



COLORADO

Department of Revenue

Enforcement Division - Marijuana
1707 Cole Boulevard, Suite 300
Lakewood, CO 80401

October 2, 2017

INDUSTRY-WIDE BULLETIN: 17-08

RE: MANDATORY MEDICAL MARIJUANA CONCENTRATE AND MARIJUANA-INFUSED PRODUCT POTENCY TESTING REQUIRED STARTING NOVEMBER 1, 2017

Dear Marijuana Industry Stakeholders:

Proficiency testing has been established in the categories of concentrate and marijuana-infused product potency for all licensed Retail and Medical Marijuana Testing Facilities that are certified to test in this category¹. To view which Testing Facilities have been certified in potency testing, please visit this webpage <https://www.colorado.gov/pacific/enforcement/med-licensed-facilities>.

Pursuant to 12-43.3-202(2.5)(c) Colorado Revised Statutes (C.R.S.), with proficiency testing for potency now established for concentrate and marijuana-infused product, **the Marijuana Enforcement Division is implementing expanded mandatory Medical Marijuana potency testing beginning Wednesday, November 1, 2017**. On this date, all Medical Marijuana Optional Premises Cultivations and Medical Marijuana-Infused Products Manufacturers are required to comply with rule **M 1503(C) & (D)**. This rule states:

C. Potency Testing for Medical Marijuana Concentrate.

An Optional Premises Cultivation Operation or Medical Marijuana-Infused Products Manufacturer must have a potency test conducted by a Medical Marijuana Testing Facility on every Production Batch of Medical Marijuana Concentrate that it produces prior to wholesaling, transferring or processing into a Medical Marijuana-Infused Product any of the Medical Marijuana Concentrate from that Production Batch.

D. Potency Testing for Medical Marijuana-Infused Product

1. Potency Testing Required for Medical Marijuana-Marijuana Infused Product. A Medical Marijuana-Infused Products Manufacturer shall have potency tests conducted by a Medical Marijuana Testing Facility on every Production Batch of Medical Marijuana Infused-Product that it produces prior to transferring or wholesaling any of the Medical Marijuana-Infused Product from that Production Batch

¹ For additional information on Medical Marijuana Flower Potency Testing, please see Industry Bulletin 16-13 "Updated Proficiency Testing Established for Flower Potency, & Mandatory Medical Marijuana Flower Potency Testing Required Starting November 1, 2016"



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2. Required Tests. Potency tests conducted on Medical Marijuana-Infused Product must determine the level of concentration of the required cannabinoids and whether or not THC is homogeneously distributed throughout the product.

3. Partially Infused Medical Marijuana-Infused Products. If only a portion of a Medical Marijuana-Infused Product is infused with Medical Marijuana, then the Medical Marijuana-Infused Products Manufacturer must inform the Medical Marijuana Testing Facility of exactly which portions of the Medical Marijuana-Infused Product are infused and which portions are not infused.

Mandatory testing of Medical Marijuana Concentrate and Medical Marijuana-Infused Product potency applies to all Production Batches created on or after November 1, 2017. Production Batches created prior to November 1, 2017 *are not* subject to potency testing requirements. Medical Marijuana Businesses should check the date of production on the label of the Medical Marijuana Concentrate or Medical Marijuana-Infused Product prior to accepting transfers to determine if potency testing was required.

Mandatory Medical Marijuana potency testing is a matter of public health and safety and full compliance is expected by Wednesday, November 1, 2017. Please review the M 1500 series of rules in 1 CCR 212-1 for all requirements related to Medical Marijuana potency testing. All currently effective Medical Marijuana rules can be accessed on the Colorado Secretary of State's website at: <http://www.sos.state.co.us/CCR/GenerateRulePdf.do?ruleVersionId=6820> .

Sincerely,

James Burack
Director
Marijuana Enforcement Division