

June 30, 2014

Industry-Wide Bulletin 14-06

RE: TIME SENSITIVE INFORMATION FROM THE MARIJUANA ENFORCEMENT DIVISION REGARDING IMPLEMENTATION OF MANDATORY TESTING

Dear Colorado Retail Marijuana Industry Members:

The Marijuana Enforcement Division (MED) is continuing to move forward with the implementation of required testing that began on May 1, 2014. Since that time, the MED has not required Retail Marijuana Product Manufacturers submit test batches for homogeneity testing that was originally scheduled to start on May 1, 2014 pursuant to MED Rule R 1503 D (2) & (3).

The MED will require that all Retail Marijuana Product Manufacturers begin no later than July 14, 2014 submitting an additional test batch from each production batch to a Retail Marijuana Testing Facility for the purposes of performing homogeneity testing. This will fully implement MED Rule R 1503 A, D & E and it is MED's expectation that effected licensees are in full compliance after July 14, 2014.

On June 1, 2014, Retail Marijuana Cultivation Facilities were required to begin potency testing of retail marijuana pursuant to MED Rule R 1503 B. This section is fully implemented and it is MED's expectation that all effected licensees are in full compliance.

Also, on June 1, 2014, Retail Marijuana Product Manufacturers were required to begin potency testing of Retail Marijuana Concentrate pursuant to MED Rule R 1503 C. This section is fully implemented and it is MED's expectation that all effected licensees are in full compliance.

The MED is continuing to monitor provisionally certified Retail Marijuana Testing Facilities and their respective testing capacities for both potency and contaminant testing so the roll out continues to be implemented in a thoughtful and controlled manner. In the abundance of caution, the MED is making some temporary adjustments to the MED Rules 1502 & 1504.

MED R 1502 B (3) allows the MED to require contaminant testing for beta testing purposes. The Division does not plan on requiring licensees to submit samples for beta testing purposes in the immediate future. Once the Division determines it will begin beta testing for contaminants, another Industry-Wide Bulletin will be released detailing how that testing process will occur, when licensees will need to submit test batches and how many. The MED considers MED Rule R 1502 A, B (2), D and E to be effective July 1, 2014.

The MED strongly encourages Retail Marijuana Establishments to submit samples to Retail Testing Facilities for the purposes of conducting contaminant testing. The MED, the Colorado Department of Health and Environment, Retail Marijuana Testing Facilities and several Retail Marijuana Establishments are continuing to research contaminant levels and monitor testing results for the purposes of adjusting allowable contaminant levels. In many cases, there is a strong likelihood that some of those levels may become more permissive. The Division intends

on publishing a revised contaminant level table at the same time it issues direction on beta testing via an Industry-Wide Bulletin.

The MED is postponing the requirement for Retail Marijuana Establishments to use Division approved samplers as detailed in MED Rule R 1504. The MED is continuing to explore the process for approving samplers and it is anticipated that this process will be in place by October 2014.

Implementation of the required testing regulations remains a top priority for MED, so I thank you in advance for your cooperation and full compliance.

Regards,

Lewis Koski
Director
Marijuana Enforcement Division