit corporation, professional corporation and foreign professional corporation, limited partnership and foreign limited partnership, foreign limited liability partnership, and limited liability company and foreign limited liability company as set forth in Code Section 14-2-203.

(31) "Extract" means a preparation that contains the active ingredient(s) of a substance in concentrated form.

(32) "Fence" or "fencing" means a locking barrier, railing, or other upright structure fully enclosing an area of ground to mark a boundary, and to effectively prevent or control access.

(33) "Final packaged form" means product in properly labeled, tamper-evident, child-resistant packaging, including the unique batch number for the purposes of identifying and tracking, ready for dispensing. This definition does not include exit packaging or a shipping container or an outer wrapping used solely for the transport of products in bulk quantity.

(34) "Floor" means the lower inside surface of a structure that serves as a barrier between the native soil and regulated cannabis that is nonporous, impermeable, impervious, waterproof, or otherwise sealed from, covered over, and permanently restrictive to the earth's terranean shell.

(35) "Formulation" means the ingredients, recipe, method of processing in order to be shelf stable, certificates of analysis for any ingredient used, and description of the process in which all ingredients are combined to produce a final form.

(36) "Fully operational" means:

(a) A Class 1 or Class 2 production licensee is active and operational such that its production facility is capable of producing adequate amounts of product in final packaged form to ensure uninterrupted availability at its dispensaries, for a period of thirty (30) days for patients; or

(b) A dispensing licensee is active and operational such that it maintains an adequate on-site inventory of product in final package form to ensure uninterrupted availability of inventory for a period of thirty (30) days for patients.

(37) "Holdup alarm" means a silent alarm signal generated by the manual activation of a device for the purpose of signaling that a robbery is in progress.

(38) "Immature plant" means a non-flowering cannabis plant that is no taller than 8 inches (203.2 mm) from the growing or cultivating medium and no wider than 8 inches (203.2 mm), produced from a cutting, clipping, tissue culture, or seedling that is in a growing or cultivating medium or in a growing or cultivating container.

(39) "Independent laboratory" means a laboratory approved and authorized by the Commission, pursuant to the rules of the Commission, to test product for purposes specified in the Act and the rules of the Commission.

(40) "Indoor" means of or relating to the interior of a building or enclosed structure.

(41) "Ingredient" means a component of regulated cannabis that is:

(a) An inactive ingredient approved by the U.S. Food and Drug Administration ("FDA") cataloged in its current database; the published FDA database is accessible at https://www.accessdata.fda.gov/scripts/cder/iig/index.cfm; or

(b) An active ingredient, substance, or group of substances, which includes, but is not limited to, purified compounds, oils, therapeutic chemicals, oleoresins, essences or extracts, protein hydrolysates, distillates, or isolates.

(42) "Inspection" means an evaluation of facilities, laboratory, testing, records, employees, equipment, operations, methodology, and quality assurance practices conducted by the Commission or its employees for the purpose of ensuring compliance with the requirements of the Act and these rules.

(43) "Labeling" means any display of written, printed, or graphic matter printed on or affixed to any container, wrapper, liner, or insert accompanying the product. This shall include any material or image printed on or attached to the final retail package and bulk package unit.

(44) "Licensee" means any entity with an active license issued by the Commission.

(45) "Low-THC oil" shall have the same meaning as set forth in Code Section 16-12-190.

(46) "Low-THC Oil Patient Registry" means the registration of individuals who have been issued registration cards by the Georgia Department of Public Health.

(47) "Manufacture" shall have the same meaning as set forth in Code Section 16-12-200(13).

(48) "Manufacturing space" means the indoor area utilized to manufacture and package products, including extraction and other related practices applied to harvested plant material.

(49) "Market" or "marketing" means any act or process of promoting or selling products, including, but not limited to, sponsorship of sporting events, point-of-sale advertising, and development of products specifically designed to appeal to certain demographics.

(50) "Minor" shall have the same meaning as set forth in Code Section 39-1-1.

(51) "Minority Business Enterprise" shall have the same meaning as set forth in Code Section 50-5-131.

(52) "Mother plant" means a plant grown for the purpose of being a source of propagative material.

(53) "Package" or "packaging" means any container or wrapper that may be used for enclosing or containing any product. This definition does not include a shipping container or an outer wrapping used solely for the transport of products in bulk quantity to the premises of a licensee, pharmacy, or registrant.

(54) "Panic alarm" means an audible system signal to indicate an emergency situation.

(55) "Patient" means the same as set forth in Code Section 16-12-200(16).

(56) "Perimeter alarm" means a security alarm signal generated by a breach or crossing of, or entry to, the outermost parts or boundary of a premises.

(57) "Pest" means an undesired insect, rodent, nematode, fungus, bird, vector, vertebrate, invertebrate, undesired herbaceous plant, virus, bacteria, or other microorganism (except for microorganisms on or in living humans or other living animals) that is, or is likely to become, injurious, dangerous, or detrimental to health, the environment, or the agricultural environment of the state; provided however, nothing in this definition shall apply to industry recognized beneficial biological control agents.

(58) "Pesticide" means any substance or mixture of substances intended for preventing, destroying, eradicating, repelling, or mitigating any pest.

(59) "Pharmacy" means a pharmacy licensed by the Georgia Board of Pharmacy to dispense low-THC oil and products that have been purchased or received from a licensee.

(60) "Physician" means a person licensed to practice medicine by and in good standing with the Georgia Composite Medical Board as set forth in Code Section 43-34-2.

(61) "Plant waste" means all plant parts including roots, stalks, leaves, stems, flower, trim, or solid plant material and any plant material rendered from the extraction process not used directly for production that have been pruned, trimmed, shucked, or otherwise removed during cultivation, harvest, or manufacturing.

(62) "Premises" means a licensee's or registrant's building(s), together with its real property.

(63) "Produce" means to grow and harvest regulated cannabis to manufacture and create low-THC oil and products in accordance with the Act and these rules.

(64) "Product" shall have the same meaning as set forth in Code Section 16-12-200(15).

(65) "Proficiency testing" means the evaluation, relative to a given set of criteria, of the performance, under controlled conditions, of an independent laboratory in analyzing unknown samples provided by an external source.

(66) "Program participant" means the same as set forth in Code Section 16-12-191(b)(1)(A)(i).

(67) "Propagation space" means an indoor area or facility used for the growing of immature or nonflowering plants including but not limited to: seeds, seedlings, clones or cuttings, tissue culture, and any other propagative means. This definition does not include space used for mother plants which will be used for harvest.

(68) "Quality control" means the set of measures implemented within an analytical procedure to ensure that the measurement system is operating in a state of statistical control for which errors have been reduced to acceptable levels.

(69) "Recall" means the return of product in final packaged form, whether Commission-ordered or licensee-initiated, due to the potential for, or actual occurrence of, adverse events from the use of such product by patients.

(70) "Registrant" means an entity that is approved by the Commission, pursuant to the rules of the Commission, as an independent laboratory for purposes of testing low-THC oil and products and is on the Commission's approved and current list of such approved independent laboratories.

(71) "Regulated cannabis" means all cannabis regulated by the Commission, including, but not limited to, plants and plant material, plant waste, extracts, concentrates, and products.

(72) "Regulated cannabis waste" means the waste related to or directly produced by regulated cannabis.

(73) "Remediation" means the neutralization or removal of any substances or contaminants from product.

(74) "Restricted access area" means a building, room, or other area in a licensee's or registrant's premises where regulated cannabis is grown, cultivated, harvested, weighed, packaged, tested, researched, processed, or stored.

(75) "Sample" means a single or representative part of a batch which is composed of several sample increments.

(a) "Controlled sample" means the official sample of product in final packaged form collected by a sample collector from an independent laboratory, which is used to determine, among other things, official compliance with THC limits.

(b) "Reserve sample" means an internal sample of regulated cannabis taken for purposes of ensuring product quality and making determinations about whether to dispense the product.

(76) "Standard operating procedures" means a written document that provides detailed instructions for the performance of all aspects of an analysis, operation, process, task, or action.

(77) "Tag" means an approved unique identifier for the purpose of tracking regulated cannabis in the tracking system provided or operated by a Commission-approved vendor.

(a) "Plant tag" means an approved tag attached to each individual plant.

(b) "Product tag" means an approved tag printed on, or attached to, the individual product in final packaged form.

(c) "Bulk package tag" means an approved tag printed on, or attached to, the product batch package for the purpose of storage and transport.

(78) "Tamper-evident" means having one (1) or more indicators of modification which, if breached, missing, or altered, can reasonably be expected to provide visible evidence that tampering has occurred.

(79) "Total THC" means the sum of the percentage by weight of delta-9-tetrahydrocannabinolic acid (D9-THCA) multiplied by 0.877, plus the percentage by weight of delta-8-tetrahydrocannabinol (D8-THC), plus the percentage by weight of delta-9-tetrahydrocannabinol (D9-THC), plus the percentage by weight of exo-tetrahydrocannabinol (Exo-THC), plus the percentage by weight of delta-10-tetrahydrocannabinol (D10-THC). I.e., Total THC = (% D9-THCA * 0.877) + % D8-THC + % D9-THC + % Exo-THC + % D10-THC.

(80) "Tracking system" or "Commission-approved tracking system" means a seed-to-sale tracking system provided or operated by a vendor approved by the Commission to track regulated cannabis that is grown, processed, manufactured, transferred, transported, stored, dispensed, recalled, or disposed of.

(81) "Transport" and "transportation" means to move or transfer product from one location to another.

(82) "Universal symbol" means the universal cannabis product symbol authorized by the Commission for use on product containers, packaging, and labeling.

(83) "Visitor" means a non-employee or contractor, present on a licensee's or registrant's premises for a specific purpose or task not directly related to the production of regulated cannabis, dispensing of product in final packaged form, or testing of regulated cannabis and product in final packaged form.

(84) "Visitor identification badge" means a physical badge issued to a visitor used to easily verify the status of a person while on a licensee's or registrant's premises.

