

Policy on Contamination Notification Requirement Revised – December 1, 2017

This document was issued originally by the Department of Public Health (DPH). As part of the transfer of the medical-use of marijuana program on or before December 31, 2018, the Commission adopted this document. We suggest that before you rely on the contents of this document, you check the applicable medical-use marijuana laws, which include M.G.L. 94I and 935 CMR 500.501, as they may provide or clarify the legal requirements related to this document. We also suggest that you periodically check for revisions to this document. Questions with regards to this document may be directed to CannabisCommission@Mass.gov.

Circular Letter: DHCQ 17-12-673

SUBJECT: Policy on Contamination
Notification Requirement

DATE: December 1, 2017

Pursuant to 105 CMR 725.105(C)(2)(d), a Registered Marijuana Dispensary (“RMD”) must undergo product testing by an independent laboratory that is:

1. Accredited to International Organization for Standardization (ISO) 17025 by a third-party accrediting body that is a signatory to the International Laboratory Accreditation Cooperation (ILAC) Mutual Recognition Arrangement; or
2. Certified, registered, or accredited by an organization approved by the Department.

In addition, pursuant to 105 CMR 725.105(C)(2)(c), an RMD must have an established policy for responding to laboratory results that indicate



contaminant levels are above acceptable limits established in DPH (2016) guidance¹. This includes notifying DPH within 72 hours of any laboratory testing results indicating that the contamination cannot be remediated and disposing of the production batch.

The notification must be from *both* the RMD and the independent testing laboratory, separately and directly. The notification from the RMD must describe a proposed plan of action for both the destruction of the contaminated product and the assessment of the source of contamination. All required information should be sent via email to mjtox@state.ma.us.

¹Massachusetts Department of Public Health (DPH). 2016. Protocol for Sampling and Analysis of Finished Medical Marijuana Products and Marijuana-Infused Products for Massachusetts Registered Medical Marijuana Dispensaries. February 5, 2016.
<https://www.mass.gov/files/documents/2016/11/pu/final-revised-mdph-mmj-mips-protocol.pdf>