

INDUSTRIAL HEMP GROWERS ACT (EXCERPT)
Act 220 of 2020

333.29403 Regulatory testing facility or compliance monitoring testing facility; requirements; duties; report.

Sec. 403. (1) A regulatory testing facility that performs total delta-9-THC testing must do all of the following:

(a) Adopt a laboratory quality assurance program that ensures the validity and reliability of the total delta-9-THC test results.

(b) Adopt an analytical method selection, validation, and verification procedure that ensures that the total delta-9-THC testing method is appropriate.

(c) Demonstrate that the total delta-9-THC testing ensures consistent and accurate analytical performance.

(d) Adopt method performance selection specifications that ensure that the total delta-9-THC testing methods are sufficient to detect the total delta-9-THC as required under this act.

(e) Report the measurement of uncertainty on the certified report of the total delta-9-THC test.

(f) Adopt a total delta-9-THC testing method that includes a postdecarboxylation test or other similar method.

(2) A compliance monitoring testing facility or regulatory testing facility that performs total delta-9-THC testing shall do both of the following:

(a) Ensure that an official hemp sample or unofficial hemp sample is not commingled with any other official hemp sample or unofficial hemp sample.

(b) Assign a sample identification number to each official hemp sample or unofficial hemp sample.

(3) A regulatory testing facility or compliance monitoring testing facility shall report all of the following information to the grower for each test performed:

(a) The grower's full name and mailing address.

(b) The grower's registration number.

(c) Each sample identification number assigned under subsection (1)(h).

(d) The testing facility's name and DEA registration number, if applicable.

(e) The date the total delta-9-THC testing was completed.

(f) The total delta-9-THC.

(4) The requirement for regulatory testing facilities and compliance monitoring testing facilities to be registered with the DEA is effective on December 31, 2022.

History: 2020, Act 220, Imd. Eff. Oct. 16, 2020;—Am. 2021, Act 4, Imd. Eff. Mar. 24, 2021.

Compiler's note: In subsection (3)(c), the reference to "subsection (1)(h)" evidently should read "subsection (2)(b)".