

Summary of Proposed Cannabis Testing Changes

DRAFT
10/20/2021

OAR 333-007-0320 Compliance Testing Requirements for Marijuana or Usable Marijuana

(Italic = proposed additions/changes)

PRODUCT TYPE	TESTING REQUIREMENT
	If intended for sale from a retail shop or dispensary
Marijuana / Usable marijuana	<ul style="list-style-type: none"> • Pesticide • Water activity/moisture content • Adult use cannabinoid / CBD • Heavy metals • Mycotoxins • Micro (required, total yeast and mold and <i>Aspergillus flavus, fumigatus, niger and terreus</i>)

PRODUCT TYPE	TESTING REQUIREMENT
	If intended for further processing into a concentrate, extract, inhalable cannabinoid product or a producer making kief
Marijuana / Usable marijuana	<ul style="list-style-type: none"> • No required testing <p>NOTE: Pesticides testing not required, but if extract or concentrate fails for pesticides and usable marijuana was not tested for pesticides and passed, then the extract or concentrate must be destroyed. No remediation can take place. (OAR 333-007-0450(9)(d))</p>

Commented [FM1]: Example: moonrocks, pre-rolls that contain marijuana and an extract or concentrate, infused pre-rolls with non-marijuana terpenes/flavorings, blunts" that are wrapped in non-marijuana leaves, extracts infused with non-marijuana ingredients,

PRODUCT TYPE	TESTING REQUIREMENT
	If intended for further processing into a product
Marijuana / Usable marijuana	<ul style="list-style-type: none"> • Pesticides • Water activity/moisture content (unless processor uses sterilization method) • Micro (required, total yeast and mold and <i>Aspergillus flavus, fumigatus, niger and terreus</i>) • Heavy metals • Mycotoxins

Commented [FM2]: Examples: topical, edible, suppository, tincture

- A harvest lot consists of marijuana harvested within a 7-calendar day period.
- Increase batch sizes for marijuana and usable marijuana to 50 pounds for testing.
- Fails for mycotoxins and heavy metals in marijuana and usable marijuana cannot be remediated and must be destroyed.
- No R&D testing for mycotoxins and heavy metals on marijuana and usable marijuana.

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OAR 333-007-0330 Compliance Testing Requirements for Cannabinoid Concentrates and Extracts

(Italic = proposed additions/changes)

PRODUCT TYPE	TESTING REQUIREMENT
	If intended for sale from a retail shop or dispensary
Finished Extract / Concentrate (includes producer making kief)	<ul style="list-style-type: none"> • Pesticides • Solvents [exempt if meets requirements in 333-007-0330(3)] • Adult use cannabinoid / CBD • Micro (<i>required, total yeast and mold and Aspergillus flavus, fumigatus, niger and terreus</i>) • <i>Heavy metals</i> • <i>Mycotoxins</i>

PRODUCT TYPE	TESTING REQUIREMENT
	If intended for further processing into a <u>product</u>
Extract / Concentrate (includes producer making kief)	<ul style="list-style-type: none"> • Pesticides • Solvents [exempt if meets requirements in 333-007-0330(3)] • Micro (<i>required, total yeast and mold and Aspergillus flavus, fumigatus, niger and terreus</i>) • <i>Heavy metals</i> • <i>Mycotoxins</i>

Commented [FM3]: Examples: topical, edible, suppository, tincture. Does not include inhalable products like extracts infused with non-cannabis terpenes, moonrocks, infused pre-rolls, etc.

- If making a cannabinoid concentrate that is made my using food grade animal fat or food grade plant-based oil it will not need to tested if the marijuana or usable marijuana used was tested for and passed pesticide, heavy metals, mycotoxins and micro testing.
- All sampling and testing will be performed as currently required post control study. Meaning sample increments will be combined per [Table 7](#) into a primary and field duplicate sample to be tested for pesticides, solvents, heavy metals, mycotoxins, micro and potency (as required). Adjustments will be made to Table 7 as needed.
- Solvents will be tested in triplicate and reduce RPD to 10%
- No more controls studies
- Cap process lot at X pounds, X Kg
- No remediation for mycotoxins and heavy metals failures.
- No R&D testing for mycotoxins and heavy metals.

Commented [FM4]: Discuss with RAC

Commented [FM5]: Discuss with RAC if remediation of heavy metals is possible

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OAR 333-007-0340 Compliance Testing Requirements for Cannabinoid Products (Except inhalable cannabinoid products)

Commented [FM6]: Examples: topical, edible, suppository, tincture

PRODUCT TYPE	TESTING REQUIREMENT
	If intended for sale from a retail shop or dispensary
Finished Cannabinoid Product	<ul style="list-style-type: none"> • Adult use cannabinoid / CBD • Micro (if requested by OLCC or OHA)

- Sample a primary and field duplicate at a minimum
- Reduce RPD to 10%
- No more control studies

333-007-0XXX Compliance Testing Requirements for Finished Cannabinoid Inhalable Products

PRODUCT TYPE	TESTING REQUIREMENT
	Intended for sale from a retail shop or dispensary
Finished Inhalable Cannabinoid Product	<ul style="list-style-type: none"> • Pesticides • Solvents [exempt if meets requirements in 333-007-0330(3)] • Adult use cannabinoid / CBD • Heavy metals • Mycotoxins • Micro (required, total yeast and mold and <i>Aspergillus flavus, fumigatus, niger and terreus</i>)

Commented [FM7]: Product examples: infused pre-rolls with non-marijuana terpenes/flavorings, moonrocks/asteroids, twax, "blunts" that are wrapped in non-marijuana leaves, extract or concentrate blended with non-marijuana terpenes.

- Sampling will be based on weight and be similar to what is required for concentrates and extracts.
- No remediation for pesticides, mycotoxins, or heavy metals failures.
- No R&D testing for mycotoxins and heavy metals.
- No control studies.

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OAR 333-007-0342 Compliance Testing Requirements for Industrial Hemp-Derived Vapor Items

PRODUCT TYPE	TESTING REQUIREMENT
	Intended for sale from a retail shop or dispensary
Hemp-Derived Vapor Items	<ul style="list-style-type: none">• Pesticides• Solvents [exempt if meets requirements in 333-007-0330(3)]• Adult use cannabinoid / CBD• Heavy metals• Mycotoxins• Micro (required, total yeast and mold and <i>Aspergillus flavus, fumigatus, niger and terreus</i>)

- No R&D testing for mycotoxins and heavy metals.
- No remediation for pesticides, mycotoxins, or heavy metals.
- No control studies.