Cite as Ga. Comp. R. & Regs. R. 351-2-.01

AUTHORITY: O.C.G.A. §§ 16-12-200**,** 16-12-203**,** 16-12-206**,** 16-12-210**.**

HISTORY: Original Rule entitled "Definitions" adopted. F. Mar. 16, 2023; eff. Apr. 5, 2023.

Amended: F. Nov. 9, 2023; eff. Nov. 29, 2023.

Department 351. GEORGIA ACCESS TO MEDICAL CANNABIS COMMISSION

Chapter 351-3. APPLICATIONS

351-3-.02 Dispensing License Applications

(1) Only Class 1 or Class 2 production licensees are eligible to apply for a dispensing license as set forth in Code Section 16-12-206.

(2) Applications for dispensing licenses and other required information as set forth in this rule shall only be submitted during an open application period announced by the Commission.

(3) If an applicant wishes to apply for more than one dispensing license during the same application period, then such applicant shall submit a separate application for each proposed dispensary.

(4) To apply for a dispensing license, an applicant shall submit all of the following to the Commission:

(a) A complete dispensing license application as required by the Commission.

(b) The required non-refundable application fee, as listed on the fee schedule.

(c) The Class 1 or Class 2 production license name and number associated with the application.

(d) The business information about the dispensing license applicant, including:

1. The legal business name, any trade name(s), telephone number, and electronic mail address for such applicant;

2. The type of business entity;

3. Copies of the articles of incorporation, articles of organization, or other organizational documents as filed with the Georgia Secretary of State; and

4. The name, telephone number, and electronic mail address of the applicant's agent, and if different than the agent, a point of contact for day-to-day operational matters.

(e) Location information about the proposed dispensary, including:

1. The physical address, any suite number(s), city, and county;

2. The executed lease agreement, purchase agreement, or other written agreement for the applicant's use of the location for such dispensary;

3. An attestation that such dispensary complies with Code Section 16-12-215(a), and if applicable, documentation from the local government for any variance or other local approval as to location of such dispensary;

4. The proximity to all dispensaries and to all proposed dispensaries identified in other pending applications submitted by such applicant; and

5. A description explaining how the proposed dispensary is needed to serve patients in and around the geographic area of such dispensary.

(f) Information about the dispensing license applicant's agent, owner(s), and officer(s), including:

1. Current title(s) of such persons;

2. Whether any such is an owner, as defined in Georgia's Hope Act, in any other entity licensed by the Commission or in any cannabis-related license issued by another state; and

3. An attestation that such persons can either demonstrate a lack of a felony conviction within the previous ten years or that a felony conviction within the previous ten years has been expunged, the person has been pardoned, or the person had his or her civil rights restored.

(g) Information about the applicant's employees for the proposed dispensary, including:

1. The description of job titles and duties of employees;

2. The reporting and management structure of employees; and

3. An attestation that such employees can either demonstrate a lack of a felony conviction within the previous ten years or that a felony conviction within the previous ten years has been expunged, the person has been pardoned, or the person had his or her civil rights restored.

(h) A copy of floor- and site-specific plans and renderings showing the interior and exterior of the proposed dispensary, drawn to scale with square footage clearly illustrated. The site-specific plans shall include and identify all of the following:

1. The area of the retail point of dispensing;

2. Restricted access areas;

3. Patient consultation room(s);

4. Other areas and rooms; and

5. An enclosed receiving bay or other secured delivery area where product in final packaged form will be received.

(i) Information about the involvement of any of the following:

1. Minority business enterprises as defined in Code Section 50-5-131, either as co-owners of the business or as significant suppliers of goods and services for the business;

2. Minority or women owned businesses;

3. Georgia agricultural businesses; and

4. Military veterans.

(j) An affidavit for lawful presence signed and sworn to by the applicant's agent, along with a copy of such agent's secure and verifiable document, as required by Code Section 50-26-1 and Code Section 50-36-2.

(k) An attestation that the application for a dispensing license is true and current at the time of submission.

(l) Any other documentation requested by the Commission or its employees to determine the dispensing license applicant's suitability for licensure or to ensure public health and safety.

(5) If an application for a dispensing license contains information that the applicant claims to be confidential, then the applicant shall submit a redacted and an unredacted version of the application, along with an affidavit explaining or justifying such redactions.

(6) An application for a dispensing licensee may be denied or not processed for failure to meet requirements set forth in the Act and these rules.

(7) If an application for a dispensing license is approved, then the applicant shall submit the required dispensing license fee, as listed on the fee schedule, to the Commission within thirty (30) days from the issuance of the respective dispensing license.

Cite as Ga. Comp. R. & Regs. R. 351-3-.02

AUTHORITY: O.C.G.A. §§ 16-12-203**,** 16-12-206**,** 16-12-215**,** 16-12-223**.**

HISTORY: Original Rule entitled "Dispensing License Applications" adopted. F. Mar. 16, 2023; eff. Apr. 5, 2023.

Amended: F. Nov. 9, 2023; eff. Nov. 29, 2023.

Department 351. GEORGIA ACCESS TO MEDICAL CANNABIS COMMISSION

Chapter 351-4. CLASS 1 AND CLASS 2 PRODUCTION LICENSEES

351-4-.02 General Production License Rules

(1) A production licensee shall conduct activities and operations as represented in the respective license contract awarded by the Commission. Such license contract includes compliance with the following:

(a) Exhibits to the license contract;

(b) License contract amendments agreed to in writing between the licensee and the Commission;

(c) The Act, as amended;

(d) The Commission's rules and regulations, as promulgated and amended; and

(e) The Commission's policies and procedures, as approved.

(2) A production licensee shall be fully operational within twelve (12) months from the date of which the respective Notice of Award is issued. Failure to remain fully operational during licensure shall result in citations and fines up to and including revocation.

(3) A production licensee shall grow cannabis and produce and manufacture products only at the physical location as listed on the respective license contract. The licensee shall prominently display the following to be viewed by individuals entering the premises:

(a) The production license issued by the Commission;

(b) Any signage required by the Act and these rules; and

(c) The laws and these rules; provided, however, that signage approved by the Commission may be displayed in lieu of a complete copy of the laws and rules.

(4) A production licensee may sell its products in final packaged form to a dispensing licensee or pharmacy so that such dispensing licensee or pharmacy may dispense such products to patients and caregivers in accordance with Georgia's Hope Act and applicable state rules and regulations.

(5) A production licensee shall not:

(a) Dispense products in final packaged form at the premises;

(b) Give away or receive free or complimentary regulated cannabis;

(c) Use the Commission's name or logo on any sign at the premises, on the business' website, or in any advertising or social media, except to the extent that information is contained on the proof of licensure or is contained in part of warnings, signage, or other documents required by these rules;

(d) Sublet any portion of a premises; or

(e) Use pesticides other than those certified organic by the Organic Materials Review Institute or another similar standards organization.

(6) All rooms on the premises shall be identified on the respective doors or the exterior of such rooms so as to indicate the purposes of such rooms.

(7) A production licensee shall continue to provide the Commission and its employees with current contact information and notify the Commission and its employees, in writing, of any changes to the mailing addresses, phone numbers, or electronic mail addresses.

(8) A production licensee shall notify the Commission and its employees within ten (10) days of the initiation and/or conclusion of any new citations, fines, judgments, lawsuits, legal proceedings, charges, or government investigations, involving cannabis-related operations, whether initiated, pending, or concluded, against the licensee and its owners in Georgia and in any other state.

(9) A production licensee shall create and maintain employee policies and procedures, including, at a minimum, the following:

(a) Code of ethics;

(b) Whistle-blower policy;

(c) A policy which notifies persons with disabilities of their rights, which includes provisions prohibiting discrimination and providing reasonable accommodations; and

(d) All applicable state and federal Department of Labor procedures and posting of appropriate placards.

(10) A production licensee shall have a continuing responsibility to ensure that persons employed by such licensee or who otherwise participate in the business activities of such licensee are not prohibited by Georgia's Hope Act from such employment or participation.

(11) A production licensee shall take reasonable measures and precautions to ensure all employees working with direct access to regulated cannabis use hygienic practices while on duty for the prevention of contamination, including:

(a) Ensuring handwashing facilities are located within all production spaces, equipped with effective hand-cleaning and sanitizing preparations and sanitary towel service or electronic drying devices;

(b) Requiring employees wash hands thoroughly with soap before starting work and at any other time when hands have become soiled or contaminated; and

(c) Responding reasonably and promptly to reports or concerns of any employee who has been diagnosed with, or has displayed, or experienced symptoms of, a contagious illness or a communicable disease.

(12) Common areas on the production licensee premises, including but not limited to, a designated area for the consumption of food and beverages for employees, toilet and lavatory facilities, office or meeting space, or a lobby shall conform to the following requirements:

(a) The common areas shall be separated from the restricted access areas by floor-to-ceiling-high walls to prevent the spread of hair, skin, dirt, dust, and debris and to reduce the spread of moisture, mold, bacteria, and other contaminants;

(b) The door separating the common areas from the restricted access areas shall have secure electronic controls to restrict access; and

(c) Toilet and lavatory facilities shall be equipped with toilet tissue, soap dispenser with soap or other hand cleaning material, sanitary towels or drying device and at least one (1) waste receptacle.

Cite as Ga. Comp. R. & Regs. R. 351-4-.02

AUTHORITY: O.C.G.A. §§ 16-12-203**,** 16-12-206**,** 16-12-210**,** 16-12-211**,** 16-12-212**,** 16-12-219**,** 16-12-223**.**

HISTORY: Original Rule entitled "General Production License Rules" adopted. F. Mar. 16, 2023; eff. Apr. 5, 2023.

Amended: F. Nov. 9, 2023; eff. Nov. 29, 2023.

351-4-.06 Quality Control Procedures

(1) Prior to distributing or transporting product in final packaged form to a dispensary or pharmacy, a production licensee shall ensure the following:

(a) The production licensee contracts with and uses an independent laboratory listed on the Commission's list of approved independent laboratories as set forth in Code Section 16-12-217(b) for sample collection and testing;

(b) The manufactured batch has passed all required testing and has been issued a passing certificate of analysis; and

(c) Retest product in final packaged form, prior to or upon expiration of an existing and passing certificate of analysis, to ensure such product continues to pass all required testing.

