1. Working group name:

*Laboratory Working Group*

1. Individual sponsor(s):

*Lynn Hettrick-Nevada Department of Agriculture*

*Alec Garcia-374 Labs*

1. Describe the recommendation:

*Adapt the current NAC 453A for Batch Control and Sampling protocol, adding additional protocols to ensure the integrity of lots of marijuana for the marijuana programs to be administered by the Nevada Department of Taxation (NDOT). Provide the Nevada Department of Agriculture authority, on request of the Department (NDOT), to random sample quality assurance testing while creating protocol for such instances.*

*Sample size is going to require additional discussion.*

*Current sample size is 6-10 grams. The NDA microbiologist says that a meaningful test for the pathogens of concern requires a sample of 23-25 grams. When all the testing needs are accounted for, a sample needs to be about 40 grams.*

*A sample of 40 grams is a significant expense to the cultivator; however, a 40 gram sample is also a far better representation of the sampled lot and the likelihood of additional testing would be substantially reduced.*

*If the recommendation for labs to be ISO certified is adopted, the requirement will be for a minimum of two years of record retention. With or without ISO, records must be retained until the appropriate certifying organization conducts an audit.*

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

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

*Guiding Principle 4 -* *Propose efficient and effective regulation that is clear and reasonable and not unduly burdensome*

*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?

*Q2 requires testing for potency and contaminants (sec 3 (15)). Based on Q2, a consumer will believe that the products he/she is purchasing have been properly tested and labeled. Providing a test result from a sample that is too small to adequately characterize the tested lot betrays the consumer’s trust and creates a potential health hazard.*

*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*

*Section 5, subsection 1: Requirements for the testing and labeling of marijuana and marijuana products sold by marijuana establishments including a numerical indication of potency based on the ratio of THC to the weight of a product intended for oral consumption;*

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

*Establishes guidelines for the Nevada Department of Agriculture to establish the testing methodology, maintain a quality control and quality assurance program and inspection protocol used for the marijuana program administered by NDOT.*

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?

*Adaption of existing NAC 453A for medical marijuana to the marijuana program administered by the Nevada Department of Taxation.*

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

*None*