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To: Current and Prospective Adult Use Product Manufacturing Facility and Marijuana Testing Facility Licensees

From: Director Erik Gundersen, Office of Marijuana Policy

Date: Thursday, July 29, 2021

Subject: Required Analyte Types for Mandatory Testing

Title 28-B, Subchapter 6 establishes the statutory guidelines for the testing of adult use marijuana and marijuana products in Maine. The Office of Marijuana Policy (OMP) has implemented testing-related administrative rules in [18-691 C.M.R. ch. 1](#) and [18-691 C.M.R. ch. 5](#). In addition, the Maine Legislature contemplated the importance and unique challenges of a marijuana testing program and provided OMP with discretion to assess the capability and capacity of the testing system when implementing mandatory testing.

With that in mind, OMP will be adding a seventh category of analytes for which testing will be mandatory. Beginning on **Friday, October 1, 2021**, marijuana and marijuana products to be transferred from one licensee to another, as applicable, will be subject to mandatory testing for **residual solvents**.

Note: 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.

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](#)¹. A remediated batch that previously failed a test due to exceeding the action levels for residual solvents must be retested for solvents. The batch must be destroyed when it is either not remediated or a sample from the remediated batch fails testing.

¹ Memorandum on Retesting and Remediation of Marijuana Items Subject to a Failed Test (rev. January 26, 2021)

Licensees are also reminded that they may, at any time, submit samples of marijuana or marijuana products for research and development purposes. Testing for research and development purposes may not be used to satisfy mandatory testing requirements but may provide helpful information to licensees regarding their cultivation and manufacturing processes.

Marijuana Testing Facilities with questions about mandatory testing may contact the office by phone at (207) 287-3282.