Technical Bulletin:

Compliance Testing, Research & Development (R&D) Testing, And Remediation Requirements

MISSISSIPPI MEDICAL CANNABIS PROGRAM

This technical bulletin provides clarification for when research and development (R&D) testing is permitted in accordance with the administrative rules.

The intent of R & D testing is to assist medical cannabis licensees with the creation of new or improved products and processes. It is NOT meant to be used to bypass required compliance testing and/or the retesting and remediation rules. The MSDH defines R&D testing as optional testing that is performed and reported BEFORE final compliance testing is started. The only exception is that terpene R&D testing may be ordered at the same time as compliance testing.

Licensees and testing facilities are expected to comply with the below requirements to avoid punitive action.

I. Research and Development Testing Requirements:

1. All research and development testing must be entered into the seed-to-sale system (Metrc).
2. The licensee will select R&D testing as the testing type in Metrc at the time of the sampling. There are no minimum sample requirements for R&D test samples.
3. Research and development testing is only permitted BEFORE compliance testing for all analytes except Terpenes, which is always ordered as a R&D test.
4. All research and development testing must be fully completed and reported by the testing facility BEFORE the final compliance testing can be ordered by the licensee.
5. Research and development testing shall not replace MSDH's required safety compliance testing.
6. The sampling status in Metrc will remain "testing in progress" until final compliance testing is performed, at which point the sample status will update accordingly.

II. Compliance Testing Requirements:

1. Producers or processors are the only facilities that can only order compliance testing. Testing facilities are not permitted to order compliance testing except in the case where they are needing to do sub-contract testing.
2. To meet testing requirements, physical sampling from a batch must be done by the employee of an MSDH-approved testing facility. The physical material sampled must then be reflected in the inventory of the licensee who currently holds the source being sampled from as well as on the testing facilities chain of custody. Sampling can only occur at the cultivation facility or the processor's premises.
3. Only testing facilities have access to enter test results into Metrc. Test results should be entered into Metrc only once per sample.

4. A testing facility must enter compliance test results into the seed-to-sale system within 3 business days of test completion.
5. A testing facility must denote the amount of sample retained as a reserve sample in Metrc as required in Subchapter 11, Post Testing Sample Requirements, and should adjust the sample down for the amount used during analysis for waste to reflect the remaining weight for the sample.
6. When a testing facility has finished retaining the reserve sample, the sample package must be adjusted down to zero in Metrc once the sample has been physically destroyed.

III. Sampling from Multiple Container Batches

1. When a testing facility comes out to collect a sample from a source batch and the source batch has one Metrc tag for the batch, but is physically split into multiple containers, the following is expected to ensure quality sampling and testing:
    a. Any containers associated with that source batch should have a label on it containing:
        i. The last 4 digits of the Metrc Tag from the source batch
        ii. Total quantity or weight of the source batch (from all containers)
        iii. The number of the container formatted as # of #.
    b. The testing facility will need to take a picture of the complete source batch as this assists them in visualizing that the total source batch is present at the time of sampling.

IV. Labeling Products for Transfer

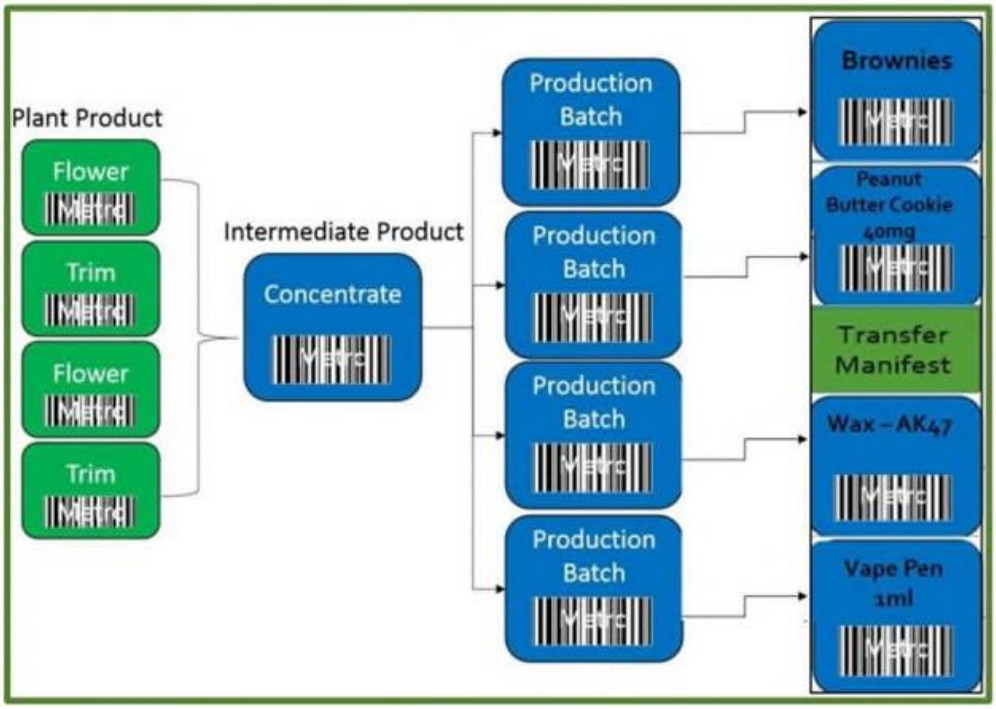
1. All products transferred between licensees must be traceable in Metrc. Product traceability requires correct product labeling throughout the product's life cycle.
2. Products require "package tags". The first tag being associated with the plant product source package (i.e. bud/flower, shake/trim).
3. Every new item/product category created from the source must link back to the source package tag AND must have a unique production batch created. See example and diagram below.
4. New item/product categories and the associated production batches should not be created until the yield/weight of the source package is known.
5. Each new production batch must include the intended potency and production date in the item/product name.

    Example:

    A 10 pack of 10 mg pineapple gummies could be named Pineapple gummy, 10pk (100mg per pack), production date 07/03/2023

Figure 1: Product creation from plant product to final form product

Every item (brownie, cookie, vape, wax) created in the image below requires a new package/transfer tag, which will carry the source package in its history, ensuring accurate product tracking throughout the supply chain.



As shown above, to create an intermediate product, like a concentrate, processors will pull from a source package or source packages of plant product to create a new package associated with the concentrate. This new package (concentrate) will have a new product tag and production batch. Refer to Metrc Support Bulletin MS_IB_04.

If additional items/products (i.e. infused edibles, such as the brownies, cookies, wax and vape pen shown in the diagram) are made, each new item/product will have a new package tag and production batch.

If these production batches are final products, packages will be created from them for transfer to the laboratory for compliance testing. Every final form production batch must be tested (i.e. brownies, cookies, wax and vape pen shown in the diagram).

If all products meet the compliance requirements (pass) for testing, retail packages will be made from the production batch for the sale and distribution of the compliant product. For a product to be compliant, it must have passing test results attached in Metrc that is traceable back to the source package and any intermediate product.

V. Infused Edibles THC Potency Reporting Change

1. Metrc has been updated to require laboratories to report the following for infused edibles:
    a. Unit THC percent;
    b. Unit THC content;
    c. Unit THC content Dose.
2. Laboratories must continue to provide THC concentration results in mg/g but will also need to identify THC potency per serving/dose. s.