(2) For the collection of controlled samples on the production licensee's premises, a production licensee shall ensure the following:

(a) Such samples are collected by a sample collector from an independent laboratory on the premises, in the presence of an employee of the licensee and in full view of security cameras; and

(b) During such collection, the sample collector has the ability to randomly collect such samples from the entire manufactured batch so that each unit from such batch has the same probability of being selected.

(3) For the selection and retention of reserve samples on the production licensee's premises, a production licensee shall ensure that such samples are:

(a) Selected by a sample collector from an independent laboratory in the presence of an employee of the licensee and in full view of security cameras;

(b) Selected by such collector at the same time, place, and manner as the collection of controlled samples from the same manufactured batch; and

(c) Retained, labeled, stored, and secured by such licensee on the premises for a minimum of twelve (12) months after a certificate of analysis is issued.

(4) If a sample of product in final packaged form is tested by an independent laboratory, and such sample passes the required testing, then the sample results shall be valid for twelve (12) months from the date on the certificate of analysis.

(5) If a sample of product in final packaged form is tested by an independent laboratory, and such sample fails the required testing, then upon notice or knowledge of such results, the production licensee shall physically quarantine the entire respective, manufactured batch in a sealed package that prevents cross-contamination and is labeled in a manner that indicates the batch failed required testing. In such circumstances, the production licensee may proceed in any and all of the following manner:

(a) Refute the testing results and request no more than two (2) reanalyses for the same manufactured batch. Such two (2) reanalyses may be conducted using the failed controlled sample or another controlled sample from the same manufactured batch, the latter of which shall meet the requirements set forth in this rule.

(b) Remediate the manufactured batch and ensure that:

1. The collection of controlled samples and the selection and retention of reserve samples for the remediated batch follow the corresponding requirements set forth in this rule;

2. Prior to being removed from such quarantine, the controlled samples of the remediated batch undergo and pass two (2) separate tests, with the second of such two (2) tests to be conducted within twenty-four (24) hours of receipt of a passing certificate of analysis for the first of such two (2) tests; and

3. The batch remediation process is documented and such records include the relevant manufactured batch number, the date of remediation, the process of remediation, and the persons involved in the remediation process.

(c) Dispose of the manufactured batch as set forth in Rule 351-4-.05.

(6) A production licensee shall ensure all samples submitted for testing are entered into the Commission-approved tracking system and properly reflected in inventory totals.

(7) A production licensee shall ensure all product in quarantine are entered into the Commission-approved tracking system and properly reflected in inventory totals.

(8) A production licensee shall establish, maintain, and follow standard operating procedures to ensure quality control and quality assurance in producing and manufacturing products in final packaged form. Such procedures, and changes to such procedures, shall be maintained on the premises and made available to the employees of such licensee.

Cite as Ga. Comp. R. & Regs. R. 351-4-.06

AUTHORITY: O.C.G.A. §§ 16-12-203**,** 16-12-210**,** 16-12-211**,** 16-12-212**,** 16-12-213**,** 16-12-217**.**

HISTORY: Original Rule entitled "Quality Control Procedures" adopted. F. Mar. 16, 2023; eff. Apr. 5, 2023.

Amended: F. Nov. 9, 2023; eff. Nov. 29, 2023.

351-4-.07 Packaging and Labeling

(1) A production licensee shall submit drafts of the packaging and labeling designs to the Commission for approval prior to using such designs for the product. The Commission hereby delegates the authority and responsibility to review packaging and labeling designs as set forth in Code Section 16-12-203(6), and determine whether such designs shall be approved to the GMCC Executive Director. The licensee shall not use such designs unless they have been approved by the GMCC Executive Director.

(2) A production licensee shall package product in final packaged form on such licensee's premises. Packaging used to contain product shall:

(a) Protect the product from contamination and shall not expose the product to any toxic or harmful substance;

(b) Be tamper-evident or have tamper-evident features applied to such packaging;

(c) Be opaque;

(d) Not imitate any packaging used for goods that are publicly known to be marketed to minors;

(e) Not include the following so as to attract or market to minors:

1. Any cartoon, comic drawing, a series of drawings, or animation;

2. Words such as "candy" or "candies" or any alternative spelling of such words; and

3. Depictions of people or animals.

(f) Use only Commission-approved trademarks, logos, or imagery;

(g) Be a child-resistant package; and

(h) Be resealable if the product has more than one (1) dose.

(3) A production licensee shall label product in final packaged form on such licensee's premises. Labeling used shall be weather resistant, unobstructed, and legible, and include the following:

(a) The name and license number of the production licensee;

(b) The brand name of the product;

(c) The unique identifying manufactured batch number of the product;

(d) The registration number of the independent laboratory who completed the required testing;

(e) The expiration date;

(f) The quantity contained therein;

(g) The weight of the product in grams;

(h) A list of all active ingredients, including:

1. Tetrahydrocannabinol (THC);

2. Tetrahydrocannabinol acid (THCA);

3. Cannabidiol (CBD);

4. Cannabidiolic acid (CBDA); and

5. Any other active ingredient that constitutes at least one percent (1%) of the cannabis used in the product.

(i) The American Society for Testing and Materials International Intoxicating Cannabinoid Product Symbol standard (D8441/D8441M) universal symbol, or other symbol requirements for labeling, if designated by the Commission, indicating that products contain intoxicating cannabinoids; and

(j) A statement that the product, in final packaged form, has been tested by an independent laboratory.

(4) Before any product is transported to a dispensary or pharmacy, a production licensee shall package and label such product in accordance with this rule.

Cite as Ga. Comp. R. & Regs. R. 351-4-.07

AUTHORITY: O.C.G.A. §§ 16-12-203**,** 16-12-206**,** 16-12-210**,** 16-12-211**,** 16-12-212**.**

HISTORY: Original Rule entitled "Packaging and Labeling" adopted. F. Mar. 16, 2023; eff. Apr. 5, 2023.

Amended: F. Nov. 9, 2023; eff. Nov. 29, 2023.

351-4-.08 Inventory

(1) Upon the issuance of a production license, a production licensee shall conduct an initial inventory, and thereafter a monthly inventory, of regulated cannabis, which shall indicate the date on which the inventory was conducted and the information on the persons who conducted such inventory.

(2) A production licensee shall ensure the on-site inventory and the inventory reflected in the Commission-approved tracking system reflect the same information.

(3) If a production licensee identifies or becomes aware of a discrepancy between the on-site inventory and inventory reflected in the Commission-approved tracking system, then such licensee shall conduct an audit within twenty-four (24) hours of such finding and notify the Commission or its employees of any discrepancies of the following:

(a) Any plant designated for cultivation;

(b) Any plant designated for propagation;

(c) More than three percent (3%) of any harvest batch;

(d) More than three percent (3%) of any manufactured batch; or

(e) Any remediated or quarantined product.

Cite as Ga. Comp. R. & Regs. R. 351-4-.08

AUTHORITY: O.C.G.A. §§ 16-12-203**,** 16-12-210**,** 16-12-211**,** 16-12-212**,** 16-12-213**.**

HISTORY: Original Rule entitled "Inventory" adopted. F. Mar. 16, 2023; eff. Apr. 5, 2023.

Amended: F. Nov. 9, 2023; eff. Nov. 29, 2023.

351-4-.09 Transportation

(1) A production licensee shall ensure security and oversight throughout any transport of product, including, but not limited to, compliance with the following:

(a) Transport of product to or from a licensee, pharmacy, or independent laboratory shall be:

1. Transported only by an authorized employee of a licensee or by an employee of an independent laboratory;

2. Entered into the Commission-approved tracking system and properly reflected in inventory totals; and

3. Contained in a sealed package that prevents cross-contamination and labeled as such.

(b) Personal vehicles shall not be utilized to transport products.

(c) A licensee is prohibited from transporting products outside the state of Georgia.

(d) Vehicles and trailers transporting products are subject to inspection by the Commission or its employees at any time.

(e) A licensee shall notify the Commission and its employees immediately when:

1. A vehicle transporting products is involved in any accident or other situation involving product loss;

2. There is a stop at a location that exceeds one (1) hour in duration and is not already listed in the shipping manifest; or

3. A mechanical issue involving the transport vehicle necessitates the transfer of product to an alternate vehicle to complete the transport. The licensee shall enter the information into the Commission-approved tracking system immediately to reflect the change.

(2) A production licensee shall establish, maintain, and follow standard operating procedures for the transport of product. Such procedures, and changes to such procedures, shall be maintained on the premises and made available to employees of such licensee.

(3) A production licensee shall maintain a current list, updated monthly, of such licensee's drivers, including the following information of each employee:

(a) First, middle, and last name;

(b) Date of birth;

(c) Photograph; and

(d) Contact information including telephone number.

(4) A production licensee shall register each vehicle or vehicle-trailer combination used for the transportation of product by submitting the following to the Commission:

(a) A copy of the vehicle registration or lease which shall include the Vehicle Identification Number ("VIN") assigned by the vehicle manufacturer;

(b) A copy of the vehicle's annual safety inspection;

(c) A copy of the vehicle's unique vehicle number assigned by the production licensee; and

(d) Photos of the vehicle:

1. Left front corner;

2. Right front corner;

3. Right rear corner;

4. Rear, including the affixed, government-issued license plate;

5. Left rear corner; and

6. VIN plate.

(5) All vehicles utilized for transporting product shall contain a global positioning system ("GPS") device for identifying the geographic location of the transport vehicle.

(a) The device shall be permanently affixed to the transport vehicle.

(b) The device shall remain active at all times during transportation of products.

(c) At all times, the production licensee shall be able to identify the geographic location of all vehicles and employees transporting product.

(d) The production licensee shall provide the GPS information to the Commission or its employees upon request.

(e) The use of cellular telephones as a device for GPS tracking does not meet the requirements of this rule.

