1. Working group name:

*Labs Working Group*

1. Individual sponsor(s):

*Darryl Johnson- Ace Analytical*

*Shane Johnson- Silver State Trading*

*Alec Garcia- 374 Labs*

*David Grenz- Nevada Department of Agriculture*

*Ed Alexander- Common Sense Botanicals*

1. Describe the recommendation:
2. *Edible product approval and homogeneity testing within a production run*

*-Homogeneity testing within a single unit: conducted during state-mandated safety and potency testing*

*-Homogeneity testing within a production run: conducted during process validation and periodically verified*

* 1. *Currently approved by DPBH: Dept of Ag approval?*
  2. *Production Kitchen: SOP for edible manufacturing process: each different product*
  3. *Demonstrate process produces homogeneous product (homogeneity testing within a production run): allow specific requirements to be defined at a later time*
  4. *Periodic validation checks (maybe once or twice a year?)*
  5. *Changes in recipe, production run size, equipment, etc. would require a revalidation of the process and production run homogeneity testing*
  6. *Considerations:*
     1. *Production run size will differ*
     2. *Edible matrix will impact homogeneity*

1. *Define potency labeling: THCA vs. d9-THC*
   * 1. *Insufficient decarboxylation results in THCA presence*
     2. *THCA non-psychoactive*
     3. *THCA may have medicinal properties*
     4. *Edibles with high potency from THCA would be mislabeled in adult-use market*
2. *Homogeneity testing within a single unit*
   1. *1 unit will be collected from each lot for testing*
   2. *Duplicate analysis of separate portions of the edible*
   3. *Variation is the difference between ITL measured concentration and producer’s expected concentration*
   4. *Both replicates must be within acceptable range for intended package size: Average is reported for dosage*
      1. *Allow for 15% variation between the ITL results and the intended dosage*

*To give you an idea of the allowable ranges for a few edible concentrations:*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| *d9-THC* | *20% Variation* | *15% Variation* | *10% Variation* | *5% Variation* |
| *50 mg* | *40 - 60* | *42.5 - 57.5* | *45 - 55* | *47.5 - 52.5* |
| *100 mg* | *80 - 120* | *85 - 115* | *90 - 110* | *95 - 105* |
| *200 mg* | *160 - 240* | *170 - 230* | *180 - 220* | *190 - 210* |
| *300 mg* | *240 - 360* | *255 - 345* | *270 - 330* | *285 - 315* |
| *400 mg* | *320 - 480* | *340 - 460* | *360 - 440* | *380 - 420* |

1. Which guiding principle(s) does this recommendation support?

*Guiding Principle 1 – Promote the health, safety, and well-being of Nevada’s communities*

*Guiding Principle 2 - Be responsive to the needs and issues of consumers, non-consumers, local governments and the industry*

*Guiding Principle 6 - Establish regulations that are clear and practical, so that interactions between law enforcement, consumers, and licensees are predictable and understandable*

*Guiding Principle 7 - Take action that is faithful to the text of Question 2*

1. What provision(s) of Question 2 does this recommendation apply to?

*Sec 2 (c) – Cultivating, manufacturing, testing, transporting, and selling marijuana will be strictly controlled through state licensing and regulations*

*Section 2, subsection (g): Marijuana sold in the state will be tested and labeled*

*Section 3, subsection 15: “Marijuana testing facility” means an entity licensed to test marijuana and marijuana products, including for potency and contaminants*

*Sec 5 (f) – Requirements for the testing and labeling of marijuana and marijuana products sold by marijuana establishments including a numerical indication of potency based on the ration of THC to the weight of a product intended for oral consumption*

1. What issue(s) does the recommendation resolve?

*Establishes practical guidelines for standardization of edible cannabis product approval, testing, and reporting.*

1. Was there dissent in the group regarding this recommendation? If yes, please provide a summary of the dissenting opinion regarding the recommendation.

*No dissent*

1. What action(s) will be necessary to adopt the recommendation? Will statute, policy, regulations, etc. need to be addressed?

*Department of Taxation to adapt DPBH regulations and policy attached.*

1. Additional information (cost of implementation, priority according to the recommendations, etc.).

*The recommendation will add some testing cost to facilities that manufacturer edible cannabis products. Initial validation testing of a process will require homogeneity testing within a production run prior to an edible product being approved for sale. This validation testing for homogeneity will be less frequent once or twice per year. Following approval, homogeneity testing within a single unit will be required during state-mandated safety testing. This should not add cost since the unit/product is already undergoing potency testing.*