



Testing Laboratory Requirements – Notice to the Cannabis Industry

The New Jersey Cannabis Regulatory Commission (“Commission”) hereby provides notice to all licensed cannabis businesses that the Commission has certified a sufficient number of testing laboratories have been licensed pursuant to N.J.A.C. 17:30-19.8(a). As a result of this certification, the requirements at N.J.A.C. 17:30-19.2 through 19.7 are now in effect.

The following regulatory sections are now operative and must be followed by all licensed cannabis businesses and testing laboratories:

- Pursuant to N.J.A.C. 17:30-19.2, each batch of usable cannabis and each lot of cannabis products manufactured shall be tested. The testing laboratory will sample and test usable cannabis and/or cannabis product prior to final packaging. The testing laboratory will then release a written report confirming whether or not the representative sample meets specifications.
- Pursuant to N.J.A.C. 17:30-19.3, the testing laboratory shall sample cannabis in its final usable/processed form. Sample collection must be a representative and based on a statistically valid sampling method which includes both initial samples and retention samples. Samples must be collected from all of the container(s) in the batch or lot. The representative initial sample of usable cannabis shall be 0.5 percent of the final batch.
- Pursuant to N.J.A.C. 17:30-19.4, samples shall be analyzed and for any sample that does not meet the specification, the Commission must be notified. Remediation must follow pursuant to N.J.S.A. 24:6I-35a(13)(c).
- Pursuant to N.J.A.C. 17:30-19.5, retention sample must be stored by a cannabis business under conditions consistent with the storage conditions recommended on the product label or under ordinary storage conditions. At the six-and-12-month interval, the cannabis business shall provide the testing laboratory with a portion of the retention sample for stability testing. The stability testing ensures product potency and purity, microbial contamination, and water activity. For vaporized formulations in an electronic smoking device, heavy metals testing is required.
- Pursuant to N.J.A.C. 17:30-19.6, the testing laboratory must provide a written report detailing the results of all testing for each sample to the cannabis business, consumer and commission. The report must include all pertinent information including but not limited to the analytical methods and instrumentation used for the test, the dates of sample analysis and corresponding testing results, sample batch or lot number, the form of the product, the name, address and license of the cannabis



business and testing laboratory. All results of analysis should be validated for accuracy of information contained in written report by the supervisor at the testing laboratory.

- Pursuant to N.J.A.C. 17:30-19.7, the testing laboratory must maintain proper recordkeeping documentation.

The above are summaries of each section; however, the sections need to be followed in their entirety. Failure to follow the requirements set forth in N.J.A.C. 17:30, will result in a Notice of Violation which may result in a monetary fine.

Additionally, please be advised that all licensed cannabis testing laboratories must currently implement and maintain the Maryland Technical Authority for cannabis testing, Revision 3.0 (December 15, 2020) as the governing framework for all cannabis testing performed in New Jersey. Testing Laboratories must adhere to the Maryland Technical Authority for Cannabis Testing for all testing requirements, standards, methods and action limits. Failure to follow the requirements under the Maryland Technical Authority for cannabis testing will result in a Notice of Violation which may result in a monetary fine. In instances where N.J.A.C. 17:30 and the Maryland testing guidance are not aligned, N.J.A.C. 17:30 is to be followed.