

4770.3035 AUDIT TESTING FOR PROHIBITED PESTICIDES AND COMPLIANCE.

A. The commissioner may require audit testing of plant materials, dried raw cannabis batch samples, or dried raw cannabis finished goods to ensure compliance with this chapter and any other applicable law, and to protect the public health and safety. The commissioner may either collect or require the manufacturer to submit up to five ten-gram samples per month for audit testing. The manufacturer must transport the audit sample or samples to a laboratory selected by the commissioner for testing.

B. The audit testing may test for:

- (1) pesticides and other crop inputs;
- (2) heavy metals;
- (3) microbiological contaminants and microtoxins;
- (4) solvents; and
- (5) adulterants, additives, or other contaminants that may pose a risk to public health and safety or that are prohibited by law.

C. A laboratory conducting audit testing under item A must report its findings to the commissioner in writing.

D. If an audit test finds the presence of a prohibited pesticide in a sample, the manufacturer must send another sample from the affected batch to a testing laboratory to conduct a quantitative analysis for the specific analytes indicated in the audit sample report.

E. Within 90 calendar days after the audit test report is complete, the manufacturer must retrieve from the laboratory the remaining sample material and waste containing medical cannabis. The manufacturer must transport the waste material either to the manufacturer's production facility where it must be quarantined before disposal or directly to a waste-to-energy disposal site.

F. The manufacturer must pay for all testing done under this part.

Statutory Authority: *MS s 14.389*

History: *46 SR 1011*

Published Electronically: *June 15, 2022*