



DENVER
THE MILE HIGH CITY

Regulation of Cannabis Edibles in Denver

NACCHO Sharing Session Webinar
June 20, 2017

Denver's accredited local public health department

Public Health Inspections Division

- Healthy Families/Healthy Homes Section
- Food Safety & Marijuana Section
 - 17 Food/MJ investigators
 - 2 fulltime MJ investigators
 - 4 supervisors, 1 manager



Marijuana Business Licenses

- Denver has 8 distinct Marijuana Licenses:

| | |
|-------------------------|--------------------------|
| Retail Stores | Medical Centers |
| Retail Cultivation | Medical Cultivation |
| Retail Infused Products | Medical Infused Products |
| Retail Testing Facility | Medical Testing Facility |

- Currently, Denver has 1,125 licenses operating out of 489 unique locations.





Denver Marijuana Landscape – Inspections

| Number of Annual Compliance Inspections Performed By Each City Agency per License Type | | | | |
|---|--------------------------|------------------------|--------------------|------------------------------|
| | Environmental Quality | Excise and Licenses | Fire Department | Public Health Inspections |
| Retail Stores | - | 1 | 2 | 2 |
| Retail Cultivation Facilities | 1 | 1 | 2 | - |
| Retail Infused Products Manufacturers | - | 1 | 2 | 2 |
| Retail Testing Facilities | - | 1 | 2 | - |
| Medical Centers | - | 1 | 2 | 2 |
| Medical Cultivation Facilities | 1 | 1 | 2 | - |
| Medical Infused Products Manufacturers | - | 1 | 2 | 2 |

Denver Revised Municipal Code:

Chapter 23: Food & Food Handlers

- Regs been applied to Denver MJ businesses since 2010

Chapter 24: Health & Sanitation

- Enforcement authority for hindering an investigation
- Authority to conduct recalls for contamination issues
- Authority to take all measures necessary to address public/environmental health hazards on public and private property

“Food”: any raw, cooked, or processed edible substance, gum, ice, Beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption, including marijuana infused products

*Marijuana products not regulated as “food” by State Health Dept



1. Retailers (dispensaries)
2. Manufacturers
3. Cultivators (during traceback investigations)



Cannabis Edibles



Occupational Safety Hazards

- Explosion from extractions
- Hydrocarbon solvent toxicity due to improper leaks and poor ventilation
- Reduced oxygen, elevated CO2 in cultivation facilities
- Off-label pesticide exposure
- Denver [inspector safety video](#)



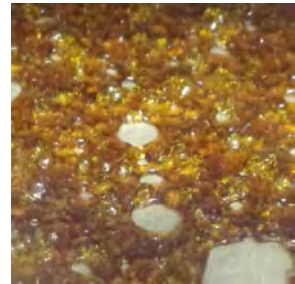
Extractions/oily foods must be treated as PHF unless one of the following:

- Plant material is irradiated
- Extract is suspended in alcohol, homogenous
- Thermal critical limit met
- pH/water activity is low to prevent growth (non-oily foods only)
- Product is labeled for smoking only
- Scientific research demonstrating safety of another critical limit is provided and approved

HACCP-type plan must be submitted and approved



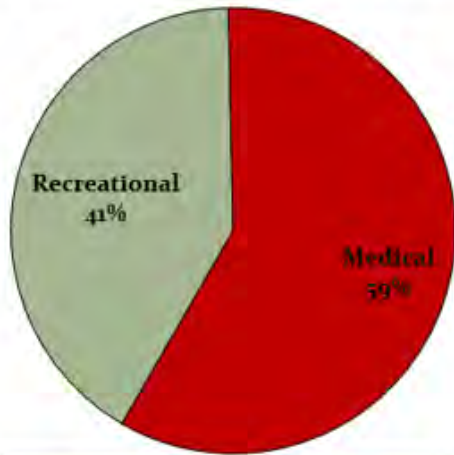
- Plant material is processed to extract the THC (or CBD for hemp)
- The extraction or “concentrate” also may have concentrated contaminants
- Little established research
- Very efficient at concentrating pesticides
- Concentrates can be smoked/vaped OR used as ingredient in edibles



- Complex jurisdictional issues
- Denver addressed widespread use of off-label pesticides in 2015
- Contaminated products are condemned
- To date, approximately 29 recalls by Denver

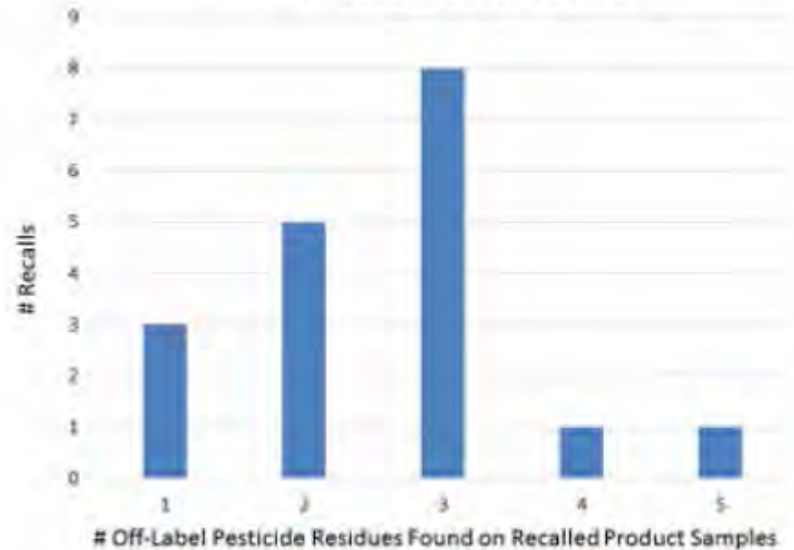


Medical vs Recreational Number of Products Recalled



| Product | Number of Product |
|--------------|-------------------|
| Recreational | 174 |
| Medical | 247 |

Number of Different Pesticide Residues Found on Each Product by Recall



Median # of pesticide residues found on recalled product samples = 3

- Solvents used to make extracts/concentrates
- Significant price differential for different solvent grades
- Industrial grade solvents should not be used
- Cross-contamination from solvent reuse



- CFRs provide regulations for use of food ingredients
- No such standards for products that are smoked, concentrated, or vaporized
- Seeing many ingredient used in medical & rec products for which no safety evaluation exists for method of consumption



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- Little research on health impacts
- Low quality MJ tends to be sold cheap for concentrates
- Not the basis of any enforcement actions in Denver
- Managed through use of pesticides and fungicides



Unregulated Hemp-Derived Food Products

- Many therapeutic CBD products are made from hemp
- Per State Health Dept and FDA, only approved source for hemp additives *in food* is hemp seed
- State not currently registering these businesses as wholesale food manufacturers
- Licensed/inspected in Denver
- No health agencies regulating CBD manufacturers outside Denver



QUESTIONS?

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