



COLORADO

Department of Revenue

Specialized Business Group—Marijuana

Compliance Tip

March 3, 2021

Topic: Pre-Rolled Joints Guidance

Applicable Rules: 3-330, 3-1025, 4-110, 4-115, 4-120, 4-125

Background:

During the 2020 Fall Rulemaking process, Rule 4-110(A)(4) was updated to define further and clarify the importance of testing when marijuana is in its final form to most accurately represent the end product sold to consumers. This specifically included the production of pre-rolled joints (a.k.a. “pre-rolls” or “joints”). Essentially, the updated guidance is that pre-rolled joints need to be tested separately from the flower or shake/trim of a Harvest Batch that will be sold directly to consumers because they undergo different processes.

These changes were based on information gathered from several MED investigations in 2019 and 2020 related to pre-rolled joints failing microbial contaminant testing after the original Harvest Batches passed testing and the recommendation from the Science & Policy Workgroup. Also, over the last month, the Division has received reports from licensed testing facilities that some rolling papers contained metals. Licensees are encouraged to work with the licensed Testing Facilities to evaluate the materials such as the rolling papers being used to create pre-rolled joints.

Medical and Retail Marijuana Cultivation Facilities Creating Pre-Rolled Joints:

- **Single Harvest Batch Used Entirely For Pre-rolled Joints:** If an entire Harvest Batch will be used to create pre-rolled joints, testing must occur following the completion of all steps outlined in the required Standard Operating Procedures (SOPs)(see Rule 3-330) **and** following the creation of all pre-rolled joints using the entirety of that Harvest Batch. The required SOPs must detail the process for the creation of pre-rolled joints. The Test Batch submitted must represent the final form of the Regulated Marijuana. In the case of pre-rolled joints, the Test Batch submitted must be in the form of a pre-rolled joint. All testing requirements outlined in Rules 3-1025, and the 4-100 series for Regulated Marijuana flower, shake, and trim must be followed.
- **Single Harvest Batch Used for Multiple Purposes:** If one portion of a Harvest Batch will be transferred for sale to consumers, and the other portion of the Harvest Batch will be used to create pre-rolled joints, then all testing requirements must be met for both portions of the Harvest Batch. For each portion, the testing must occur once all steps outlined in the required SOPs maintained on-site are completed. In the Inventory Tracking System, one package must be created to include the total weight of the Regulated Marijuana that is intended to be transferred for sale to consumers. A second package must be created to include the total weight of all pre-rolled joints created from that Harvest Batch. Then Test Batch(es) must be pulled from each of those packages and submitted for testing. All testing requirements outlined in Rules 3-1025, and the 4-100 series for Regulated Marijuana flower, shake, and trim must be followed for each of the Harvest Batch portions.
- **Multiple Harvest Batches Used to Create Pre-Rolled Joints:** If Regulated Marijuana from multiple Harvest Batches will be used to create pre-rolled joints, an inventory

system package must be created that accurately reports the weight pulled from each Harvest Batch used and the total weight of all pre-rolled joints created. Once all SOPs for the creation of pre-rolled joints are complete, a Test Batch of pre-rolled joints must be submitted that represents the entire lot of pre-rolled joints. Any tests previously completed and associated with any of the Harvest Batches used *cannot* be applied to the lot of pre-rolled joints. All testing requirements outlined in Rules 3-1025, and the 4-100 series for Regulated Marijuana flower, shake, and trim must be followed for the lot of pre-rolled joints. It is important to note that all labeling requirements, including but not limited to all Harvest Batch numbers, must be represented on the label.

- **Additional Notes:**

- If a portion of the Harvest Batch used to create pre-rolled joints will be sent to a Medical or Retail Marijuana Manufacturing Facility and allocated for extraction, then either the second or third bullet point above would equally apply.
- Process Validation obtained for Regulated Marijuana flower, shake, or trim that is intended to be transferred for sale to a consumer or transferred to a Manufacturing Facility and allocated for extraction, does not apply to the creation of pre-rolled joints. The creation of pre-rolled joints is a different process, and as a result, process validation must be independently obtained at the Medical or Retail Marijuana Cultivation Facility. Pre-rolled joints produced using different input materials, such as marijuana type (e.g. bud or trim) or wrapper type/material, different processes, or different equipment must be process validated separately.

Medical and Retail Marijuana Stores Creating Pre-Rolled Joints:

- **Strain Specific or Multi-Strain Pre-Rolled Joints:** A Medical or Retail Marijuana Store creating pre-rolled joints should establish and maintain SOPs similar to those required for Medical or Retail Marijuana Cultivation Facilities. An inventory system package must be created that accurately reports the weight pulled from each package used and the total weight of all pre-rolled joints created. A Medical or Retail Marijuana Store that chooses to create pre-rolled joints is responsible for submitting a Test Batch that is representative of the lot of pre-rolled joints that were created. That Test Batch will be subject to all tests required by the 4-100 Rule Series for Regulated Marijuana flower, shake, and trim. A lot of pre-rolled joints may be strain-specific or may be comprised of the material of several strains or Harvest Batches, so long as after the creation of pre-rolled joints, the information is accurately reported in the Inventory Tracking System, the required testing is completed, and the labels on the Container sold to consumers accurately reflect all of the inputs for the pre-rolled joint lot. A Medical or Retail Marijuana Store may obtain process validation to create pre-rolled joints by following the regulations in Rules 4-120 and 4-125. Pre-rolled joints produced using different input materials such as marijuana type (e.g. bud or trim) or wrapper type/material, different processes, or different equipment must be process validated separately.

The processing of flower, shake, and/or trim into pre-rolled joints introduces the possibility of contamination and potency differences. The pre-rolled joints are further handled/processed and stored in conditions different than that of the other material derived from the same Harvest Batch(es). The [Rules](#) that became effective on January 1, 2021, were developed in the interest of consumer safety. Test Batches must be submitted in their final form and represent the marijuana sold to consumers. Pre-rolled joints should be tested for potency and microbial, metals, and pesticide contamination.