

§602. Mandatory testing

A licensee may not sell or distribute adult use marijuana or an adult use marijuana product to a consumer or to another licensee under this chapter unless the marijuana or marijuana product has been tested pursuant to this subchapter and the rules adopted pursuant to this subchapter and that mandatory testing has demonstrated that the marijuana or marijuana product does not exceed the maximum level of allowable contamination for any contaminant that is injurious to health and for which testing is required. [PL 2017, c. 409, Pt. A, §6 (NEW).]

1. Scope of mandatory testing. Mandatory testing of adult use marijuana and adult use marijuana products under this section must include, but is not limited to, testing for:

- A. Residual solvents, poisons and toxins; [PL 2017, c. 409, Pt. A, §6 (NEW).]
- B. Harmful chemicals; [PL 2017, c. 409, Pt. A, §6 (NEW).]
- C. Dangerous molds and mildew; [PL 2017, c. 409, Pt. A, §6 (NEW).]
- D. Harmful microbes, including, but not limited to, Escherichia coli and salmonella; [PL 2017, c. 409, Pt. A, §6 (NEW).]
- E. Pesticides, fungicides and insecticides; and [PL 2017, c. 409, Pt. A, §6 (NEW).]
- F. THC potency, homogeneity and cannabinoid profiles to ensure correct labeling. [PL 2017, c. 409, Pt. A, §6 (NEW).]

The department may temporarily waive mandatory testing requirements under this section for any contaminant or factor for which the department has determined that there exists no licensed testing facility in the State capable of and certified to perform such testing.

[PL 2017, c. 409, Pt. A, §6 (NEW).]

2. Record keeping. A licensee shall maintain a record of all mandatory testing that includes a description of the adult use marijuana or adult use marijuana product provided to the testing facility, the identity of the testing facility and the results of the mandatory test.

[PL 2017, c. 409, Pt. A, §6 (NEW).]

3. Testing process, protocols and standards. The department shall establish by rule processes, protocols and standards for mandatory and other testing of marijuana and marijuana products that conform with the best practices generally used within the marijuana industry.

[PL 2017, c. 409, Pt. A, §6 (NEW).]

SECTION HISTORY

PL 2017, c. 409, Pt. A, §6 (NEW).

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