



JANET T. MILLS
GOVERNOR

STATE OF MAINE
OFFICE OF MARIJUANA POLICY
162 STATE HOUSE STATION
19 UNION STREET
FIRST FLOOR
AUGUSTA, MAINE 04333-0162

ADMINISTRATIVE & FINANCIAL SERVICES

KIRSTEN LC FIGUEROA
COMMISSIONER

OFFICE OF MARIJUANA POLICY

ERIK GUNDERSEN
DIRECTOR

To: Current and Prospective Adult Use Marijuana Program Licensees
From: Director Erik Gundersen, Office of Marijuana Policy
Date: Wednesday, September 29, 2021
Subject: Reminder Regarding Mandatory Testing for Residual Solvents

This reminder is sent as a courtesy to all adult use licensees. Beginning this Friday, October 1, 2021, marijuana and marijuana products transferred from one licensee to another will be required to be tested for **residual solvents**, as applicable.

Testing for residual solvents is not mandatory for marijuana seedlings and immature marijuana plants for sale to consumers. Testing for residual solvents is not required for marijuana flower, trim, kief, hashish, or marijuana products that have not been manufactured using chemical solvents.

It is important to note that a products manufacturing facility that manufactures its own marijuana concentrate for use in marijuana products must test either the marijuana concentrate or the resulting marijuana product(s) for residual solvents prior to transferring the marijuana product(s) to a marijuana store. Whether the products manufacturing facility tests the batch of marijuana concentrate or the resulting batch(es) of marijuana product(s) for residual solvents is a business decision the licensee can make, but under no circumstances may a marijuana product created with solvent-extracted concentrate be transferred to a marijuana store until either the concentrate or the resulting marijuana product has been tested and shown to not contain residual solvents in excess of detection limits.

For instance: If a products manufacturing facility licensee makes a batch of marijuana concentrate, portions of which are used to make vape cartridges, brownies, and gummies, the licensee can determine whether to submit for mandatory residual solvent testing samples of the concentrate or samples from each of the resulting batches of products.

As of **October 1, 2021**, the seven required analyte categories will be:

1. Filth and foreign materials
2. Dangerous molds and mildews
3. Harmful microbes
4. THC potency, homogeneity and cannabinoid profiles
5. Water activity and moisture content
6. Other harmful chemicals (metals, including cadmium, lead, arsenic, and mercury)
7. **Residual solvents**

OMP reminds licensees that batches of marijuana or marijuana products that fail mandatory testing for residual solvents may be remediated in accordance with 18-691 C.M.R. ch. 5 and all applicable rules and guidance issued by our office.