Outlook

Recommendations on Safeguards for Multi-Batch Product Regulations - Caligreen Laboratory (SoCal)

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To cac@Cannabis <cac@cannabis.ca.gov>

Dear Cannabis Advisory Committee Members,

On behalf of Caligreen Laboratory, a California state-licensed and ISO/IEC 17025:2017-accredited cannabis testing laboratory, I would like to provide input regarding the Department's consideration of multi-batch product regulations.

We recognize the value that such regulations could bring in terms of consumer choice, sustainability, and innovation. At the same time, it is important to ensure that consumer safety and scientific integrity are not compromised, and that the framework discourages potential misuse.

From the laboratory perspective, we recommend the following safeguards and compromises:

1) Batch-Level Testing Integrity: each unit within a multipack (limit to 3) must have a valid Certificate of Analysis (COA), with no "averaging" of test results across batches.
2) Potency Variance Limits: multipack SKUs must be restricted to items with cannabinoid potency within a scientifically defensible variance (e.g., ±10% of the label claim).
3) Transparent Labeling: outer packaging should clearly list Batch Numbers, METRC UID numbers, COA references, and potency details for each included item.
4) Traceability in METRC: each multipack should be traceable in METRC back to its source batches in order to prevent substitution with untested product.
5) Finished, Sealed Units Only: multi-batch packaging should be limited to individually finished and sealed consumer units, not BULK materials combined post-testing.
6) Expiration & Stability Alignment: require that all products in a multipack share compatible shelf-life and stability data to prevent combining short-dated products with long-dated ones. This could mislead consumers.

7) Uniform Contaminant Thresholds: ensure that every batch in a multipack passes the SAME testing panel to prevent any products tested under different (older or less stringent) standards from slipping through.
8) Lot Reconciliation Audits: encourage DCC and/or accredited labs to conduct random reconciliation audits, comparing multipack components against COAs and METRC data.
9) Secondary Verification: require QR codes or digital batch verification on multipack packaging linking directly to state-reported COAs to prevent counterfeit labeling and ensure consumers can instantly confirm authenticity.
10) Caps on Batch Diversity within a Pack: Limit multipacks to no more than 3 products per pack to reduce complexity for labs, METRC tracking, and consumers reading batch-specific labels.
11) Standardized Label Format for Multi-Batch Packs: mandate a uniform DCC label template (e.g., grid or table listing each batch, potency, contaminant status, and expiration) to avoid confusing or incomplete consumer disclosures.
12) Chain of Custody Documentation: require a documented Chain of Custody record whenever multiple tested items are combined into a multipack to provide traceable accountability for who packaged the multipack and ensures no untested items are inserted.
13) Restrictions on Repackaging: only licensed manufacturers - not retailers or distributors - should be authorized to assemble multi-batch products to prevent retail-level repackaging that weakens safety controls and traceability.
14) Size & Potency Segmentation Rules: prohibit mixing vastly different potency ranges (e.g., microdose gummies with high-dose products) in the same multipack unless labeling clearly differentiates potency categories in order to protect against accidental overconsumption.
15) Post-Market Surveillance Requirement: consider requiring adverse event reporting and monitoring for multipack products during the 1st year of implementation in order to provide real-world safety data to confirm integrity of the regulatory framework.

We also believe that there are specific scenarios where multi-batch products should not be permitted, including:

A) Homogeneity-dependent products (e.g., beverages, tinctures, oils) where combined batches could increase potency variance.
B) Products requiring composite testing (e.g., concentrates or vape oils) where post-testing mixing could bypass contamination detection.
C) Shelf-life sensitive items: (e.g., perishable edibles) where differing stability profiles could misrepresent expiration or storage requirements.
D) Products with distinct dosing risks, such as mixing microdose and high-potency edibles in the same pack without clear separation and labeling.
E) Non-child resistant or unsealed items, where combining batches would weaken consumer safety protections.

Ultimately, we believe multi-batch products can be introduced responsibly if supported by rigorous testing, labeling, and traceability requirements. By applying these scientific safeguards, California can enable innovation while maintaining the highest standards of compliance and public health protection.

We appreciate the Department's commitment to advancing thoughtful regulations and would be please to provide additional technical input from the laboratory perspective as this process evolves and moves forward.

Respectfully,
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