



June 30, 2022

INDUSTRY-WIDE BULLETIN: 22-03

Re: Implementation of New Aspergillus and Expanded Potency Testing Requirements

Dear Marijuana Industry Stakeholders:

This Industry-wide Bulletin is intended to remind Licensees about the implementation of new testing requirements for Aspergillus and Expanded Potency Testing for Total THC.

On November 10, 2021, the State Licensing Authority adopted [Colorado Marijuana Rules 1 CCR 212-3](#), which require **Aspergillus Testing** and expanded **Potency Testing** (including delta-8 THC, delta-10 THC, and exo-THC), **effective July 1, 2022**. The new analytes will be added to existing test categories in Metrc (i.e. Aspergillus will be added to the “Microbial Contaminant” test category). No changes to procedures for submitting Test Batches in the Inventory Tracking System are expected.

Microbial Testing for Aspergillus: Effective July 1, 2022, **MED Rules 4-120(C)(1) and 4-121(A)** require testing for Aspergillus as part of microbial contaminant testing.

Expanded Potency Testing for Total THC: MED Rules 4-125(A)(2) and 4-115(E)(2) will require Testing Facilities to report delta-8 THC, delta-10 THC, and exo-THC, in addition to the five cannabinoids that were previously required, when performing potency testing. Additionally, the definition of “Total THC” in MED Rule 1-115 has been updated to include delta-8, delta-10, and exo-THC.

“Total THC” means the following:

- *The sum of the percentage by weight of Delta-9-tetrahydrocannabinolic acid (D9-THCA) multiplied by 0.877,*
- *Plus the percentage by weight of Delta-8-tetrahydrocannabinol (D8-THC),*
- *Plus the percentage by weight of Delta-9-tetrahydrocannabinol (D9-THC),*
- *Plus the percentage by weight of Exo-tetrahydrocannabinol (Exo-THC),*
- *Plus the percentage by weight of Delta-10-tetrahydrocannabinol (D10-THC).*
 - *i.e. Total THC = (% D9-THCA * 0.877) + % D8-THC + % D9-THC + % Exo-THC + % D10-THC*

Note: “THC” and “THCA” will now be referred to as “delta-9 THC” and “delta-9 THCA” respectively, when entering potency constituents in Metrc. Regulated Marijuana Businesses should ensure their procedures for calculating and labeling Total THC accurately reflect the current definition in MED Rule 1-115.

Reduced Testing Allowance: A Regulated Marijuana Business’s Reduced Testing Allowance will not be affected by these additional testing requirements as long as the business complies with all applicable requirements, including ongoing testing requirements, and passes all tests. If a business fails testing due to the new testing requirements, it should comply with all applicable Reduced Testing Allowance requirements, including 4-120(F)(2) and/or 4-125(H)(2), and should follow the appropriate failed test procedures outlined in MED Rule 4-135.

The State Licensing Authority's adoption of this rule language was based on recommendations by the [Science & Policy Work Group](#) and is intended to further protect public health and safety. Please be aware that the information contained in this Industry Bulletin and associated links do not represent legal advice or replace a licensee's responsibility to review and comply with statutes and rules, the full set of which can be found on the [MED Rules](#) webpage.