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**Don't put your marijuana business at risk by failing to implement an odor control strategy!**

Dear Marijuana Licensee,

As you build your marijuana business, one issue you may not have given much thought to is odor control. We all know that growing marijuana plants can't be done scent-free. And as much as some folks might enjoy that particular smell, not everyone does, and that can mean serious problems for you and your business—unless you have the right odor control system in place.

While the Liquor Control Board has not issued any specific regulations on odor, Washington state law does tightly regulate the odor emissions of businesses of all kinds, and marijuana producers and processors are no exception. According to WAC 173-400-040(5), anyone “who shall cause or allow the generation of any odor from any source or activity which may unreasonably interfere with any other property owner's use and enjoyment of his property must use recognized good practice and procedures to reduce these odors to a reasonable minimum.”

What that means in practice is that your business runs the risk of being shut down or fined if you can't keep your neighbors happy. The case law on this issue was settled long ago, as the Supreme Court of Washington repeatedly found that strong odors that interfere with a neighbor's enjoyment of life may constitute a nuisance, including in Wilcox v. Henry, 35 Wash. 591, 77 P. 1055 (1904), Grant v. Rosenburg, 112 Wash. 361, 196 P. 626 (1921), and Jones v. Rumford, 64 Wash. 2d 559, 392 P.2d 808 (1964). The punishment in these types of cases is often ending the operations of the business, and just one complaining neighbor can put the future of your business at risk. It's better to stop the problem before it even starts, and make sure that your neighbors—and you—have nothing to worry about.

Furthermore, regional air quality agencies are given broad authority to regulate odors, and they make use of it. For example, in King, Pierce, and Snohomish counties, all marijuana producers and processors are required to apply for a permit through the Puget Sound Clean Air Agency. That agency won't give you a permit unless you provide them with “odor control equipment details” (including “type, quantity,



make and model, flowrate”), and without that permit, you can’t do business. You’re then required to enter a “Registration Program” to maintain your permit, which includes onsite inspections to ensure the odor control equipment is in place. There’s really no alternative to having a reliable, well-functioning odor-control system.

I do have an American-based odor-control company I’d like to recommend for indoor growers called Vaportek. Vaportek’s dry vapor systems utilize natural, nontoxic, essential oils to neutralize odors related to indoor grow settings without upsetting the ecological balance. Their safe, environmentally friendly treatment systems are easy to use & may be used around people, pets, or plants – no evacuation necessary. No moisture is introduced with their technology, and your plants will not be harmed, nor will the taste be altered, by the dry vapor. They offer safer and more cost effective solutions compared to other products on the market. In business since 1979, they began by eliminating odors in cancer wards and moved to include markets like fire/flood restoration, bioremediation, pet, automotive, hydroponic, and many others. Use their products wherever cannabis is grown or smoked. They have a number of different products available, so you can choose what makes sense for you depending on your needs and the size of your grow. Vaportek boasts a botanical solution to an organic odor.

I definitely recommend that you get set up with an odor control system before your licensing requires it, and for my money, there’s no one out there that’s been at it longer than Vaportek. If you’re interested, visit them online at [www.vaportek.com](http://www.vaportek.com) or email them at [sunny@vaportek.com](mailto:sunny@vaportek.com).

I hope you find this letter helpful, and thanks for reading!

Sincerely,

A handwritten signature in cursive script that reads "Chris Crew".

Chris Crew

Attorney at Law