(6) All vehicles shall be equipped with the following:

(a) Climate control capabilities to ensure the integrity of the product transported;

(b) A vehicle alarm system designed to discourage theft and unauthorized entry or access to the vehicle; and

(c) Permanently installed video cameras that shall:

1. Record during the transport of product;

2. Provide constant coverage of the driver and product being transported; and

3. Maintain recorded material available for no less than forty-five (45) days and be made available for review by the Commission or its employees upon request.

(7) A production licensee shall ensure that the following transportation security requirements are followed:

(a) All transport vehicles shall be staffed with a minimum of two (2) employees who are at least twenty-one (21) years of age. At least one (1) transport team member shall remain with the vehicle at all times that the vehicle contains products;

(b) Employees shall carry their employee identification and valid state-issued driver license at all times when transporting or delivering products;

(c) Employees shall produce their identification to the Commission or its employees or to a law enforcement officer acting in the course of official duties upon request;

(d) Products shall only be transported inside of a registered vehicle or trailer and shall not be visible or identifiable from outside of the vehicle or trailer;

(e) Products shall be locked in a fully enclosed box, container, or cage that is secured to the inside of the vehicle or trailer, shielded from view from the exterior of the vehicle. No portion of the enclosed box, container, or cage shall be comprised of any part of the body of the vehicle or trailer. For the purposes of this section, the inside of the vehicle also includes, but is not limited to, the trunk and cargo areas;

(f) The vehicle transporting the products shall not contain any marks, logos, brands, or other illustrations on the exterior of the vehicle, other than those affixed to the vehicle by the vehicle manufacturer or dealership, or required placards and signage; and

(g) All transport times and routes are randomized and within the borders of the state of Georgia.

(8) A production licensee shall ensure all shipments comply with the following requirements:

(a) Prior to transporting product off of the premises, the licensee originating the shipment shall prepare a shipping manifest that contains the following information:

1. The name, license number, and premises address of the originating licensee;

2. The name, license number, and premises address of the licensee or pharmacy receiving the product into inventory or storage;

3. The batch number(s) for all product being transported;

4. The item name, description, count, and weight of product associated with each batch;

5. The estimated date and time of departure from the premises;

6. The estimated date and time of arrival at each premises;

7. The valid driver's license number of each employee transporting product, and the make, model, and license plate number of the vehicle used for transport; and

8. Name and signature of the employees accompanying the transport.

(b) During transportation, the licensee transporting the product shall maintain a physical or digital copy of the shipping manifest.

(c) When a shipment is complete, the licensee shall:

1. Enter a record verifying the receiving licensee's, pharmacy's, or independent laboratory's receipt of the shipment in the Commission-approved tracking system with the details of the shipment;

2. Ensure that the shipment has been received by the receiving licensee, pharmacy, or independent laboratory is as described on the shipping manifest; and

3. Immediately adjust its inventory records to reflect such receipt.

(d) A licensee shall not alter the information of the receiving licensee, pharmacy, or independent laboratory after the information has been entered on the shipping manifest. However, if any product on the shipping manifest is damaged or otherwise undeliverable, then the licensee shall:

1. Off-load damaged product only when it can be properly quarantined in the receiving licensee's, pharmacy's, or independent laboratory's inventory and storage;

2. Document the receipt of any damaged product and the quantities received in the Commission-approved tracking system;

3. Update the shipping manifest accordingly; and

4. Maintain a log of any damaged and any returned product as set forth in Rule 351-4-.11.

Cite as Ga. Comp. R. & Regs. R. 351-4-.09

AUTHORITY: O.C.G.A. §§ 16-12-203**,** 16-12-206**,** 16-12-210**,** 16-12-211**,** 16-12-212**,** 16-12-213**,** 16-12-217**.**

HISTORY: Original Rule entitled "Transportation" adopted. F. Mar. 16, 2023; eff. Apr. 5, 2023.

Amended: F. Nov. 9, 2023; eff. Nov. 29, 2023.

351-4-.12 Product Recall Procedures

(1) If the Commission receives information demonstrating that a recall is necessary to protect patients or to protect public health and safety, and a production licensee does not initiate a recall, then the Commission may order such recall until the risk to such health and safety is no longer present.

(2) A production licensee shall establish, maintain, and follow standard operating procedures for licensee-initiated or Commission-ordered recalls of product in final packaged form. Such procedures shall address, at a minimum, the following:

(a) Factors that necessitate a recall;

(b) Employees responsible for implementing the recall procedures;

(c) Notifications to patients, caregivers, the public, and the Commission and its employees;

(d) The collection and transport of such recalled product from a dispensing licensee or pharmacy to the originating production licensee; and

(e) Factors determining when a licensee-initiated recall may be terminated.

(3) Prior to a licensee-initiated recall, a production licensee shall provide notice to the Commission and its employees, with such notice including, at a minimum, the following:

(a) Information that necessitates a recall, including a summary of any adverse events and symptoms experienced by patients;

(b) Details of the product in final packaged form subject to the recall, including the brand name(s), unique identifying manufactured batch number(s), and the expiration date(s) of such product;

(c) The total number of product in final packaged form that are subject to the recall, including the locations of dispensaries and pharmacies which may be dispensing such product; and

(d) A detailed plan for the recall and the recalled product, including whether the licensee plans to quarantine, remediate, retest, or dispose of such product in accordance with the rules of the Commission.

(4) When a recall is initiated, whether by the production licensee or ordered by the Commission, then such licensee shall post a notice of such recall within twenty-four (24) hours of initiating a recall in a prominent location on the licensee's website and social media until the recall is terminated. Copies of such notice shall be provided to dispensaries and pharmacies that dispensed such recalled product. Such notice shall include, at a minimum, the following:

(a) The brand name(s), unique identifying manufactured batch number(s), and the expiration date(s) of the recalled product in final packaged form.

(b) The contact information of such licensee, including the designated phone number, electronic mail address, and website for information about such recall and recalled product; and

(c) Readily accessible information regarding patient health, safety, treatment, disposal, poison control, or overdose, which may be made available.

(5) During a recall, whether initiated by the licensee or ordered by the Commission, a production licensee shall submit a report to the Commission and its employees, on a weekly basis, with the following information:

(a) The number of patients contacted who may be impacted by the recall;

(b) Summary of adverse events, including symptoms, experienced by patients;

(c) Efforts to retrieve the recalled product from dispensing licensees and pharmacies;

(d) The amount of recalled product in final packaged form that have been returned;

(e) The amount of recalled product in final packaged form outstanding; and

(f) The progress of implementing such licensee's plan for the recall and the recalled product.

(6) At the conclusion of a recall, whether initiated by the licensee or ordered by the Commission, the production licensee shall:

(a) Complete an internal investigation to determine the cause(s) and issue(s) leading to the recall;

(b) Submit a summary of findings from such investigation to the Commission;

(c) Submit a plan to address the causes and issues, including prevention efforts, to the Commission; and

(d) Inform the impacted dispensaries and pharmacies of the termination of such recall by providing them with written notice.

Cite as Ga. Comp. R. & Regs. R. 351-4-.12

AUTHORITY: O.C.G.A. §§ 16-12-203**,** 16-12-206**,** 16-12-210**,** 16-12-211**,** 16-12-212**,** 16-12-213**.**

HISTORY: Original Rule entitled "Product Recall Procedures" adopted. F. Mar. 16, 2023; eff. Apr. 5, 2023.

Amended: F. Nov. 9, 2023; eff. Nov. 29, 2023.

Department 351. GEORGIA ACCESS TO MEDICAL CANNABIS COMMISSION

Chapter 351-6. DISPENSING LICENSEES

351-6-.01 Dispensing Preliminary Inspection

(1) After issuance of an initial dispensing license, a dispensing licensee shall schedule and pass a preliminary inspection by the Commission or its employees within one hundred and eighty (180) days of the date its dispensing license is issued. Such licensee shall not begin operations until after a successful and passing preliminary inspection is completed by the Commission or its employees.

(2) As part of the preliminary inspection, a dispensing licensee shall provide the Commission or its employees with a copy of a certificate of occupancy or other proof that the licensee has completed the required inspections to allow such space in the dispensary to be occupied.

(3) A dispensing licensee may submit a written request to the Commission for an extension to schedule and pass a preliminary inspection. The Commission hereby delegates the authority and responsibility to determine whether such request should be granted and the duration of such extension to the GMCC Executive Director.

(4) A preliminary inspection, as set forth in this rule, is not required for the renewal of a dispensing license.

Cite as Ga. Comp. R. & Regs. R. 351-6-.01

AUTHORITY: O.C.G.A. §§ 16-12-203**,** 16-12-206**,** 16-12-217**.**

HISTORY: Original Rule entitled "Dispensing Preliminary Inspection" adopted. F. Mar. 16, 2023; eff. Apr. 5, 2023.

Amended: F. Nov. 9, 2023; eff. Nov. 29, 2023.

351-6-.02 General Dispensing License Rules

(1) A dispensing licensee shall prominently display the following on the premises:

(a) The dispensing license issued by the Commission;

(b) Hours of operation; and

(c) A sign stating "No products can be administered, applied, ingested, or consumed on the premises" or other similar sign.

(2) Failure to remain fully operational during licensure shall constitute a break in supply of product, and may result in citations and fines up to and including revocation.

(3) Dispensing licensees shall continue to provide the Commission and its employees with current contact information and notify the Commission and its employees, in writing, of any changes to the mailing addresses, phone numbers, or electronic mail addresses.

(4) A dispensing licensee shall notify the Commission and its employees within ten (10) days of the initiation and/or conclusion of any new citations, fines, judgments, lawsuits, legal proceedings, charges, or government investigations, involving cannabis-related operations, whether initiated, pending, or concluded, against the licensee and its owners in Georgia and in any other state.

(5) A dispensing licensee shall have a continuing responsibility to ensure that persons employed by such licensee can either demonstrate a lack of a felony conviction within the previous ten (10) years or that a felony conviction within the previous ten (10) years has been expunged, the person has been pardoned, or the person had his or her civil rights restored.

