Cannabis Control Commission

STATE OF RHODE ISLAND

Draft Quality Assurance Testing Regulations

Presentation by: CCC
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Statutory Authority

Cannabis Act § 21-28.11-5. Powers and duties of the commission.

(b) The commission shall, pursuant to subsection (a) of this section, adopt rules and regulations consistent with this chapter for the administration, clarification and enforcement of provisions regulating and licensing cannabis establishments and the sale, possession and use of cannabis. The rules and regulations shall include, but not be limited to:

(27) The testing and safety of cannabis and cannabis products, including but not limited to, regulations promulgated by the commission in consultation with the department of health, as applicable which:

(ii) Set forth procedures that require random sample testing to ensure quality control, including, but not limited to, ensuring that cannabis and cannabis products are accurately labeled for tetrahydrocannabinol (THC) content and any other product profile;

(vi) Allow for the establishment of other quality assurance mechanisms which may include but not be limited to, the designation or creation of a reference laboratory, creation of a secret shopper program, round robin testing, or any other mechanism to ensure the accuracy of product testing and labeling

Quality Assurance Testing at a Glance

- Primary Goal: Support patient and consumer safety through verification of results for recently tested cannabis and cannabis products

- Relies on quarterly random testing of retail-ready products on sale at Compassion Centers/Retailers as well as products of interest on an as-needed basis

- Anonymized samples provided to each licensed testing laboratory

The Need for Laboratory Oversight

- Unique position of licensed testing laboratories
  - Essential public health function
  - For-profit businesses
- Could create an incentive structure to provide inaccurate testing results
- Nationally documented issues relating to integrity of testing results

Current Laboratory Oversight Framework

- Authority split between RIDOH and DBR
  - RIDOH focuses on testing processes
  - DBR focuses on inventory
- Requirement for testing methods to conform with industry standards
- Round Robin Testing Program

Current Gaps in Oversight Ability

- While methods must be approved, there remains opportunity for manipulation of testing data

- Round Robin Testing focuses on products that have not yet gone through mandated compliance testing

Laboratory Oversight Nationally

- Systemic problems with labs nationwide, along with newness of many markets have created a shortage of “best practices”
- Some adopt more stringent methods requirements (CA & MA) or ISO Certification (MO & NY)
- Need remains to ensure the integrity of data being presented

Highlights of Quality Assurance Program

- Exists in place of a state-run reference laboratory by utilizing existing testing laboratories
- Re-testing allows comparison between results when the batch was and was not under specific scrutiny and across labs
- Mandates quarterly random testing in addition to product-specific testing for cause and maintains flexibility in analytes tested

Highlights of Quality Assurance Program

- Licensees provided notice of sample collection but not which products will be sampled
- Anonymization and homogenization of samples reduces potential for labs attempting to “match” new and previous results while supporting consistency across samples
- Costs of products and testing to be borne by licensees.
  - Sample collection limited to once per Compassion Center/Retailer per calendar year and quantity limited to what is necessary to conduct four (4) rounds of testing (Once per lab and one sample held in reserve)
- Inconsistent results could lead to administrative action and/or mandatory recalls of potentially contaminated products

Questions?