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Why California just shut down testing at the majority of pot labs

On Jan. 1, California shut down testing of popular products at a majority of pot labs previously certified to check the potency of [cannabis](#) flower, in a drastic move intended to combat widespread labeling scams in the industry.

For years, [the state's legal industry has faced allegations](#) that labs often [artificially increase](#) the amount of THC they've "found" in cannabis products in order to increase their values. To fight the problem, California's Department of Cannabis Control has now rolled out new requirements for testing cannabis flower, the smokable form of the drug, which includes bud and noninfused pre-rolls.

As of Jan. 3, only 12 of the state's 38 labs had met the new requirements, according to the DCC's [website](#). Noncompliant labs can still test other products, including edibles and vape pens. But until they prove they can meet the new standards, they'll be blocked from testing flower — by far [the most popular category of legal weed](#).

California law requires that all cannabis products be tested at state-certified labs for contaminants like pesticides, as well as for potency of THC, the most common intoxicant found in cannabis. On packages of cannabis flower, that THC potency is displayed as a percentage, similar to how beer or wine is labeled with alcohol percentages.

The DCC doesn't expect the reduction in licensed labs to delay any products from hitting the market, and more labs will likely be approved in the future, said David Hafner, a spokesperson for the agency.

"We don't anticipate delays, but they could happen," Hafner said in an email to SFGATE. "Regardless, our focus is enforcing the rules and we encourage the industry to work with the labs utilizing the approved method."

The new regulations are the result of a law passed by the [state Legislature in 2021](#), in an effort to fight labeling fraud in the legal weed market. Customers tend to pay more for pot products [labeled with a higher THC content](#). That creates an incentive for labs to inflate the results of their tests, so their customers — the farmers who sell wholesale cannabis — can charge more for their products.

That inflation has become incredibly common: [A 2022 study](#) found that 87% of the 150 products tested had potencies lower than what was marked on the label. Last year, California residents filed [multiple class action lawsuits](#) against cannabis companies, alleging that such overstated potencies amounted to false advertising.

DCC Director Nicole Elliott told the [Cannabis Business Times in 2022](#) that potency inflation was “the result of unscrupulous labs that are intentionally undermining the regulatory space, scamming consumers and threatening public health.” In September last year, the agency issued [a warning to labs](#) that it had begun actively retesting products, and would revoke licenses if they found labs issuing inaccurate results.

Josh Swider, the CEO of Infinite Chemical Analysis Labs in San Diego, one of the 12 labs which has been verified by the DCC under the new standards, told SFGATE he believes the new requirements will reduce lab fraud — as long as the DCC actively monitors labs, to make sure the standards are being met.

“They’re taking the right steps and moving in the right direction. Now they just have to do the enforcement part, which they’re saying they’re going to do,” Swider said in an interview with SFGATE. “This is the restart for the California market for testing potency. If someone is going to go out there and do the mega inflation, they will get scrutinized by the DCC.”

According to DCC spokesperson Hafner, any labs continuing to test cannabis without being certified under the new standards “will be considered non-compliant and may be subject to disciplinary actions.”