Cite as Ga. Comp. R. & Regs. R. 351-6-.02

AUTHORITY: O.C.G.A. §§ 16-12-203**,** 16-12-206**,** 16-12-210**,** 16-12-223**.**

HISTORY: Original Rule entitled "General Dispensing License Rules" adopted. F. Mar. 16, 2023; eff. Apr. 5, 2023.

Amended: F. Nov. 9, 2023; eff. Nov. 29, 2023.

351-6-.05 Dispensing License Operations

(1) All rooms on the premises shall be identified on the respective doors or the exterior of such rooms so as to indicate the purposes of such rooms.

(2) Common areas in the dispensary, including but not limited to, a designated area for the consumption of food and beverages for employees, toilet and lavatory facilities, office or meeting space, or a lobby, shall conform to the following requirements:

(a) The common areas shall be separated from restricted access areas by floor-to-ceiling-high walls;

(b) The door separating the common areas from the restricted access areas shall have secure electronic controls to restrict access; and

(c) Toilet and lavatory facilities shall be equipped with toilet tissue, soap dispenser with soap or other hand cleaning material, sanitary towels or drying device, and at least one (1) waste receptacle.

(3) All areas where product in final packaged form is stored shall be:

(a) Dry;

(b) Sufficiently lit;

(c) Well-ventilated;

(d) Maintained in a clean and orderly fashion; and

(e) Maintained at temperatures and lighting conditions which will ensure the integrity of product in final packaged form prior to dispensing.

(4) Upon receipt of transported product in final packaged form from a licensee, the receiving dispensing licensee shall do all of the following:

(a) Submit to the Commission-approved tracking system a record verifying its receipt of the shipment and the details of the shipment.

(b) Ensure that the product in final packaged form received is as described in the shipping manifest and shall immediately adjust its records to reflect the receipt of inventory. If such product is damaged, then such licensee:

1. May accept the damaged product only if such product can be properly recorded in its inventory and quarantined at the dispensary.

2. Separately document the receipt of any damaged product in final packaged form on the shipping manifest and the quantities received in the Commission-approved tracking system.

(5) A dispensing licensee shall establish, maintain, and follow standard operating procedures for the accurate and safe dispensing of product in final packaged form to patients and caregivers. Such procedures, and changes to such procedures, shall be maintained on the premises and made available to employees of such licensee.

(6) Prior to dispensing product in final packaged form to a patient or caregiver, a dispensing licensee shall ensure a patient or caregiver has an active and valid registration card as referenced in Code Section 16-12-191 and proof of identification.

(7) If a dispensing licensee receives information about a patient's adverse event, then such licensee shall notify the originating production licensee, as well as the Commission and its employees, within twenty-four (24) hours of such licensee's receipt of information.

(8) For product in final packaged form that cannot be dispensed, a dispensing licensee shall establish, maintain, and follow standard operating procedures which shall address, at a minimum, the following:

(a) Identification and storage of any product in final packaged form that are:

1. Expired or no longer have a current and passing certificate of analysis;

2. Not properly labeled or packaged; or

3. Quarantined due to damage, evidence of tampering, a part of a recall, or as otherwise required to be quarantined pursuant to the rules of the Commission or procedures established by the licensee.

(b) Security and storage protocols to ensure that, prior to returning such product to the originating production licensee, product in final packaged form will be stored in:

1. A securely enclosed and locked container; and

2. A restricted access area of the dispensary.

(9) A dispensing licensee shall not do any of the following:

(a) Accept, store, or dispense any product not in final packaged form;

(b) Use the Commission's name or logo on any sign at the premises, on the business' website, or in any advertising or social media, except to the extent that the Commission's name or logo is contained on the proof of licensure or is incorporated into warnings, signage, or other documents required by these rules;

(c) Sublet any portion of the dispensary;

(d) Provide samples of or free products to any person;

(e) Allow products to be administered, applied, ingested, or otherwise consumed inside of or on the premises of the dispensary;

(f) Offer any tours of restricted access areas to the general public; or

(g) Display product in final packaged form in windows or in public view.

Cite as Ga. Comp. R. & Regs. R. 351-6-.05

AUTHORITY: O.C.G.A. §§ 16-12-203**,** 16-12-206**,** 16-12-210**.**

HISTORY: Original Rule entitled "Dispensing License Operations" adopted. F. Mar. 16, 2023; eff. Apr. 5, 2023.

Amended: F. Nov. 9, 2023; eff. Nov. 29, 2023.

351-6-.09 Recall Procedures

(1) A dispensing licensee shall establish, maintain, and follow standard operating procedures for licensee-initiated or Commission-ordered recalls of product in final packaged form. Such procedures shall address, at a minimum, the following:

(a) Notifications to patients, caregivers, and the public;

(b) Reporting adverse events and symptoms experienced by patients to the originating production licensee and the Commission and its employees;

(c) The collection of such recalled product;

(d) The quarantine and storage of such recalled product that have not been dispensed;

(e) The quarantine and storage of such recalled product that would be returned; and

(f) The return of such recalled product to the originating production licensee.

(2) The dispensing licensee shall display a public notice of a licensee-initiated or Commission-ordered recall until the termination of the recall. Such notice shall be:

(a) Received from the originating production licensee responsible for the recall;

(b) Posted within twenty-four (24) hours of the recall being initiated;

(c) Displayed in a conspicuous location, unobstructed, and easily viewable for patients and caregivers; and

(d) Posted in a prominent location of the dispensing licensee's website and social media, if the dispensary impacted by the recall has a website separate from the originating production licensee.

(3) Upon receipt of a written notice for a recall, a dispensing licensee shall ensure product in final packaged form subject to the recall is:

(a) Removed from availability for retail purchase or transfer; and

(b) Quarantined and stored from all other product in final packaged form that is not part of the recall.

Cite as Ga. Comp. R. & Regs. R. 351-6-.09

AUTHORITY: O.C.G.A. §§ 16-12-203**,** 16-12-206**,** 16-12-210**.**

HISTORY: Original Rule entitled "Recall Procedures" adopted. F. Mar. 16, 2023; eff. Apr. 5, 2023.

Amended: F. Nov. 9, 2023; eff. Nov. 29, 2023.

Department 351. GEORGIA ACCESS TO MEDICAL CANNABIS COMMISSION

Chapter 351-7. INDEPENDENT LABORATORIES

351-7-.01 Independent Laboratory Registration and Renewal

(1) An independent laboratory shall be approved by the Commission prior to testing product in final packaged form from production licensees. The Commission hereby delegates the authority and responsibility to approve or deny registration forms submitted by independent laboratories to the GMCC Executive Director.

(2) To request approval by the Commission, the requesting independent laboratory shall submit the following to the Commission:

(a) A complete independent laboratory registration form as required by the Commission;

(b) The required non-refundable registration fee as listed on the fee schedule;

(c) The legal name of the independent laboratory as reflected in the articles of incorporation or organizational documents filed with the Georgia Secretary of State, including:

1. The type of corporation or entity of the independent laboratory;

2. A copy of the independent laboratory's articles of incorporation, articles of organization, or partnership document; and

3. The trade name of the independent laboratory, if applicable and if different from the legal name.

(d) The physical address, county, and global positioning satellite coordinates where the independent laboratory is located;

(e) The U.S. Postal Service mailing address of the independent laboratory;

(f) The name(s) of the independent laboratory owner(s) and the director or agent;

(g) The telephone number(s) of the independent laboratory director or agent;

(h) The electronic mail address of the independent laboratory director or agent;

(i) A copy of the secure and verifiable document as set forth in Code Section 50-36-2 for the independent laboratory owner;

(j) Attestation that, upon registration with the Commission, the independent laboratory will maintain compliance with all local ordinances, rules, or regulations adopted by the locality where the independent laboratory is located, which are in effect at the time of submitting the registration form, including copies of any required local registration, license, or permit of the locality where the independent laboratory is located;

(k) Documentation related to a certificate of accreditation for International Organization for Standardization ("ISO")/International Electrotechnical Commission ("IEC") 17025:2017 or higher:

1. A copy of such certificate for each required testing field as set forth in Rule 351-7-.08; or

2. Records demonstrating that such certificate for each required testing field as set forth in Rule 351-7-.08 has been applied for, including all of the following:

(i) A copy of the application to the accrediting body for ISO/IEC 17025:2017 (or higher) accreditation;

(ii) Documentation of the payment receipt(s) for accreditation with the accrediting body;

(iii) Documentation acknowledging receipt of the application and payment(s) by the accrediting body;

(iv) Tentative schedule of any remaining steps in obtaining such certificate, including supporting documentation; and

(v) Documentation from the accrediting body for all accreditation audit(s), including dates and status, that have been scheduled and completed.

(l) A copy of the United States Department of Justice, Drug Enforcement Administration Controlled Substances Act Certificate of the independent laboratory.

(m) A current copy of its standard operating procedures which shall address, at a minimum, the following:

1. Oversight of the independent laboratory, including, but not limited to, documentation of the reporting and management structure of the independent laboratory;

2. Accurate record keeping;

3. Employee safety and security;

4. Safety and security plans, including a disaster plan with procedures to be followed in case of fire or other emergencies;

5. Secure transportation plan and techniques for crime prevention;

6. A job description or employment contract developed for all employees which includes duties, responsibilities, authority, qualification, and supervision;

7. Alcohol and drug-free workplace policies;

8. Storage of product in final packaged form prior to testing which ensure product quality and efficacy are maintained;

9. Testing of product in final packaged form, including:

(i) Each batch of product in final packaged form produced by a production licensee; and

(ii) Product in final packaged form from a dispensing licensee, when necessary.

10. A detailed description of how the product in final packaged form will be tested, including:

(i) The process detailing how samples are collected by the independent laboratory;

(ii) The number of samples tested;

(iii) The size of sample tested;

(iv) The tests conducted;

(v) Creation and reporting of the certificate of analysis to the production licensee;

(vi) Reporting results to the Commission; and

(vii) Disposal of samples.

