

# UTAH DEPARTMENT OF AGRICULTURE & FOOD



Proposed Statutory Changes:  
Medical Cannabis Program

# Non-Cannabis Cannabinoids

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- Change the definition of cannabinoid product in Section 4-41 and the definition of cannabis concentrate in 4-41a to include any product that includes cannabinoids extracted from naturally occurring biomass.

- This will allow the Department to regulate cannabinoids that are extracted from material other than cannabis.

# Synthetic Cannabinoids



Several licensed processors have expressed interest in using certain cannabinoids to produce others, for example converting CBD to THC. Statutory changes are needed to ensure product safety.



Add a definition for derivative cannabinoid, synthetic cannabinoid and Delta-8-THC to both Section 4-41 and 4-41a .



Update the definition of total composite THC in 4-41a to include Delta-8-THC and add that definition to 4-41. Update the definition of cannabinoid product under 4-41 to reference total composite THC.



Specify in the statute that any product containing Delta-8-THC, synthetic cannabinoid, or derivative cannabinoid is regulated as medical cannabis under Section 4-41a and add a requirement that any synthetic cannabinoid or derivative cannabinoid be isolated to greater than 95% purity before they are added to any product. Require the identification of synthetic cannabinoids or derivative cannabinoids on product labels.



# Medical Cannabis Testing Changes

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- **Revise testing procedures in the medical cannabis program to minimize the cost of testing while maintaining high product standards for producers.**
- **Changes would create three testing categories:**
  - cannabis plant products
  - cannabis concentrates
  - cannabis products
- **Each category will have different testing requirements, and test results would be applied to derived products where possible.**

# Medical Cannabis Testing Changes

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1

Cultivators would be required to classify all biomass as either a cannabis plant product or as cannabis cultivation waste prior to the transfer of the biomass to a processor.

2

Cannabis plant products would be required to receive all relevant testing prior to transfer to a processor. Cannabis cultivation waste would be sent to a processor without any required testing.

3

Cannabis cultivation waste would be required to be processed into a cannabis concentrate or be destroyed. The cannabis concentrate would be required to receive all relevant testing prior to being incorporated into a cannabis product. Cannabis products would then need to receive relevant testing prior to transfer to a medical cannabis pharmacy.

4

The results of any previous testing on a cannabis plant product or cannabis concentrate, other than cannabinoid content, microbial life, and foreign matter, could be applied to any product derived from that material so long as the processing steps would be unlikely to alter the results of the test.

# Overview: Required Medical Cannabis Testing

Test	Cannabis Plant Product	Cannabis Concentrate	Cannabis Derivative Products
Foreign Matter	✓	✓	✓
Water Activity	✓		
Moisture	✓		
Cannabinoids	✓	✓	✓
Pesticides	✓	✓	
Heavy Metals	✓	✓	
Microbial Life	✓	✓	✓
Mycotoxins		✓	
Residual Solvents		✓	

In order to ensure compliance with state laws and rules, inspectors would take periodic random samples of materials at all stages which would be tested for adulterants.



## Other Statutory Changes

Add a violation to Section 4-41 that prohibits transport of industrial hemp that exceeds the acceptable THC level outside of the State of Utah

Require industrial hemp licensees be subject to criminal background checks/registered under the FBI's Next Generation Identification System's Rap Back Service