

June 29, 2018

INDUSTRY-WIDE BULLETIN: 18-07

RE: MANDATORY PESTICIDE TESTING FOR MEDICAL AND RETAIL MARIJUANA FLOWER AND TRIM STARTING AUGUST 1, 2018

Dear Marijuana Industry Stakeholders:

Proficiency testing has been established for the testing of pesticides in the categories of flower and trim for all licensed Retail and Medical Marijuana Testing Facilities that are certified to test in this category. To view which Testing Facilities have been certified in pesticides 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 pesticides now established for flower and trim, and a determination that sufficient capacity exists with the certified Testing Facilities, the Marijuana Enforcement Division is implementing mandatory Medical Marijuana and Retail Marijuana pesticides testing beginning **Wednesday, August 1, 2018**. (Note: At this time Proficiency Testing and acceptable limits have not yet been established for testing of pesticides in Medical or Retail Marijuana *Concentrates*.)

On this date, all Medical Marijuana Optional Premises Cultivations and Retail Marijuana Cultivation Facilities are required to comply with MED Rules M 1501(C)(5) and/or R 1501(C)(6). Mandatory pesticide testing of Medical Marijuana flower and trim and Retail Marijuana flower and trim applies to all Harvest Batches created on or after August 1, 2018. Medical and Retail Marijuana that are part of Harvest Batches created prior to August 1, 2018 are not subject to pesticide testing requirements.

A licensee is permitted to begin mandatory pesticide testing of flower and trim prior to August 1, 2018 if they wish to begin working towards achieving process validation. The licensee must follow all requirements in MED Rules M 1501 (A-B) and/or R 1501 (A-B) if they choose to begin mandatory pesticide testing prior to August 1, 2018. The option to indicate in the inventory tracking system that a Test Batch is being submitted for Pesticide contaminant testing and should count toward achieving process validation will become available on July 1, 2018.

Please note in accordance with MED Rule M 1504 and R 1504 and the sampling procedures found in the Colorado Department of Public Health and Environment Reference Library (<https://www.colorado.gov/pacific/cdphe/marijuana-sampling-procedures>), the Sample amount submitted in a single Test Batch for Pesticide testing must total an amount sufficient to complete three analyses and must meet the minimum number of Samples outlined in MED Rule 1504 (B)(1). Please check with the individual Testing Facility to determine the amount they require to



conduct three analyses. In addition, please note that the failed test procedures for Pesticide contaminant testing found in MED Rule M 1507 (B.2) and R 1507 (B.2) are different than the failed test procedures for other contaminant and potency tests. Failed test procedures for Pesticide contaminant testing require the original Test Batch submitted to be subject to two additional analyses by the Testing Facility if the licensee requests a retest.

Mandatory Medical and Retail Marijuana pesticide testing is a matter of public health and safety and full compliance is expected starting **Wednesday, August 1, 2018**. Please review the M 1500 and R 1500 series of rules in 1 CCR 212-1 and 1 CCR 212-2 for all requirements related to Medical and Retail Marijuana pesticide testing. All currently effective Medical and Retail Marijuana rules can be accessed on the Colorado Secretary of State's website at:

Medical: <http://www.sos.state.co.us/CCR/GenerateRulePdf.do?ruleVersionId=7608>

Retail: <http://www.sos.state.co.us/CCR/GenerateRulePdf.do?ruleVersionId=7609>