Mississippi Medical CANNABIS Program

Testing Technical Bulletin 6

This Bulletin is intended to update all licensees on general compliance testing requirements for retesting, remediation, final form testing, and vape cartridge disassembly instructions. The requirements for failed test samples can be found in the Mississippi Medical Cannabis Program (MMCP) Regulations, Subpart 5. This bulletin is effective July 1, 2025, and supersedes any previous bulletins, guidance, and/or regulations.

General Compliance Testing Requirements

As stated in Subpart 5, Product Testing and Safety, Section 5.4 Testing Requirements and Standards, "The testing entity shall enter all test results into the seed-to-sale system (METRC) within three (3) business days of test completion".

To comply, testing facilities shall test compliance samples once (1 time) for all analytes and then report the results immediately into Metrc. Testing facilities shall not automatically reflex a repeat test on any analyte that is detected above any action level but are expected to report the original result into Metrc and on a Certificate of Analysis immediately after testing completion.

Product compliance retesting is only permitted per the reanalysis process, the confirmatory test process, or for remediated products as outlined in 5.5. Any origin license or testing license submitting retesting/reanalysis samples or results outside of this procedure may be subject to administrative actions.

Reanalysis Request

A cultivator or processor that receives a failed test result on a medical cannabis product may request a reanalysis of the sample by the same testing facility within three (3) days of receiving a failing Certificate of Analysis. The cultivator or processor must notify the testing facility in writing(email, fax, etc.) and the MMCP via email to MCLicensing@msdh.ms.gov that they are requesting reanalysis of the specific tag number. The requesting cultivator or processer is responsible for all costs involved in the reanalysis of the requested product.

The original testing facility shall use the remaining reserve product at the testing facility first for all reanalysis, which shall include the creation of a new testing aliquot/extraction. Testing facilities shall not retest the original aliquot/extraction but must create a new aliquot/extraction for all reanalysis. If there is not enough reserve product for reanalysis, a new sample must be collected prior to reanalysis. The new sample must be a representative sample pulled from the same batch and shall be gathered in accordance with these Rules. The reanalysis may be limited to testing for the category of analyte that has failed testing. For example, if a primary sample failed pesticide testing, testing of the reserve product sample may be limited to pesticide testing. All reanalysis testing results must be uploaded into METRC and the note section of the reanalyzed analytes-first test must be identified as reanalysis results. 0 values and a note indicating Not Tested or NT must be entered for any tests that were not performed.

- If the reanalysis results in **another fail**, all associated batches must be held for remediation or destruction as applicable for the failed analyte.
- If the reanalysis results in a **pass**, then a second testing facility must conduct confirmatory retesting. The second testing facility must resample and retest the product for all compliance tests to determine if the product is a pass or a fail.

A copy of the original result data and the reanalysis result data packages and COAs must be submitted to MMCP by the original testing facility within 3 days of testing completion via email to mclicensing@msdh.ms.gov.

Confirmatory Retesting
If a product had an initial failure and the subsequent reanalysis resulted in a pass, then a second testing facility must conduct confirmatory retesting. Within fourteen (14) days of receiving a passing reanalysis Certificate of Analysis, the cultivator or processor must notify both testing facilities in writing(email, fax, etc.) and the MMCP via email to MCLicensing@msdh.ms.gov that they are pursuing a confirmatory retest of the specific tag number. The cultivator or processor is responsible for all costs associated with reanalysis and retesting.

Confirmatory retesting must be collected by a second testing facility within 30 days from the date the reanalysis result is posted in METRC. The requesting cultivator or processor must order a full compliance test for the product at the second testing facility. The testing facility must verify the previous lab test results via the testing samples package information and must verify the previous reanalysis results prior to starting the confirmatory testing process. All retesting results must be uploaded into METRC for the product with a retesting note included

A copy of the retesting result data packages must be submitted to MMCP by the second testing facility within 3 days of testing completion via email to mclicensing@msdh.ms.gov.

- If the confirmatory test passes at the second testing facility, the second testing entity must alert the original testing facility. The original testing facility must verify the confirmatory tests results are entered in METRC via the testing samples package “lab results” information available via the original sample in METRC. Upon verification of passed confirmatory retesting, the second testing facility will upload a passing Certificate of Analysis and document a METRC “change note” that the product was reanalyzed twice by two laboratories and produced passing results. A METRC ticket must be submitted by the second testing facility to request that the package’s testing status be updated. Upon approval from MMCP, METRC support will reset the failed sample status in METRC to retest passed.
- If the confirmatory test fails at the second testing facility, the second testing entity must alert the original testing facility immediately of the failure. The original testing facility must verify the confirmatory tests results are entered in METRC via the

testing samples package information available via the original sample in METRC. Upon verification of failed confirmatory retesting, the second testing facility will release a failing Certificate of Analysis and document a METRC "change note" that the product was reanalyzed twice by two laboratories and produced failing results. A failed result means the item must be held for destruction or remediated in accordance with Chart 1 below.

