Cannabis Control Commission
COMMONWEALTH OF MASSACHUSETTS

Bulletin – Industry Support to the Second Amended Quarantine Order

To: Licensees pursuant to 935 CMR 500.000 and 501.000
From: Shawn Collins, Executive Director
Date: September 28, 2020
Subject: Industry Support Bulletin to the Second Amended Quarantine Order

On August 3, 2020, the Cannabis Control Commission, through its Executive Director, issued a Second Amended Quarantine Order Applying to Vaporizer Products ("Second Amended Order") effective August 4, 2020 at 12:00 A.M. to all Marijuana Establishments and Medical Marijuana Treatment Centers (collectively, "Licensees").

Sections B.1–B.5. of the Second Amended Order provide four options for addressing quarantined product in the VQR 11-12 virtual room: (1) Voluntary disposal of vaporizer product; (2) Retesting of vaporizer product; (3) Reclaiming concentrate from vaporizer product to repurpose into other marijuana product, allowing a maximum of two remediation attempts; and (4) disposing of product that has failed two prior rounds of Commission-initiated testing and also fails further retesting after two remediation attempts.

Licensees may sell retested vaporizer products or reclaimed marijuana products with passing test results for heavy metals and Vitamin E Acetate. Products that fail testing for heavy metals after two attempted remediations of such product shall be deemed unable to be remediated and must be disposed. Further, all Licensees must notify the Commission of any vaporizer product test result exceeding acceptable limits for heavy metals.

This bulletin provides support to Licensees that seek to retest, remediate, or reclaim previously quarantined vaporizer products and effectively comply with the Second Amended Order and its directives. Outlined below are the instructions for processing quarantined products in the VQR-11-12 virtual room. To demonstrate compliance with the Second Amended Order, Licensees may continue to test and sell products in the VQR-11-12 virtual room that pass all required testing under the *Protocol for Sampling and Analysis of Finished Medical Marijuana Products and Marijuana-infused Products*.

Please reference Metrc Support Bulletin MA_IB_0030 posted on September 3, 2020 (the "Metrc Support Bulletin") for information on how to correctly recategorize quarantined reclaimed products.

Licensees must report all VQR products that failed for heavy metals within 72-hours of receiving a failure from the ITL. The COA and the package tag information from the failed VQR product should be sent to Inspections@CCCMass.com.

Metrc

1. Licensees intending on reclaiming, retesting, remediating, or selling quarantined vaporizer product should conduct an inventory of all product currently in the VQR-11-12 virtual room. The inventory should clearly identify which products are intended to be:

a. Reclaimed and reprocessed;
b. Retested;
c. Remediated; and
d. Product that is intended to be destroyed.

Licensees should reference the Metrc Support Bulletin for additional details on naming prefix.

2. Licensees will provide their inventory information to their assigned Investigator or Compliance Officer with the following additional information:

a. The original testing date;
b. The original package date; and
c. The original package batch number.

Testing

1. Licensees intending on reclaiming marijuana oil from quarantined vaporizer products to make new marijuana products shall notify and provide the respective Lead Investigator/Compliance Officer the following information:

a. Metrc ID of vape product being reclaimed;
b. Metrc ID of newly created topical product; and
c. Copy of full-panel (less pesticides) Certificate of Analysis ("COA") of newly created topical product.

2. If the newly created marijuana product fails any contaminant testing the Licensee shall notify and provide the respective Lead Investigator/Compliance Officer the following information:

a. Metrc ID of all products that failed for heavy metals;
b. Copy of failing COA;
c. Description of method of remediation or destruction; and
d. Passing COA upon remediation or proof of destruction (at a later date).

3. If, after two attempts at remediation, products do not pass testing for heavy metals, such products shall be deemed unable to be remediated and must be disposed of.

4. A full panel retest, excluding pesticides, is required when a product from the VQR 11-12 virtual room has been reclaimed or remediated.

> a. In order for any product from the VQR 11-12 virtual room to be sold, all contaminant screenings must have been performed within 1 year of the original test date. If not, then another screen, excluding pesticides, must be conducted.

4. If products from the VQR 11-12 virtual room fail any tests other than heavy metals, then Licensees should follow the *Protocol for Sampling and Analysis of Finished Medical Marijuana Products and Marijuana-infused Products*.

6. In accordance with Section B.10. of the Second Amended Order, Licensees with failing test results pertaining to any product in the VQR 11-12 virtual room must email the respective Lead Investigator/Compliance Officer with the following information:

a. Metrc ID of all products that failed for heavy metals;
b. Copy of failing COA;
c. Description of method of remediation or destruction; and
d. Passing COA upon remediation or proof of destruction (at a later date).

7. Licensees shall remain compliant with the labeling requirements specified in the Second Amended Order until all VQR inventory is either tested, reclaimed, sold or disposed.

8. Licensees that retest any product from the VQR 11-12 virtual room in accordance with Section B.3. of the Second Amended Order are limited to two remediation attempts. If, after two attempts at remediation, the retested product does not pass testing for heavy metals, then that product will be considered unable to be remediated and must be destroyed.

Questions regarding this bulletin may be directed to Laboratory and Testing Analyst Geneive Hall-Frison (Geneive.Hall-Frison@CCCMass.com).