



# TECHNICAL BULLETIN

August 17, 2020  
Supersedes July 1, 2020

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## Retesting Guidance

The Marijuana Regulatory Agency (MRA) is publishing guidance for retesting packages that failed compliance testing prior to June 22, 2020. This bulletin is being published to establish and clarify guidance on the process of retesting in compliance with the rule below.

### Rule 6 in the Sampling and Testing Rule Set – R 420.306(1-4)

- (1) A laboratory may test marijuana product that has failed initial safety testing, except as indicated under subrule (3) of this rule.
- (2) A failed marijuana product must pass 2 separate tests with new samples consecutively to be eligible to proceed to sale or transfer.
- (3) 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.
- (4) The marijuana business that provided the sample is responsible for all costs involved in a retest.

The following tests have been removed from the MRA requirements: bile-tolerant gram-negative bacteria (BTGN), total aerobic bacteria (TAC), and moisture content. As a result of these changes, licensees are not required to retest products which failed these tests, however, licensees must follow the instructions in this bulletin to bring the package out of quarantine and into the remediation workflow.

- Packages which failed compliance testing prior to March 22, 2020, to be brought out of quarantine, must pass full compliance testing adhering to the current [published action limits](#).
- Additionally, after full compliance testing, the package will require a single passing retest for the failed analyte(s) in accordance with the rule above.
- If the package does not pass full compliance testing, it will need to be retested and/or remediated in accordance with the rules.
- For specific requirements for retesting product that failed full compliance testing **between the dates of March 22-May 21, 2020**, please see Table 1. below.
- For specific requirements for retesting product that failed full compliance testing **between the dates of May 22-June 21, 2020**, please see Table 2. below.
- For compliance testing failures which occurred after June 22, 2020 please follow the published guidance in the [Marihuana Sampling and Testing - Approval Process for Non-Traditional Transfers](#) bulletin starting on page 1.

*This technical bulletin does not constitute legal advice and is subject to change. It is intended to provide a technical clarification only to the Marijuana Regulatory Agency's Administrative Rules. Licensees are encouraged to seek legal counsel to ensure their operations comply with the Administrative Rules.*

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



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- All remediation requests must comply with the approval process outlined in this [bulletin](#).

**Table 1.** *Guidance for products that failed compliance testing for any analyte between March 22 and May 21, 2020.*

<b>Product Type</b>	<b>Product failed compliance testing for any analyte between: Mar 22 – May 21, 2020</b>
Flower, Kief/Shake/Trim	Requires 2 passing re-tests for failed analyte + Potency + Microbials
Concentrate (non-solvent)	Requires 2 passing re-tests for failed analyte + Potency + Microbials. If solvents were used in remediation it would also require RSA
Concentrate (solvent based)	Require 2 passing re-tests for failed analyte + Potency + chemical residue. If additional solvents were used in remediation it would also require RSA
Vape carts	Require 2 passing re-tests for failed analyte + Potency + Chemical Residue + Vitamin E + heavy metals. If solvents were used in remediation it would also require RSA
Infused Edible Products and infused products not intended for ingestion	Requires 2 passing re-tests for failed analyte + Potency + Microbials

**Table 2.** *Guidance for products that failed compliance testing for any analyte between May 22 and June 21, 2020.*

<b>Product Type</b>	<b>Product failed compliance testing for any analyte between: May 22-June 21, 2020</b>
Flower, Kief/Shake/Trim	Requires 2 passing re-tests for failed analyte + Potency
Concentrate (non-solvent)	Requires 2 passing re-tests for failed analyte + Potency. If solvents were used in remediation it would also require RSA
Concentrate (solvent based)	Requires 2 passing re-tests for failed analyte + Potency. If solvents were used in remediation it would also require RSA
Vape carts	Requires 2 passing re-tests for failed analyte + Potency + Vitamin E + heavy metals. If solvents were used in remediation it would also require RSA

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Infused Edible Products and infused products not intended for ingestion	Requires 2 passing re-tests for failed analyte + Potency + full microbials
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Additional questions should be sent to [MRA-SCF@michigan.gov](mailto:MRA-SCF@michigan.gov).

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