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LEGISLATIVE ACTION

Senate

House

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Floor: 1/AD/3R

06/09/2017 10:38 AM

Senator Simpson moved the following:

Senate Amendment

Delete lines 1042 - 1095

and insert:

b. Comply with department rules when processing marijuana with hydrocarbon solvents or other solvents or gases exhibiting potential toxicity to humans. The department shall determine by rule the requirements for medical marijuana treatment centers to use such solvents or gases exhibiting potential toxicity to humans.

c. Comply with federal and state laws and regulations and



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12 department rules for solid and liquid wastes. The department
13 shall determine by rule procedures for the storage, handling,
14 transportation, management, and disposal of solid and liquid
15 waste generated during marijuana production and processing. The
16 Department of Environmental Protection shall assist the
17 department in developing such rules.

18 d. Test the processed marijuana using a medical marijuana
19 testing laboratory before it is dispensed. Results must be
20 verified and signed by two medical marijuana treatment center
21 employees. Before dispensing, the medical marijuana treatment
22 center must determine that the test results indicate that low-
23 THC cannabis meets the definition of low-THC cannabis, the
24 concentration of tetrahydrocannabinol meets the potency
25 requirements of this section, the labeling of the concentration
26 of tetrahydrocannabinol and cannabidiol is accurate, and all
27 marijuana is safe for human consumption and free from
28 contaminants that are unsafe for human consumption. The
29 department shall determine by rule which contaminants must be
30 tested for and the maximum levels of each contaminant which are
31 safe for human consumption. The Department of Agriculture and
32 Consumer Services shall assist the department in developing the
33 testing requirements for contaminants that are unsafe for human
34 consumption in edibles. The department shall also determine by
35 rule the procedures for the treatment of marijuana that fails to
36 meet the testing requirements of this section, s. 381.988, or
37 department rule. The department may select a random sample from
38 edibles available for purchase in a dispensing facility which
39 shall be tested by the department to determine that the edible
40 meets the potency requirements of this section, is safe for



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41 human consumption, and the labeling of the tetrahydrocannabinol
42 and cannabidiol concentration is accurate. A medical marijuana
43 treatment center may not require payment from the department for
44 the sample. A medical marijuana treatment center must recall
45 edibles, including all edibles made from the same batch of
46 marijuana, which fail to meet the potency requirements of this
47 section, which are unsafe for human consumption, or for which
48 the labeling of the tetrahydrocannabinol and cannabidiol
49 concentration is inaccurate. The medical marijuana treatment
50 center must retain records of all testing and samples of each
51 homogenous batch of marijuana for at least 9 months. The medical
52 marijuana treatment center must contract with a marijuana
53 testing laboratory to perform audits on the medical marijuana
54 treatment center's standard operating procedures, testing
55 records, and samples and provide the results to the department
56 to confirm that the marijuana or low-THC cannabis meets the
57 requirements of this section and that the marijuana or low-THC
58 cannabis is safe for human consumption. A medical marijuana
59 treatment center shall reserve two processed samples from each
60 batch and retain such samples for at least 9 months for the
61 purpose of such audits. A medical marijuana treatment center may
62 use a laboratory that has not been certified by the department
63 under s. 381.988 until such time as at least one laboratory
64 holds the required certification, but in no event later than
65 July 1, 2018.

66 e. Package the marijuana in compliance with the United
67 States Poison Prevention Packaging Act of 1970, 15 U.S.C. ss.
68 1471 et seq.

69 f. Package the marijuana in a receptacle that has a firmly