

HOUSE No. 146

The Commonwealth of Massachusetts

PRESENTED BY:

Rob Consalvo

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to create efficient cannabis testing standards.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Rob Consalvo</i>	<i>14th Suffolk</i>	<i>1/15/2025</i>
<i>Michael P. Kushmerek</i>	<i>3rd Worcester</i>	<i>4/3/2025</i>

HOUSE No. 146

By Representative Consalvo of Boston, a petition (accompanied by bill, House, No. 146) of Rob Consalvo for legislation to create cannabis testing standards. Cannabis Policy.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act to create efficient cannabis testing standards.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 15 of chapter 94G, as so appearing, is hereby amended by inserting
2 in the first sentence of subsection (a) paragraph (1) after the word “resources” the following
3 words:-

4 ;provided that the maximum batch size required by the Commission shall not be smaller
5 than 25 pounds.

6 SECTION 2. Section 15 of chapter 94G, as so appearing, is hereby amended by inserting
7 in the last sentence of subsection (a) paragraph (1) after the word “ingredients.” the following
8 words:-

9 The commission, in collaboration with MDAR, the Cannabis Advisory Board,
10 Independent Testing Labs and Marijuana Establishments, shall review such regulations and
11 testing protocols, including, but not limited to, its testing batch size requirements, residual and
12 pesticide limits, and “Total Viable Aerobic Bacteria (CFU/g)” and “Total Yeast and Mold

13 (CFU/g)” tests, on an annual basis to ensure compliance with the most recent industry standards,
14 research, data, and typical microbial composition in an outdoor grow in New England using best
15 cultivation practices. The commission shall report its findings and plans to update such
16 regulations and testing protocols to the relevant appointing authorities and the state legislature on
17 a bi-annual basis.

18 SECTION 3. Section 15 of chapter 94G, as so appearing, is hereby amended by inserting
19 in the first sentence of subsection (a) paragraph (1) after the word “ingredients.” the following
20 words:-

21 “The commission shall not require testing of environmental media (e.g. soils, solid
22 growing media, and water) beyond finished marijuana and marijuana product testing.”

23 SECTION 4. Chapter 94G of the Massachusetts General Laws shall be amended by
24 adding after Section 22, the following section:

25 Section 23.

26 (a) The Commission shall collect, compile, and make available to the public on its Open
27 Data Platform, the following data from independent testing laboratories as defined in Section 15
28 of this Chapter:

29 Industry average for,

- 30 1) Failure rates for Pesticides
- 31 2) Failure rates for Heavy metals
- 32 3) Failure rates for Microbiological contaminants

- 33 4) Failure rates for Residual solvents
- 34 5) Failure rates for Mycotoxins
- 35 6) Total THC for flower
- 36 7) Total THC for Marijuana Vaporizer Devices
- 37 8) Total THC for concentrates
- 38 Per licensed Independent Testing Laboratory, their average for

- 39 1) Failure rates for Pesticides
- 40 2) Failure rates for Heavy metals
- 41 3) Failure rates for Microbiological contaminants
- 42 4) Failure rates for Residual solvents
- 43 5) Failure rates for Mycotoxins
- 44 6) Total THC for flower
- 45 7) Total THC for Marijuana Vaporizer Devices
- 46 8) Total THC for concentrates

47 (b)The initial data report shall include all prior Independent Testing Laboratory data
48 submitted to the Commission. The initial report shall be published per Independent Testing
49 Laboratory per quarter inclusive of reports. Subsequent data reports shall be updated and
50 published on a quarterly basis detailing information from the preceding quarter.

51 (c)The Commission shall investigate and publicly report the reason for the discrepancy
52 for individual Independent Testing Laboratories that are statistically significant outliers in terms
53 of their testing results.

54 (d)The Commission shall promulgate regulations in accordance with this section no later
55 than one year after the effective date of this act.

56 SECTION 5. The commission shall promulgate or amend regulations as necessary to be
57 consistent with Section 1-4 not later than 365 days from the effective date of this act.