



# TECHNICAL BULLETIN

March 21, 2022  
Supersedes March 7, 2022

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## Approval for Remediation Transfers

The intent of this technical bulletin is to provide clarification on the approval processes for the transfer of failed marijuana for remediation and the transfer of failed marijuana between equivalent licenses.

### Protocol to Obtain Approval for Remediations

#### Rule 6 in the Sampling and Testing Rule Set - R 420.306

- (1) A laboratory may test marijuana product that has failed initial safety testing.
- (2) A failed marijuana product must pass 2 separate tests with new samples consecutively to be eligible to proceed to sale or transfer.
- (3) Products that failed testing for *Aspergillus* may be remediated after subsequent testing for mycotoxins in accordance with R 420.305(3)(h).
- (4) The agency may publish a remediation protocol including, but not limited to, the sale or transfer of marijuana product after a failed safety test as provided in these rules.
- (5) The marijuana business that provided the sample is responsible for all costs involved in a retest.

When marijuana product fails testing, a licensee has three options for the failed marijuana product.

#### Option 1 – Retest

- For the batch to be eligible to be removed from quarantine and proceed to sale or transfer, the failed product must pass two separate retests.
- Failed product can be retested until passing results are obtained.

#### Option 2 – Remediate

- Failed marijuana product may be remediated unless otherwise prohibited by the CRA.
- Remediated product must pass two consecutive retests to confirm that contaminants have been appropriately remediated and are not present in concentrations or levels exceeding the CRA action limit.
- After flower (buds and shake/trim) is remediated, it must be retested for

More information on the CRA can be found at the agency's [website](#).



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- potency.
- After extracted product is remediated, it must be retested for residual solvents.
- All products that are remediated must be marked as remediated in the Metrc system.
- Failed product can be remediated/retested until passing results are obtained.

### Option 3 – Destruction

- Destruction must be done in compliance with the administrative rules. See R420.211, Marijuana product destruction and waste management for specifics.

### Standard Remediation Protocol

All remediation requests must be submitted to the CRA for approval. To request approval to remediate eligible marijuana products, a licensee must do the following:

1. Email [CRA-Compliance@michigan.gov](mailto:CRA-Compliance@michigan.gov) with the subject line “Request for Remediation”, including a spreadsheet which includes the information below:
  - License number and name of submitting facility
  - License number and name of receiving facility
  - Metrc package tag number
  - Product testing status and test failure information for all failures (example package XYZ failed for Total Coliforms 20,000 CFU/g)
  - Remediation method
  - Total quantity for each package with a sum of the total quantity from all packages.
2. Wait to receive CRA approval. A licensee is not authorized to remediate product without CRA approval. The licensee will receive approval notification from the CRA via email within 72 business hours from the time the request is received by the CRA.
3. Once approved, the licensee is authorized to transfer the failed product for remediation. The approval will allow the licensee to send product in a “Test Failed/Retest Failed” status. If the status is “TestingInProgress” due to R&D testing, the licensee may request a status update by contacting Metrc support ([Support@Metrc.com](mailto:Support@Metrc.com)).

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## **Remediation Transfer Protocol for Marijuana Flower from Medical to Adult-Use**

A licensee who holds equivalent licenses can remediate marijuana flower that failed total yeast and mold testing under the medical license by transferring it to an equivalent adult-use license following the instructions below.

Please note that licensees are prohibited from including caregiver produced product in equivalent license transfers. To use an equivalent license transfer to remediate marijuana flower meant for medical use, a licensee must do the following:

1. Determine if the marijuana flower submitted for testing under the medical license resulted in a failure for total yeast and mold (>10,000 CFU/g). If yes, up to 50% of the package is eligible for transfer to the adult-use license if both of the following conditions are met:
  - The transfer is an equivalent license transfer from the medical grower to the adult-use grower or from the medical processor to the adult-use processor.
  - The licensee obtains written approval from the CRA for the transfer.
2. To request an equivalent license transfer, email [CRA-compliance@michigan.gov](mailto:CRA-compliance@michigan.gov) with the subject line "Request to transfer product to equivalent license". The email must include the completed transfer form found below. For additional information on equivalent license transfers, please refer to this [bulletin](#).

### [Blank MED to AU Transfer Request Form](#)

3. Wait to receive CRA approval. A licensee is not authorized to perform equivalent license transfers without CRA approval. The licensee will receive approval notification from the CRA via email within 72 business hours from the time the request is received by the CRA.
4. Once approved, the licensee is authorized to complete the equivalent license transfer. After the transfer is complete, the licensee has the following options:
  - If the marijuana flower test results obtained within the medical market are less than 100,000 CFU/g, no additional remediation or retesting is required. However, the licensee must request (using standard remediation protocol provided earlier in this bulletin) to have the test results changed from fail to pass in Metrc

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- If the marijuana flower test results obtained within the medical market are greater than 100,000 CFU/g, the licensee must follow the standard remediation protocol provided earlier in this bulletin to have the marijuana remediated.

Questions can be sent to the Cannabis Regulatory Agency Operations Support Section via email at [CRA-Compliance@michigan.gov](mailto:CRA-Compliance@michigan.gov).

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