11. An inventory of equipment and the methods used for the testing of product in final packaged form to detect the following for a certificate of analysis as set forth in Rule 351-7-.08:

(i) Potency;

(ii) Cannabinoid profile;

(iii) Heavy metals;

(iv) Pesticides;

(v) Residual solvents;

(vi) Visible foreign material;

(vii) Microbiological contaminants and mycotoxins; and

(viii) Terpenes.

(n) Attestation that the registration form and its required documentation are true and current at the time of submission to the Commission and its employees.

(o) Other information upon request by the Commission or its employees.

(3) The Commission or the GMCC Executive Director may require a satisfactory compliance inspection prior to the approval of a registration.

(4) An independent laboratory shall submit a complete registration form, fee, and required documentation as set forth in this rule, for each location of such laboratory.

(5) If an independent laboratory applied for registration as set forth in Rule 351-7-.01(2)(k)(2), then documentation of ISO accreditation for each required testing field as set forth in Rule 351-7-.08 shall be received by the Commission and its employees within (180) days of the date of which the registration is approved.

(a) If additional time is necessary to submit such documentation, then the independent laboratory shall submit a written request to the GMCC Executive Director for an extension of up to ninety (90) days to submit such documentation. Such a request shall include information to support such an extension and the time frame of which such documentation may be submitted to the Commission and its employees.

(b) The Commission hereby delegates the authority and responsibility to determine whether an extension should be granted and to extend the time frame for the independent laboratory to submit such documentation to the GMCC Executive Director. If an extension is granted, then the independent laboratory shall submit to progress inspections by the Commission or its employees during the time frame of such extension.

(6) The Commission may remove or not add an independent laboratory to the Commission's list of approved independent laboratories for noncompliance with the rules of the Commission.

(7) An independent laboratory shall renew its registration annually, during an open renewal period announced by the Commission, by submitting to the Commission:

(a) A complete independent laboratory registration renewal form;

(b) Payment of the required non-refundable annual renewal fee;

(c) Results of any internal or external audits conducted in the preceding twelve months; and

(d) Results of the most recent third-party proficiency testing obtained by the independent laboratory as set forth in Rule 351-7-.02(6).

(8) A registrant who does not submit a complete and timely renewal registration form shall be removed from the Commission's list of approved independent laboratories.

Cite as Ga. Comp. R. & Regs. R. 351-7-.01

AUTHORITY: O.C.G.A. §§ 16-12-203**,** 16-12-210**,** 16-12-217**.**

HISTORY: Original Rule entitled "Independent Laboratory Registration and Renewal" adopted. F. Mar. 16, 2023; eff. Apr. 5, 2023.

Amended: F. Nov. 9, 2023; eff. Nov. 29, 2023.

351-7-.05 Sample Collection Requirements

(1) An independent laboratory shall maintain and practice sampling methods that are ISO/IEC 17025:2017 or higher accredited.

(2) The sample method chosen shall achieve a ninety-five percent (95%) or greater confidence level of the batch for the testing of the following:

(a) Total THC content;

(b) Cannabinoid compounds;

(c) Heavy metals;

(d) Pesticides;

(e) Residual solvents;

(f) Visible foreign material;

(g) Microbial impurities;

(h) Mycotoxins; and

(i) If tested, terpenes.

(3) An independent laboratory shall develop and document which scientifically defensible incremental sampling method is utilized for testing.

(4) The independent laboratory shall:

(a) Maintain a document of the sample method selection at the premises during the term of the registration;

(b) Document any changes to the sample method chosen and submit the changes to the Commission and its employees within twenty-four (24) hours; and

(c) Provide the document of sample method selection to the Commission and its employees.

(5) The sample increments shall be combined into a controlled sample, completing the same procedure with a second set of equivalent sample increments to form the reserve sample.

(6) The amount of controlled sample supplied to the independent laboratory shall be large enough to complete all required testing, to complete a replicate test, and to create a homogenized sample that is representative of the manufactured batch.

(7) The sample collector shall collect samples of product in final packaged form that are representative of the manufactured batch and that are relative to the size of such batch

(a) An equal number of controlled samples of product in final packaged form for testing as set forth in Rule 351-7-.08 and reserve samples as set forth in Rule 351-4-.06, shall be collected concurrently and within an unobstructed view of security cameras at the production facility premises.

(b) The controlled sample and reserve sample of product in final packaged form shall each consist of the following minimum number of sample unit increments taken:

1. Eight (8) units for a sample product batch with up to 500 products;

2. Twelve (12) units for a sample product batch with 501-1,000 products;

3. Sixteen (16) units for a sample product batch with 1,001-5,000 products; and

4. Twenty (20) units for a sample product batch with more than 5,000 products.

(c) The sample collector may collect a greater number of units if necessary to perform the required testing or to ensure that the samples collected are representative.

(8) A sample collection form shall be utilized for each batch sample, establishing the chain of custody, and shall contain the following information:

(a) Date and time sample was collected;

(b) Name and license number of the originating production licensee;

(c) Batch number of the batch from which the representative sample was obtained and assigned unique sample identifier;

(d) Total batch size, by weight, or unit count;

(e) Total weight, or unit count of the representative sample;

(f) Type of product in final packaged form for which samples are collected;

(g) Sampling conditions or problems encountered during the sampling process, if any;

(h) Printed name and signature of the authorized agent of the production licensee;

(i) Printed name and signature of the sample collector from the independent laboratory; and

(j) The date, time, and the names and signatures of persons involved, each time a sample changes custody, is transported, or is destroyed.

(9) Once the independent laboratory removes the sample from the production licensee's premises, the sample collection form may not be altered.

(10) After a sample is collected, but prior to testing, an independent laboratory shall:

(a) Label the batch with the following information:

1. The independent laboratory's name and registration number;

2. The date the samples were taken; and

3. In bold, all capitalized letters: "PRODUCT NOT TESTED".

(b) Apply a custody seal to each laboratory test sample container or bulk package containing a single facility's laboratory test samples in a manner which prevents tampering.

Cite as Ga. Comp. R. & Regs. R. 351-7-.05

AUTHORITY: O.C.G.A. §§ 16-12-203**,** 16-12-210**,** 16-12-217**.**

HISTORY: Original Rule entitled "Sample Collection Requirements" adopted. F. Mar. 16, 2023; eff. Apr. 5, 2023.

Amended: F. Nov. 9, 2023; eff. Nov. 29, 2023.

351-7-.07 Testing Requirements

(1) All products intended for dispensing shall be tested in final packaged form.

(2) The independent laboratory shall test any part of the product in final packaged form that will be consumed or used internally or externally by a patient.

(3) The independent laboratory shall follow the methodologies, ranges, and parameters which are contained in the scope of the accreditation for testing product in final packaged form.

(4) An independent laboratory shall develop, implement, and validate test methods for the analyses of samples. If an Association of Official Analytical Collaboration (AOAC) International Standard Method Performance Requirement (SMPR) exists, then the selected testing method shall meet the SMPR.

(5) The independent laboratory shall analyze the representative sample of product in final packaged form to determine whether foreign material is present.

(6) The independent laboratory shall report the results of each test performed by the independent laboratory on the certificate of analysis.

(7) If a sample of product in final packaged form passes the required testing, then an independent laboratory shall certify the batch for dispensing.

(8) If a sample of product in final packaged form failed required testing, then the independent laboratory shall:

(a) Notify the originating production licensee who submitted the controlled sample for testing; and

(b) Report the failure in accordance with the Commission-approved tracking system reporting requirements.

(9) For the testing of sample of product in final packaged form from a remediated batch, an independent laboratory shall test such sample in accordance with the rules of the Commission. If such sample passes testing, then the independent laboratory shall conduct a second test within twenty-four (24) hours of the issuance of such certificate of analysis for the first test in order to certify the batch for dispensing.

(10) An independent laboratory shall destroy the remains of the samples of product in final packaged form upon completion of the test.

Cite as Ga. Comp. R. & Regs. R. 351-7-.07

AUTHORITY: O.C.G.A. §§ 16-12-203**,** 16-12-210**,** 16-12-217**.**

HISTORY: Original Rule entitled "Sample Collection Requirements" adopted. F. Mar. 16, 2023; eff. Apr. 5, 2023.

Amended: F. Nov. 9, 2023; eff. Nov. 29, 2023.

351-7-.08 Certificate of Analysis

(1) An independent laboratory shall only test and certify homogenized, controlled samples of product in final packaged form collected as set forth in Rule 351-7-.05.

(2) An independent laboratory shall issue to the production licensee a certificate of analysis for each batch of product in final packaged form tested for that production licensee.

(3) The certificate of analysis shall, at a minimum, include the results with supporting data for the following:

(a) The chemical profile of the following cannabinoid compounds:

1. Total tetrahydrocannabinol ("THC") sum percentage by weight of:

(i) Delta-9-tetrahydrocannabinol (D9-THC);

(ii) Delta-9-tetrahydrocannabinolic acid (THCA); and

(iii) Delta-9-tetrahydrocannabivarin (THCV).

2. Cannabichromene (CBC);

3. Cannabichromene acetate (CBCA);

4. Cannabidiol (CBD);

5. Cannabidiolic acid (CBDA);

6. Cannabigerol (CBG);

7. Cannabigerol acetate (CBGA);

8. Cannabinol (CBN); and

9. Cannabidivarin (CBDV).

(b) If an abnormality is found during the required testing listed above in subparagraph (a) of this rule, then the certificate of analysis shall also show test results for the presence of the following isomers and esters:

1. THC isomers, which have published peer-reviewed proficiency standards and measurements that have been validated for cannabis testing by an independent third party:

(i) Delta-6a(7)-tetrahydrocannabinol (D6a(7)-THC);

(ii) Delta-6a(10a)-tetrahydrocannabinol (D6a(10a)-THC);

(iii) Delta-7-tetrahydrocannabinol (D7-THC);

(iv) Delta-8-tetrahydrocannabinol (D8-THC);

(v) Delta-9(11) exo-tetrahydrocannabinol (Exo-THC); and

(vi) Delta-10-tetrahydrocannabinol (D10-THC).

