



# Compliance Tip

March 14, 2017

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Topic: Failed Microbial Contaminant Testing for Retail Flower and Trim

Applicable Rules: R 1507 and R 1501

Tips:

- After a Retail Cultivation license receives a single failed microbial contaminant test for retail marijuana flower or trim, the licensee must either destroy all associated marijuana or send all associated marijuana to a licensed Retail Manufacturing Facility who conducts solvent-based extractions to be processed into a Solvent-Based Concentrate.
- If the Retail Cultivation sends all associated marijuana to be processed into a Solvent-Based Concentrate, the packages created in Metrc®; the state's inventory tracking system, will have a testing status of "Test Failed". Those packages can still be sent to a Retail Manufacturing Facility with the "Test Failed" status.
- The resulting production batch of remediated Solvent-Based Concentrate must be tested for both microbial contaminants and residual solvent contaminants, unless the receiving Retail Manufacturing Facility has validated its processes for residual solvent contaminant testing. If the receiving Retail Manufacturing Facility has validated its process for residual solvent contaminant testing, the resulting batch of remediated Solvent Based Concentrate is only required to be tested for microbial contaminants.
- Either the Retail Cultivation Facility license where the failed microbial bud and trim was grown or the Retail Manufacturing Facility where the remediated Solvent Based Concentrate was produced can submit the test sample from the production batch for required testing. No packages associated with that production batch can be transferred to other licenses until the Retail Cultivation or Retail Manufacturing facility has received passed microbial contaminant results and, when applicable, passed residual solvent contaminant results.
- The Retail Cultivation Facility must comply with the requirement to pay excise tax on the marijuana flower and bud transferred to a Retail Manufacturing Facility for remediation.

Licensees are responsible for ensuring they are compliant with applicable statute and rules. This Compliance Tip is not intended to be all inclusive and may not include all statutes and rules applicable to the Topic. Further, the Division is not able to provide you with legal advice. If you have any legal questions, please consult with an attorney.