

From: [Jennifer Guild](#)
To: cac@Cannabis
Subject: Public Comment Submission: meeting of CAC on proposed updates to its laboratory testing regulations
Date: Thursday, November 21, 2024 12:31:36 PM
Attachments: [Public-comment](#) [Abstrax comments](#) [Final signed.pdf](#)

[EXTERNAL]: jennifer.guild@abstraxtech.com

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To Whom It May Concern,

Thank you for the opportunity to provide comments today regarding DCC's proposed updates to its laboratory testing regulations. Please find our comments attached.

Kind regards,

Jen



Jen Guild | VP of Regulatory & Quality

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November 21, 2024

Via e-mail (CAC@cannabis.ca.gov)
DCC Cannabis Advisory Committee

Re: Public comment submission

To Whom It May Concern:

I hold a B.S. in Biochemistry and Molecular Biology from UC Santa Cruz and have over 25 years of experience in Regulatory Compliance and Quality, working with the world's largest flavor and fragrance houses serving the food, cosmetic, and drug industries. Since 2019, I've been with Abstrax, a leading manufacturer of terpene-based flavors for the cannabis industry. Abstrax is a founding member of VapeSAFER, a coalition of forward-thinking hardware and ingredient companies committed to creating a safe, sustainable, and trusted cannabinoid vape industry. VapeSAFER advocates for responsible regulation and scientific innovation to ensure a market that prioritizes public health, consumer trust, and product integrity. Thank you for the opportunity to provide comments today regarding DCC's proposed updates to its laboratory testing regulations.

My comments today are primarily related to the proposal to add Vitamin E Acetate Testing to 15715.

The CDC's investigation of EVALI (E-cigarette, or Vaping, use-Associated Lung Injury) confirmed that Vitamin E Acetate contamination was a problem confined to illicit products, not the regulated products produced by responsible manufacturers. This conclusion was supported by a study published by Anresco Labs in 2019 in which over 200 vape pens from the CA legal market without Vitamin E Acetate being detected in a single vape from the legal market. The sharp decline in EVALI cases since 2019 shows that existing measures are effective. Introducing a new mandatory laboratory test for Vitamin E Acetate would unfairly penalize compliant manufacturers while failing to address the root cause of the problem. Regulatory focus should remain on enforcing compliance in unregulated markets and educating consumers about the risks of illicit products.

The CDC's investigation into EVALI highlights the dangers posed by illicit products containing harmful substances like Vitamin E Acetate. Rather than implementing a redundant new laboratory test, regulatory efforts should establish a prohibited substances list for products intended for inhalation. This list should include Vitamin E Acetate, Diacetyl, 2,3-Pentadione, and MCT Oil, all of which have been scientifically linked to inhalation safety risks. This approach balances consumer safety with the operational realities of responsible manufacturers, focusing enforcement where it matters most: on unregulated, illicit products.



While the CDC and Anesco's findings during EVALI confirmed that Vitamin E Acetate is not present in regulated vape products, if the DCC feels additional reassurance is necessary then a time-bound testing and data collection initiative could provide the needed confidence without imposing an indefinite burden on compliant manufacturers. A 12-month targeted testing and data collection program may be a reasonable compromise. It reassures stakeholders, including the public and regulatory bodies, while avoiding unnecessary financial and operational burdens on compliant manufacturers.

Furthermore, with regard to Cannabinoid Testing under 15724, it seems that most labs we use are not testing and reporting delta-10 THC and I do not believe this additional test is justified due to the negligible intoxicating potential of this cannabinoid as well as the challenge to quantify this cannabinoid due to interference with CBC.

Finally, we look forward to continued discussion regarding Residual Pesticides Testing under 15719.

Thank you for your consideration.

- End of Comments -

A handwritten signature in blue ink that reads "Jennifer Guild".

Jennifer Guild

VP of Regulatory and Quality at Abstrax®

VP of Standards at VapeSAFER