2. THC esters, which have published peer-reviewed proficiency standards and measurements that have been validated for cannabis testing by an independent third party:

(i) THC-O acetate (THCOA);

(ii) THC-O-phosphate;

(iii) THC hemisuccinate (THC-HS); and

(iv) THC morpholinyl butyrate (SP-111).

(c) If tested, terpenes.

(d) Residual solvents, which shall not exceed the following action levels, measured in parts per billion (ppb), for the following analytes:

1. Acetones: 800,000;

2. Benzene: 1,000;

3. Butane: 800,000;

4. Ethanol: 5,000,000;

5. Heptane: 500,000;

6. Hexane: 100,000;

7. Pentane: 5,000,000;

8. Toluene: 1,000; and

9. Total Xylenes: 1,000

(i) Meta-xylene (m-xylene);

(ii) Para-xylene (p-xylene); and

(iii) Ortho-xylene (o-xylene).

(e) The presence of the following heavy metals, which shall not exceed the following action levels, measured in parts per billion (ppb), for the following analytes by product:

1. Arsenic

(i) Low-THC oil and products for nasal use such as nasal sprays: 200;

(ii) Low-THC oil and products for sublingual use such as oils and tinctures: 500;

(iii) Low-THC oil and products for ingestion such as capsule, lozenges, or other dissolvable solid dosage forms: 500; and

(iv) Low-THC oil and products for topical use such as lotions, topicals, and transdermal patches: 500.

2. Cadmium

(i) Low-THC oil and products for nasal use such as nasal sprays: 200;

(ii) Low-THC oil and products for sublingual use such as oils and tinctures: 500;

(iii) Low-THC oil and products for ingestion such as capsule, lozenges, or other dissolvable solid dosage forms: 500; and

(iv) Low-THC oil and products for topical use such as lotions, topicals, and transdermal patches: 500.

3. Chromium

(i) Low-THC oil and products for nasal use such as nasal sprays: 500,000;

(ii) Low-THC oil and products for sublingual use such as oils and tinctures: 500,000;

(iii) Low-THC oil and products for ingestion such as capsule, lozenges, or other dissolvable solid dosage forms: 1,100,000; and

(iv) Low-THC oil and products for topical use such as lotions, topicals, and transdermal patches: 500,000.

4. Lead

(i) Low-THC oil and products for nasal use such as nasal sprays: 500;

(ii) Low-THC oil and products for sublingual use such as oils and tinctures: 500;

(iii) Low-THC oil and products for ingestion such as capsule, lozenges, or other dissolvable solid dosage forms: 500; and

(iv) Low-THC oil and products for topical use such as lotions, topicals, and transdermal patches: 500.

5. Mercury

(i) Low-THC oil and products for nasal use such as nasal sprays: 200;

(ii) Low-THC oil and products for sublingual use such as oils and tinctures: 500;

(iii) Low-THC oil and products for ingestion such as capsule, lozenges, or other dissolvable solid dosage forms: 500; and

(iv) Low-THC oil and products for topical use such as lotions, topicals, and transdermal patches: 500.

(f) Pesticides regulated by the United States Environmental Protection Agency, including, but not limited to, the following, which shall not exceed an action level of 100 parts per billion (ppb) or the independent laboratory's lowest possible limit of quantitation (LOQ) for such respective analyte, whichever is lower:

1. Abamectin;

2. Acephate;

3. Acequinocyl;

4. Acetamiprid;

5. Aldicarb;

6. Azoxystrobin;

7. Bifenazate;

8. Bifenthrin;

9. Boscalid;

10. Carbaryl;

11. Carbofuran;

12. Chlorantraniliprole;

13. Chlordane;

14. Chlormequat Chloride;

15. Chlorpyrifos;

16. Coumaphos;

17. Cyfluthrin;

18. Cypermethrin;

19. Daminozide;

20. Diazinon;

21. Dichlorvos;

22. Dimethoate;

23. Dimethomorph;

24. Ethoprophos;

25. Etofenprox;

26. Etoxazole;

27. Fenoxycarb;

28. Fenhexamid;

29. Fipronil;

30. Flonicamid;

31. Fludioxonil;

32. Fluoxastrobin;

33. Hexythiazox;

34. Imazalil;

35. Imidacloprid;

36. Kresoxim Methyl;

37. Malathion;

38. Metalaxyl;

39. Methiocarb;

40. Methomyl;

41. Mevinphos;

42. Myclobutanil;

43. Oxamyl;

44. Paclobutrazol;

45. Permethrin;

46. Phosmet (Imidan);

47. Prallethrin;

48. Propiconazole;

49. Propoxur;

50. Pyridaben;

51. Spinetoram;

52. Spiromesifen;

53. Spirotetramat;

54. Spiroxamine;

55. Tebuconazole;

56. Thiacloprid;

57. Thiamethoxam; and

58. Trifloxystrobin.

(g) Any visible foreign material that is not intended to be part of the product being produced, including, but not limited to, filth, hair, insects, metal, or plastic.

(h) Microbial impurities, which shall not exceed the following action levels, measured in colony-forming unit per gram (cfu/g), for each of the following analytes:

1. Total viable aerobic bacteria: 100,000;

2. Total yeast and mold: 10,000;

3. Total coliforms: 1,000;

4. Bile-tolerant gram negative bacteria: 1,000;

5. Shiga-toxin producing escherichia coli (STEC) and salmonella spp.*:* 1.0; and

6. Aspergillus fumigatus, Aspergillus flavus, Aspergillus niger, and Aspergillus terreus: 1.0.

(i) Mycotoxins, which shall not exceed an action level of 20 parts per billion (ppb) for each of the following analytes:

1. Aflatoxin B1;

2. Aflatoxin B2;

3. Aflatoxin G1;

4. Aflatoxin G2; and

5. Ochratoxin A.

(4) The independent laboratory shall submit the certificate of analysis to the Commission and its employees at the same time the certificate of analysis is submitted to the originating production licensee.

(5) The independent laboratory shall upload the certificate of analysis into a Commission-approved tracking system within twenty-four (24) hours of the completion of tests.

(6) In addition to the requirements of this rule, the Commission may make available, via its website or other public means, additional bulletins outlining any contaminants and their actionable levels.

Cite as Ga. Comp. R. & Regs. R. 351-7-.08

AUTHORITY: O.C.G.A. §§ 16-12-203**,** 16-12-210**,** 16-12-217**.**

HISTORY: Original Rule entitled "Certificate of Analysis" adopted. F. Mar. 16, 2023; eff. Apr. 5, 2023.

Amended: F. Nov. 9, 2023; eff. Nov. 29, 2023.

351-7-.09 Records

(1) An independent laboratory shall establish a system to create, retain, and maintain all required records.

(2) For the testing of products in final packaged form, an independent laboratory shall maintain the following records and shall produce such records upon request by the Commission or its employees:

(a) Records of sample collection for a minimum of twelve (12) months from the date such sample is collected;

(b) Records of laboratory testing results for a minimum of twelve (12) months from the date of such testing; and

(c) Copies of the certificate of analysis for each test performed for a minimum of twenty-four (24) months from the respective dates of issuance.

(3) An independent laboratory shall establish an account with a Commission-approved tracking system to document the complete chain of custody for samples, from receipt through disposal or return to the originating production licensee, before receiving or testing any product in final packaged form.

(4) An independent laboratory shall track and submit into the Commission-approved tracking system any information the Commission determines necessary for tracking product in final packaged form, including, but not limited to, transportation of samples, sample inventory, and certificates of analysis.

Cite as Ga. Comp. R. & Regs. R. 351-7-.09

AUTHORITY: O.C.G.A. §§ 16-12-203**,** 16-12-210**,** 16-12-217**.**

HISTORY: Original Rule entitled "Records" adopted. F. Mar. 16, 2023; eff. Apr. 5, 2023.

Amended: F. Nov. 9, 2023; eff. Nov. 29, 2023.

Department 509. GEORGIA BOARD OF PRIVATE DETECTIVE AND SECURITY AGENCIES

Chapter 509-2. LICENSURE AND REGISTRATION

509-2-.02 Qualifications

(1) Any applicant for licensure to operate a private detective company must have at least two (2) years experience as a licensed private detective with a licensed detective agency or at least two (2) years experience in law enforcement with a federal, state, county, or municipal agency, or has a four (4) year degree in criminal justice or related field from an accredited university.

(2) Any applicant for licensure to operate a security company must have at least two (2) years full-time experience as a supervisor or administrator in in-house security operations or with a licensed security agency or at least two (2) years experience in law enforcement with federal, state, county, or municipal agency, or a four (4) year degree in criminal justice or related field from an accredited university.

(3) Two (2) years of full-time experience, as used in Rule 509-2-.02(1) & (2), shall mean that an individual was employed at least two (2) years and worked a minimum of 30 hours per week. Experience in law enforcement must meet the definition in O.C.G.A. 35-8-2(8), or the definition of any other state or federal agency with similar criteria.

(4) Any applicant for licensure to operate a dual licensed private detective/security company must meet the licensing requirements of both private detective and private security companies.

(5) The Board shall be responsible for adopting an examination for the licensure of applicants on behalf of private detective and private security companies. The examinations shall be designed to assess candidates' abilities to perform at an acceptable level of practice, which will not be harmful to the public health, safety or welfare.

(a) The contents of the examination for private detective company licensure shall reflect the scope of practice of the private detective profession, as defined in O.C.G.A. Section 43-38-3(3), or as approved by the Board.

(b) The contents of the examination for private security company licensure shall reflect the scope of practice of the private security profession, as defined in O.C.G.A. Section 43-38-3(4), of this chapter, or as approved by the Board.

(c) The Board will provide reasonable modification to a qualified applicant with a disability in accordance with the Americans With Disabilities Act. The request for a modification by an individual with a disability must be made in writing and received in the Board's office by the application deadline, along with appropriate documentation, as indicated in the Request for Disability Modification Guidelines.

(d) An incomplete application will not be presented to the Board for review and may be returned to the applicant for completion.

(e) All applications for examination must be reviewed and approved by the Board prior to an examination.

(f) The passing level for the examination shall be determined by the Board.

