



December 28, 2016

INDUSTRY-WIDE BULLETIN: 16-16

RE: Random Testing Program

Over the next several days the Marijuana Enforcement Division (MED) will begin implementation of the random testing program in accordance with Colorado Revised Statutes 12-43.3-202 (2.5)(a)(I)(F) and 12-43.4-202 (3)(a)(IV)(F). This statute tasks the State Licensing Authority with the responsibility to, "...determine the protocols and frequency of marijuana testing by licensees." Further, MED Rule M 1502 (A) Medical Marijuana Testing Program- Mandatory Testing & MED Rule R 1502 (A) Retail Marijuana Testing Program- Mandatory Testing grant the MED the authority to require a license to submit a Test Batch of marijuana to a testing facility, "...at any time regardless of whether its process has been validated and without notice."

Beginning this week, MED will begin selection of licensed businesses and establishments for random testing sample collection, as well as the Harvest or Production Batch from which a Test Batch Sample will be collected. MED Staff will put the selected batch on hold in Metrc® and may be present at the business or establishment during sample collection. Once the sample is collected, the licensee is responsible for submitting the sample, via Metrc®, to a testing facility certified to conduct the type of test requested. The certification status of each MED Licensed Testing Facility can be found at <https://www.colorado.gov/pacific/enforcement/med-licensed-facilities>.

The licensee may not sell, wholesale, transfer or process marijuana from the Harvest Batch or Production Batch from which the Test Batch was taken, until a passing test result has been entered into the inventory tracking system by the licensed testing facility. Failure to comply with these rules may constitute a license violation affecting public safety.

For further details on the random testing program please refer to the MED Rules posted on the MED website at: <https://www.colorado.gov/pacific/enforcement/laws-constitution-statutes-and-regulations-marijuana-enforcement>

Thank you for your support and cooperation.

Regards,

Jim Burack
Director
Marijuana Enforcement Division