

Conditional Cultivators & Conditional Processors,

The Office is reaching out for an important update regarding laboratory testing for your cannabis products.

First, the Office has updated its [Laboratory Testing Limits](#) document to remove the pass/fail limits associated with the Total Viable Aerobic Bacteria Count and Total Yeast and Mold Count for unextracted cannabis products (e.g. cannabis flower, pre-roll, etc.). Cannabis Laboratories will still need to run these tests as part of the state mandated testing panel, but at this time, there will not be a defined limit for unextracted cannabis products in the adult-use program. It is the responsibility of the licensee to consider these results and any impact to the stability and expiration dating of the product, as well as any risks to the health of consumers. OCM will monitor these laboratory testing results and licensees may be required to conduct further testing where results indicate concerns with product quality or safety. As a reminder, the Office requires final product testing on all cannabis product lots produced by a licensee by a Cannabis Laboratory that has been permitted by the Office. A list of permitted laboratories is available on the Office's [website](#).

At this time, Conditional Licensees may conduct the sampling and transportation of cannabis products to laboratories for testing. This is a temporary approval and will expire when cannabis laboratories have received approval by the Office to perform sampling and transportation, or the Office has approved cannabis laboratory sampling firms to perform sample collection and transportation of cannabis products.

- More information regarding the sampling of cannabis and cannabis products is available here: [Sampling Guidance for Licensees](#)
- More information about the number of samples required for each final cannabis product lot is available here: [Sampling Quality System Standards](#)

The transportation of cannabis product samples from a Conditional Licensee to a permitted laboratory must adhere to all of the transportation requirements as applicable in the [Conditional Cultivator Guidance](#) and [Conditional Processor Guidance](#) including a shipping manifest that contains the:

- Name, physical address, lot or batch number, and license or permit number of the originating licensee, permittee or other party authorized to receive cannabis or cannabis products;
- Name, physical address, and license number, if applicable, of the receiving party;
- Unique identification numbers for all cannabis and cannabis products being transported;
- Cannabis or cannabis product name, item category and weight or count of cannabis or cannabis products;
- Estimated date and time of departure from the licensed or permitted premises; and
- Estimated date and time of arrival at each licensed or permitted premises;

All cannabis products sold to a licensed retail dispensary must meet the packaging and labeling guidance available on the Office's website [here](#).

Lastly, please be aware that not all analytes are required to be tested at this time and will phase in as the permitted laboratories receive final approval on testing methods. The chart below outlines the phased in testing plan.

Type of Testing	Currently Required	Additional Requirement after 1/1/2023	Additional Requirement after 03/01/2023
Cannabinoid Profile	X		
Pesticides	X, indole-3-butyric acid (IBA), pyrethrins (as Cinerin I, Cinerin II, Jasmolin I , Jasmolin II , Pyrethrin I , Pyrethrin II), azadiractin, and myclobutanil OR any declared pesticide used by an AUCC used during the cultivation of cannabis. +		X, expanded list
Metals	X		
Mycotoxins	X		
Microbiology	X	++	
Moisture Content		X	
Filth/Foreign Material		X	
Water Activity		X	
Residual Solvents			X
Terpenes			X

At this time only the pesticides listed in the table require testing and any pesticide declared by a Conditional Cultivator that was used during the cultivation of cannabis.

++ Total Viable Aerobic Bacteria Count and Total Yeast and Mold Count is not required until January 1, 2023. Other Microbiology testing such as Salmonella species, Shiga toxin-producing Escherichia coli and required Aspergillus species must be tested on lots now.

If you have any questions about cannabis and cannabis product laboratory testing – please reach out to the Office at AUCommunications@ocm.ny.gov for assistance. The Office plans on sharing additional lab testing guidance soon to help streamline the lab testing process for conditional licensees including options related to combining lots of cannabis products that are the same form to expedite the testing process.

Thank you,
Office of Cannabis Management Compliance Team