(g) An applicant who has failed the licensure examination may retake the examination, but the examination cannot be taken more than three times, by an applicant, without submitting a new application and appropriate fee to the Board.

(h) An applicant scheduled for an examination who fails to appear for three (3) consecutive examinations will not be permitted thereafter to sit for the examination until they have submitted a new application and fee.

(i) The Board shall set the fee for the examinations.

Cite as Ga. Comp. R. & Regs. R. 509-2-.02

AUTHORITY: O.C.G.A. §§ 43-1-2**,** 43-1-19**,** 43-1-24**,** 43-1-25**,** 43-38-3**,** 43-38-4**,** 43-38-6**,** 43-38-11**,** 42 U.S.C. § 12101**, et seq.**

HISTORY: Original Rule entitled "Qualifications" adopted as ER. 509-2-0.2-.02 . F. July 24, 1981; eff. July 20, 1981, the date of adoption.

Amended: ER. 509-2-0.7-.02 of same title adopted. F. Oct. 13, 1981; eff. Oct. 7, 1981, the date of adoption.

Amended: Permanent Rule of same title adopted. F. Dec. 15, 1981; eff. Jan. 4, 1982.

Amended: F. Nov. 1, 1988; eff. Nov. 21, 1988.

Amended: F. July 31, 1990; eff. August 20, 1990.

Amended: F. Sept. 29, 1993; eff. Oct. 19, 1993.

Amended: F. Mar. 28, 1995; eff. Apr. 17, 1995.

Amended: F. Apr. 5, 1996; eff. Apr. 25, 1996.

Amended: F. Aug. 17, 1998; eff. Sept. 6, 1998.

Amended: F. Oct. 1, 1998; eff. Oct. 21, 1998.

Repealed: New Rule of same title adopted. F. Mar. 29, 2005; eff. Apr. 18, 2005.

Amended: F. Nov. 16, 2023; eff. Dec. 6, 2023.

Department 672. STATE DEPARTMENT OF TRANSPORTATION

Chapter 672-5. GOVERNING THE PREQUALIFICATION OF PROSPECTIVE BIDDERS

672-5-.01 Purposes of Rules

(a) The purposes of these Rules Governing the Prequalification of Prospective Bidders are:

(1) To minimize delays in the awarding of contracts after bids have been opened.

(2) To insure that Department contracts will be awarded only to reliable bidders.

(b) These Rules do not apply to contracts for routine or preventative maintenance, including but not limited to those contracts subject to Department Policy Number 6130-7 Guidelines for Maintenance Service Agreement, except in those instances where the Department specifically requires prequalification pursuant to these Rules. In addition, these Rules do not apply to those contracts entered into pursuant to O.C.G.A. §§ 32-2-80 through 32-2-82, except in those instances where such contract specifically requires compliance with either part of or the entirety of these Rules.

Cite as Ga. Comp. R. & Regs. R. 672-5-.01

AUTHORITY: O.C.G.A. §§ 32-2-2**,** 32-2-66**,** 50-13-4**,** 50-13-6**.**

HISTORY: Original Rule entitled "Purpose of Regulations" adopted. F. Aug. 9, 1973; eff. Aug. 28, 1973.

Repealed: New Rule, same title adopted. F. Oct. 23, 2000; eff. Nov. 12, 2000.

Amended: New title "Purposes of Rules." F. May 1, 2018; eff. May 21, 2018.

Amended: F. Nov. 3, 2023; eff. Nov. 23, 2023.

672-5-.11 Application for Subcontractor Registration

(1) In order for the Department to maintain a register of Subcontractors, any person desiring to perform work on Department projects as a Subcontractor must obtain a Certificate of Registration by submitting a notification of such desire under oath to the Department on forms to be furnished by the Department. The original notification may be filed at any time, but in no case less than ten (10) days prior to the prime contractor's requesting approval of the subcontract to which the Prospective Subcontractor will be a party. The notification must include the following information:

(a) A statement as to the Prospective Subcontractor's major plant and equipment, which shall give details as to type, age and condition;

(b) A statement of the Prospective Subcontractor's organization which shall develop the adequacy of such organization, including key personnel, to undertake work;

(c) A statement of the experience of the Prospective Subcontractor, including its principal officers and key employees, which shall show the number of years the Prospective Subcontractor has been engaged in the contracting business and disclose generally its experience over that period;

(d) A statement which shall give an accurate record of any work, whether under its present name or some other, on which it has been engaged in the five (5) years next preceding this notification, both in Georgia and elsewhere, as a

contractor of record or under a subcontract, giving a description of the project undertaken, the type of work in which it engaged, the location of the work, the contract amount and the name of the contracting person, firm, corporation or agency. In the case of work performed under a subcontract, the prime contractor shall be named;

(e) A complete and accurate statement of any liens, stop notices or claims filed against the Prospective Subcontractor on any project listed in response to Rule 672-5-.11(1)(d). The statement shall also disclose any failure or failures to complete a contract or contracts and any liquidated damages or penalties, monetary or otherwise imposed by reason of any contract undertaken and determined to be in noncompliance with pertinent statutes within the five (5) year period preceding this notification. A detailed explanation of all such items shall be given;

(f) A statement setting forth any other relevant, pertinent and material facts or data which the Prospective Subcontractor deems would show that it is qualified to perform the work which it has represented that it is willing and capable of undertaking;

(g) A statement which shall list the specific area of class/classes of work for which the Prospective Subcontractor is qualified; and

(h) A statement of specific geographic location within the State which lists the Department district in which the contractor will typically work.

(i) A certification by the Prospective Subcontractor that it is not currently suspended or debarred by another state or federal governmental entity or has not been voluntarily excluded in another state or federal governmental entity and that no state or federal governmental entity has instituted any action to suspend or debar the Prospective Subcontractor. The Application of any Prospective Subcontractor who is currently suspended or debarred by another state or federal governmental entity or who has been voluntarily excluded in another state or federal governmental entity, regardless of whether the Prospective Subcontractor intends to bid on state or federally funded projects, will be rejected. The Application must further contain the certification that, if at any time during the period that a Prospective Subcontractor maintains a Certificate of Registration an action is instituted by a state or federal governmental entity to suspend or debar the Prospective Subcontractor, or the Prospective Contractor becomes voluntarily excluded in another state or federal governmental entity, the Prospective Subcontractor will immediately notify the Department's Director of Construction; and

(2) A person desiring to remain on the register of Subcontractors shall submit a notification of such desire on forms provided by the Department no less often than once every two (2) years and more often should it be deemed necessary by either the Prospective Subcontractor or the Prequalification Committee. Should the Prequalification Committee request such a filing, the notification shall be filed within thirty (30) days after receipt of the request. Failure on the part of the Prospective Subcontractor to file the notification every two years or to file the notification requested by the Prequalification Committee within thirty (30) days after receipt of such request shall be grounds for its removal from the register of Subcontractors pursuant to Rule 672-5-.15. The Prospective Subcontractor must submit an updated notification of desire to remain on the register of Subcontractors on forms provided by the Department, when it has sold or acquired a large number of assets.

(3) Subcontractors will be assigned a Maximum Capacity Rating, which shall represent the maximum dollar amount of work a registered Subcontractor may undertake on Department projects at any one time. The value of any single subcontract will not exceed Two Million Dollars ($2,000,000). The Maximum Capacity Rating for each registered Subcontractor will be established utilizing the following formula:

$Q = (F)(B)$

Q = Maximum Capacity Rating

F = Ability or Multiplying Factor as established by performance ratings.

B = Base Value. For state fiscal years 2024-2030, the value of "B" shall be $300,000. Thereafter, the Prequalification Committee shall perform or cause to be performed an audit of the value of "B" at a minimum of every five (5) years to ensure that the value of "B" takes into consideration current inflation trends and other relevant

market trends. Based upon the result of this audit, the Department may amend the value of "B" by making an amendment to its Prequalification Manual, which shall be published on the Department's website, www.dot.ga.gov.

(4) The registration of, and assignment of a Maximum Capacity Rating to, a Subcontractor by the Department is not, nor shall it be construed as, a warranty, certification, implication or assurance by the Department that the registered Subcontractor is qualified, either as to the type of work or quantity, to undertake the work for which the Subcontractor is hired by the prime contractor. The registration of, and assignment of a Maximum Capacity Rating to, a Subcontractor by the Department shall not relieve the prime contractor of its responsibility to determine that its Subcontractors are in fact qualified to perform the work for which they are engaged nor relieve the prime contractor of any rights, liabilities, duties or obligations under its contract with the Department.

Cite as Ga. Comp. R. & Regs. R. 672-5-.11

AUTHORITY: O.C.G.A. §§ 32-2-2**,** 32-2-66**,** 50-13-4**,** 50-13-6**.**

HISTORY: Original Rule entitled "Requirements for Subcontractors" adopted. F. Aug. 9, 1973; eff. Aug. 29, 1973.

Amended: F. Dec. 22, 1976; eff. Jan. 11, 1977.

Amended: ER 672-5-0.4-.11 adopted. F. and eff. May 30, 1978, the date of adoption.

Amended: Permanent Rule adopted. F. Sept. 6, 1978; eff. Sept. 26, 1978.

Amended: ER 672-5-0.6-.11 adopted. F. and eff. June 13, 1979.

Amended: Permanent Rule adopted. F. Sept. 20, 1979; eff. Oct. 10, 1979.

Amended: ER 672-5-0.22-.11(3) adopted. F. Mar. 25, 1985; eff. Mar. 21, 1985, the date of adoption.

Amended: Permanent Rule adopted. F. June 26, 1985; eff. July 16, 1985.

Repealed: New Rule, same title adopted. F. Oct. 23, 2000; eff. Nov. 12, 2000.

Amended: F. July 9, 2004; eff. July 29, 2004.

Amended: F. Nov. 20, 2006; eff. Dec. 10, 2006.

Amended: F. Dec. 11, 2008; eff. Dec. 31, 2008.

Amended: New title "Application for Subcontractor Registration." F. May 1, 2018; eff. May 21, 2018.

Amended: F. Nov. 3, 2023; eff. Nov. 23, 2023.