

# Florida's Medical Marijuana Testing

## Prior to Amendment 2 and Senate Bill 8-A:

1. No independent laboratory testing was required, only self-regulation
2. No safe acceptable standards or thresholds were required or created
3. Few packaging or labeling requirements existed for products

## Since Senate Bill 8-A passed it requires:

1. Independent laboratory testing standards are to be created
2. Licensing of Independent Laboratories is required
3. Packaging and labeling requirements required

## What can be done to not let testing rules deny patients access?

1. SB 8-A already states an MMTC can use an unlicensed lab until July 2018
2. A grace period should be given until MMTC's standards for testing are in place
3. A grace period for labs to handle MMJ samples as there is no legal authorization now

## What could happen if nothing is done?

1. Labs may be unable to handle products or could be illegally doing so
2. MMTC's may need to stop selling products that have not been tested with DOH standards
3. After July 2018 if no labs certified to do testing, MMTCs may have to stop sales until labs have been certified or many other issues. See Hawaii, Massachusetts, and Ohio as examples.

## What does the Department of Health still need to do for testing?

The department shall adopt rules pursuant to ss. 120.536(1) and 120.54 establishing the standards for certification of marijuana testing laboratories under this section. The Department of Agriculture and Consumer Services and the Department of Environmental Protection shall assist the department in developing the rule, which must include, but is not limited to:

- (a) Security standards
- (b) Minimum standards for personnel.
- (c) Sample collection method and process standards.
- (d) Proficiency testing for tetrahydrocannabinol potency, concentration of cannabidiol, and contaminants unsafe for human consumption, as determined by department rule.
- (e) Reporting content, format, and frequency.
- (f) Audits and onsite inspections.
- (g) Quality assurance.
- (h) Equipment and methodology.
- (i) Chain of custody.
- (j) Any other standard the department deems necessary to ensure the health and safety of the public.

### HELPFUL LINKS:

**SB 8-A** <https://www.flsenate.gov/Session/Bill/2017A/8A/BillText/er/PDF>

**Statute 381.986** [http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0300-0399/0381/Sections/0381.986.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0300-0399/0381/Sections/0381.986.html)

**Statute 381.988** [http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0300-0399/0381/Sections/0381.988.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0300-0399/0381/Sections/0381.988.html)