Chart 1: Medical Cannabis Failed Testing Guide for Destruction or Remediation

Testing Category/Analyte	Required Action
Potency	• May be repackaged or remixed. After remediation, the product must be resampled and retested for all compliance tests. • May be destroyed.
Residual Solvents	• May be remediated. After remediation, the product must be resampled and retested for all compliance tests. • May be destroyed.
Total coliform	• May be remediated by facilities that have approved SOPS for Total Coliform remediation. After remediation, the product must be resampled and retested for all compliance tests. • May be destroyed.
Total Mold and Yeast	• May be remediated by facilities that have approved SOPS for TYM remediation. After remediation, the product must be resampled and retested for all compliance tests. • May be destroyed.
Water activity or moisture content	• May be remediated by additional drying or curing or used to make a concentrate or extract if the processing method. After remediation, the product must be resampled and retested for all compliance tests. • May be destroyed.
Aspergillus species	• May be remediated by being processed to make a concentrate or extract if the processing method effectively sterilizes the batch and retest or destroy EX: CO_2 extraction or solvent based extraction. After remediation, the product must be resampled and retested for all compliance tests.
Pesticides	**May not be remediated and must be destroyed.**
Heavy Metals	**May not be remediated and must be destroyed.**

Shiga toxin- producing *Escherichia coli*	**May not be remediated and must be destroyed.**
Salmonella spp.	**May not be remediated and must be destroyed.**
Mycotoxins: Aflatoxin B1, B2, G1, and G2 Ochratoxin A	**May not be remediated and must be destroyed.**

Remediation of Failed Product:

Cannabis products that fail mandatory testing must either be destroyed, processed to make a concentrate or remediated using an approved MSDH method based on the testing category/analyte as defined in the chart 1 above. **Remediated products must be resampled and pass all compliance tests required by Subpart 5, Product Testing and Safety, Section 5.**

Licensees are allowed to remediate any particular cannabis product only twice, after which the product must be destroyed or, if flower, processed to make a concentrate.

Please note that any cannabis product that fails testing for any of the following **is not eligible** for remediations: heavy metals, pesticides, shiga toxin- producing *Escherichia coli, Salmonella species* and Mycotoxins.

A METRC ticket must be submitted to request that the testing status be updated. Upon approval from MMCP, METRC support will reset the failed sample status in METRC to test passed or retest passed.

Final Product Testing Reminders:

As required in Administrative Rule, Title 15, Part 22, Section 5.3 Sample Size, Handling, Storage and Disposal, "Cannabis products shall be sampled and tested in final form". Testing cannabis in final packaging is intended to improve the accuracy of the information reported on a Certificate of Analysis (COA) by testing the product in the packaged form it will be received by the consumer and after ingredients have been added. Testing cannabis in the final form and inside of its final packaging provides laboratory testing results that are the most representative of what an individual will consume, and it also reduces risks associated with:

- Contamination, adulteration, degradation or mix-up during the packaging process.
- Harmful interactions between the packaging and the cannabis in final form, such as heavy metal leaching from vape cartridges.
- Additional manufacturing occurring after COA testing that may change the constitution or otherwise alter a batch; and
- Reporting errors between cultivators/processors and the testing facilities.

The MSDH views the final packaging as the inner-most layer of packaging that directly

touches the product and preserves its integrity. If the licensee chooses to utilize an inner package and outer package in combination to meet the requirements, the cannabis does not need to be placed in the outer packaging until the licensee receives a passing COA for the batch. While waiting for the COA to be issued after collecting the representative sample, the remainder of the batch must be stored in a manner to prevent degradation, adulteration, contamination or mix-up until such time that the additional packaging can be applied.

All harvest and process lots of cannabis product must pass mandatory testing before they may be sold for use by a patient or consumer. Mandatory testing is to be performed on the final cannabis product equivalent to what will be dispensed. Where cannabis will be sold in a method of administration, the cannabis product must be sampled after it has been processed into its method of administration. All cannabis products shall be sampled in bulk after all processing of the harvest lot or process lot is complete. Partially produced batches may not be tested prior to the completion of the full production batch as this prevents the testing facility from obtaining a representative sample. Method of administration means the tool(s) used to administer marijuana, such as vape cartridges and pre-rolls.

> Example: Oil in vape cartridges is considered to be in final packaging for the purpose of submitting for COA testing. The full production batch of vape cartridges must be made prior to collection of testing sample. The vape cartridge does not need to be placed in an exterior package that will only be used for labeling purposes. Vape cartridges should be stored in a light-resistant, labeled bin while awaiting testing.

The MSDH also views final form as a cannabis product that is intended for human use and includes all ingredients, whether or not the ingredients contain cannabinoids.

Requirements for Inhalable Product Testing:

Licensees must comply with the below requirements for inhalable cannabis product testing:

1. Inhalable cannabis products must be submitted for testing in the apparatus the oil is intended for to be readily consumable (i.e., vape cartridge, vape pen, syringe, etc.).
2. Licensees must provide manufacturer instructions on how to disassemble all inhalable cannabis products to a testing facility at the time testing is ordered.
3. Testing facilities must not test products for which manufacturer disassembly instructions for the apparatus are not provided.
4. Testing facilities must follow the manufacturer's disassembly instructions as provided.
5. Testing facilities maintain manufacturer instructions on how to disassemble each vape cartridge tested on-site for up to five years after testing is completed.
6. Licensees must maintain manufacturer information and disassembly instructions for up the five years after a product has been produced.