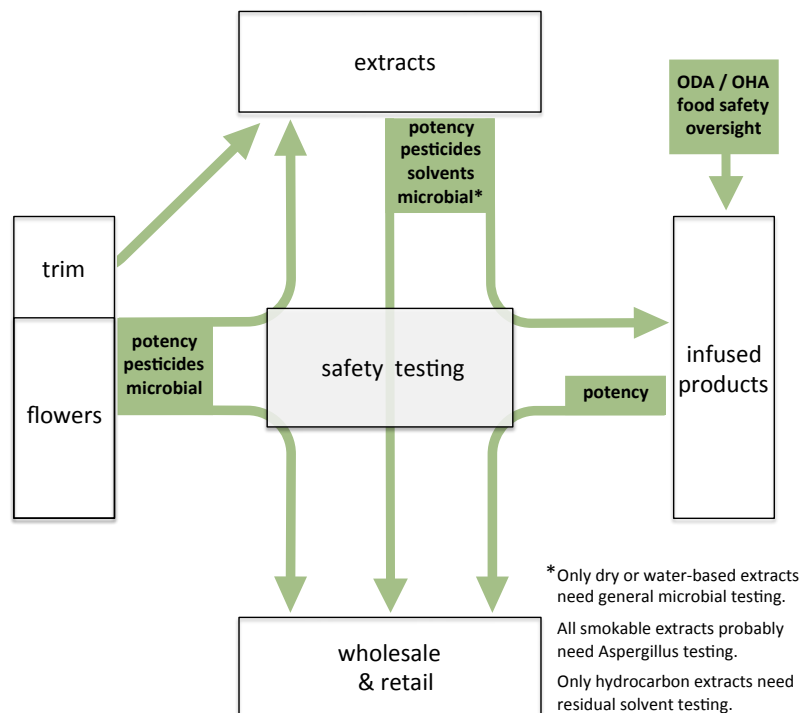


Section 1

There are 3 types of marijuana product:

- Leaves and flowers (these should be defined as “mature”, or “usable” rather than “dried”, because there are at least two commercial uses for non-dried leaves and flowers). Below, “usable marijuana” is used to apply only to mature marijuana and leaves, and “marijuana products” is used to apply to extracts and infused products.
- Marijuana extracts – of which, for safety testing purposes, there are two categories:
 - Hydrocarbon-based extracts (which do not need microbiology testing, but do need residual solvent testing)
 - Non-hydrocarbon-based extracts (which may need microbiology testing, but do not need residual solvent testing)
- Infused products– of which there are two categories:
 - Edibles (which need typical food industry oversight)
 - Topicals (which do not need food industry oversight, but in some cases may need chemical testing)

Products may be sold directly to consumers or to downstream processors. It would be simplifying to harmonize testing requirements regardless of the destination but this is not always reasonable.



Section 5.2 (c, d, e)

- Laboratories must be accredited by the OHA (ORELAP in particular) to the NELAC standard, with additions to this standard as determined necessary.
- A critical part of the lab accreditation process is Proficiency Testing. The OHA must be given the authority to develop and administer a Proficiency Testing program for Cannabis laboratories if adequate 3rd party Proficiency Testing programs are not available.

Section 6.1

All aspects of laboratory testing need a science-based rulemaking process, and should be under the authority of the OHA. At a minimum these rules must:

- Establish procedures for tracking usable marijuana and marijuana products.
- Establish procedures for documenting and reporting test results, and keeping them unequivocally associated with the batches they pertain to.
- Establishing procedures for defining batch sizes and sampling protocols appropriate to each type of usable marijuana or marijuana product.
- These procedures must include statistical sampling methods that ensure proper representation of heterogenous material.
- Establish procedures for disposing of samples of usable marijuana or marijuana products that have been tested or submitted for testing.
- Establish procedures for testing usable marijuana and all marijuana products for THC and CBD (“potency” is too vague – multiple active ingredients, but we can settle on these two for now).
- Establish procedures for testing usable marijuana for microbiological contamination, chemical contamination (pesticides, fungicides, plant-growth regulators), and other contaminants as found necessary to protect public health.
- Establish procedures for testing marijuana extracts made with hydrocarbon solvents for residual solvents, chemical contamination (pesticides, fungicides, plant-growth regulators), and other contaminants as found necessary to protect public health.
- Establish procedures for testing marijuana extracts made without hydrocarbon solvents for microbiological contaminants as necessary.
- Edible infused products should be regulated as normal food products are, with process-based oversight and inspections by the appropriate agency.
- Edible infused products, in addition, need to be tested for THC and CBD concentration, and tightly regulated regarding packaging, dosages, and test results. They do not need other testing.
- Topical infused products, need to be tested for THC and CBD concentration, and, in some cases, for residual solvent chemicals such as DMSO.

Another way to organize the testing requirements for each product type would be by test rather than by product:

- potency testing: all usable marijuana and marijuana products .
- microbiological testing: all usable marijuana and some extracts.
- chemical contaminants (pesticides, etc): all usable marijuana and all extracts.
- residual solvents: some extracts, some topicals.
- Other contaminants, if found necessary (ie, heavy metals): all usable marijuana and all extracts.