



COLORADO
Department of Revenue
Marijuana Enforcement Division

August 24, 2021

INDUSTRY-WIDE BULLETIN: 21-10
RE: Implementation of New Testing Rules

Dear Marijuana Industry Stakeholders:

This Industry-Wide Bulletin is intended to update Licensees on the implementation of new testing requirements found in the [Colorado Marijuana Rules, 1 CCR 212-3](#).

Water Activity Testing: Effective July 1, 2021, Rules 4-120(C)(1) and 4-115(D)(1), require Harvest Batches of Regulated Marijuana Flower, shake, kief, and trim to be submitted for water activity testing. “Wet whole plant” is exempt from water activity testing requirements.

Water activity testing is required for Harvest Batches created on or after July 1, 2021. These rules do not require Harvest Batches created prior to July 1, 2021 to undergo water activity testing.

Pesticides in Concentrate: Effective July 1, 2021, Rules 4-120(C)(4)(a) and 4-115(D)(5), require Production Batches of Regulated Marijuana Concentrate to be tested for pesticides. Pesticide testing is required for Production Batches of Regulated Marijuana Concentrate created on or after July 1, 2021. These rules do not require Production Batches created prior to July 1, 2021 to undergo pesticide testing.

Per Rule 4-135(D), following a failed test, retesting of Production Batches is performed on the original Test Batch submitted for pesticide testing. Test Batches submitted for pesticide testing must contain enough material to perform all other requested tests and two pesticide retests.

Metals Contaminant Testing of Vaporizer Delivery Devices: Per Rule 4-120(C)(5)(b), effective January 1, 2022, Vaporizer Delivery Devices, including Marijuana Concentrate sold in a cartridge or otherwise intended for use with a vaporizer device, must be tested for metals contamination via emissions testing. The MED, Colorado Department of Public Health and Environment (CDPHE), the [Science and Policy Work Group](#), and Regulated Marijuana Testing Facilities are gathering information on emissions testing methods, method performance, required equipment, and test batch throughput. The MED is aware that potential challenges have been identified with the effective implementation of this rule. The MED and CDPHE will continue to work collaboratively with stakeholders to evaluate available information and determine appropriate next steps.