



Return to: ccd.licensing@state.nm.us

Cannabis Control Division Laboratory Application Cover Page:

Legal Business Name, DBA: _____

Date application submitted: _____ Applicant Full Name: _____

Applicant Mailing Address: _____

Telephone: _____ Email address: _____

Business Mailing Address: _____

Business Website (If Applicable): _____

Select the purpose of this application:

- Laboratory, new application
- Laboratory, renewal application

Application and Fees

Laboratory applicants shall submit an authorized application form to the program with each initial application and at the time of the Laboratory's renewal, together with a fee of two thousand, five hundred dollars and zero cents (\$2,500.00) and one thousand dollars and zero cents (\$1,000.00) for each licensed premises payable to New Mexico Cannabis Control Division; this fee is non-refundable. An approved Laboratory shall apply for renewal annually, no later than 30 days prior to expiration and preferably, at least 60 days, prior to expiration. There will be no extensions granted for the submittal deadline.

Check #: _____ Amount: _____

or

Money Order #: _____ Amount: _____

or

Pay Online

Cannabis Control Division
Cannabis Testing Laboratory Application

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Applicant Information

Laboratory Name or DBA Business Name _____

Applicant Name: _____ Date: _____

Physical Address: _____

Street Address _____ *Suite/Unit #* _____

City _____ *State* _____ *ZIP Code* _____

Mailing Address: _____ Phone: _____

_____ Phone: _____

_____ Phone: _____

Email: _____

Name of laboratory owner: _____
Anticipated open date: _____

Disclaimer: The Cannabis Control Division (CCD) may deny, withdraw, or suspend approval of a testing laboratory application for any violation of 16.8.2 NMAC. In the event of failed testing results, the CCD may require additional tests or remedial actions to be taken. Submission of the application does not guarantee approval. The laboratory may not begin handing cannabis or cannabis products until the application is approved by the CCD.

Laboratory applications must be submitted annually. Approvals are good for one (1) year from the date of approval. The Cannabis Control Division may conduct periodic unannounced evaluations/inspections at any time during the approval period. Continued demonstration of capability of all analysis conducted may be required during the licensure period.

The following are the items needed to satisfy a complete laboratory application for the testing of cannabis and cannabis products. Each listed item must be submitted with the application in order for the application to be considered complete. Identify and submit items in the order they are listed.

- 1. Standard operating procedure for the conduct of a visual inspection**
- 2. Microbiological**
- 3. Residual Solvents**
- 4. Potency**

The following demonstrations of capability may be submitted for the CCD to consider for testing laboratory licensing in 2022.

- 1. Pesticides**
- 2. Heavy metals in growing medium**

For the application to be considered complete, the applicant must submit all of the following items, as per 16.8.2.44 NMAC:

1. A description of the type of tests to be conducted by the laboratory applicant, which may include, but are not limited to, testing for microbiological contaminants, mycotoxins, residual solvents, potency analysis, water content analysis, heavy metals, and pesticides.
2. A list of all individuals or business entities having direct or indirect authority over the management or policies of the laboratory applicant.
3. Applicant's social and economic equity plan to encourage economic and social diversity in employment, including race, ethnicity, gender, age, and residential status of licensee, controlling persons and employees of applicant and whether the applicant, controlling persons, employees, or premises are located in an underserved rural community, including tribal, acequia, land grant-merced, federally designated opportunity zone, or other rural historic communities.
4. A description of the facilities and equipment that shall be used for cannabis testing.
5. Criminal history screening documents, as set forth in 16.8.2.9 NMAC and the Cannabis Regulation Act.
6. A detailed description of any criminal convictions, including for each: the date of the conviction; dates of incarceration, probation, or parole; description of the offense; and any evidence of 16.8.2 NMAC 35 rehabilitation, including court documents, personal or professional references, completion of treatment, employment records, and other relevant information.
7. Demographic data pursuant to the Cannabis Regulation Act.
8. Current Business License Registration
9. Zoning information
10. A copy of identification issued by a federal or state government, including name, date of birth, and picture and indicating the controlling person is at least 21 years of age
11. Documented proof of required initial and continuing demonstrations of capability, in accordance with this rule:

Proof of an Initial Demonstration of Capability (IDC), includes the following elements:

- a. **Demonstration of method calibration:** The calibration range shall use at least five calibration points consisting of five different concentration levels of target compounds. The calibration range shall include a low calibration point equal to, or less than, the action level for each targeted compound. The cannabis testing laboratory shall provide the equation and the type of curve fit used for the calibration range, and the percent relative standard deviation or the goodness of fit. The percent relative standard deviation shall be less than twenty percent, or the goodness of fit (correlation coefficient) shall be 0.995 or better.
- b. **Demonstration of method accuracy and precision:** A cannabis testing laboratory shall supply the quantitation data for five positive control samples analyzed by its testing method utilizing median or mid-level calibration concentration. The cannabis testing laboratory shall identify and justify acceptance criteria and shall calculate and provide the calculated mean (average) result and the standard deviation. Any standard deviations greater than twenty percent shall be noted and explained.
- c. **Demonstration of method detection limit:** A cannabis testing laboratory shall calculate its method detection limit using a generally accepted method.

d. **Demonstration of low system background:** A cannabis testing laboratory shall supply the analytical data of at least three negative control samples that do not contain any target analytes.

e. **Demonstration of analyte identification:** A cannabis testing laboratory that uses, high performance liquid chromatography (HPLC) or gas chromatography with flame ionization detector or photoionization detector (GC-FID or GC-PID/FID) instrumentation shall supply analytical data where each targeted compound is analyzed as a single compound giving it its characteristic retention time. A cannabis testing laboratory that uses gas chromatography–mass spectrometry (GCMS), liquid chromatography–mass spectrometry (LCMS), or liquid chromatography–tandem mass spectrometry (LCMSMS) instrumentation shall supply analytical data with the characteristic mass spectrum of each targeted compound.

Proof of a Continued Demonstration of Capability (CDC), includes the following elements:

- a. Evidence that the cannabis testing laboratory has the test within its current scope of accreditation to the current standards of ISO/IEC 17025, Testing and Calibration Laboratories.
- b. Evidence that each analyst performing the test has successfully completed, within the previous year, relevant proficiency testing administered by a provider accredited to the standards of ISO/IEC 17043, Conformity Assessment—General Requirements for Proficiency Testing.
- c. The re-performance of the IDC.

INITIAL EACH BOX below to signify full compliance and comprehension of the laboratory application process, as per 16.8.2 NMAC

- I certify, this laboratory will adhere to the Cannabis Regulation Act, the Lynn and Erin Compassionate Use Act, and division rules, including:
 - (i) testing requirements;
 - (ii) transport requirements;
 - (iii) security requirements;
 - (iv) quality assurance requirements; and
 - (v) the prohibition on any person holding an interest in one or more cannabis testing laboratories from holding an interest in any other cannabis license other than a cannabis research laboratory.
- I certify, this laboratory will adhere to applicable federal, state and local laws governing the protection of public health and the environment, including occupational health and safety, food safety, fire safety, environmental impacts, natural resource protections, air quality, solid and hazardous waste management, and wastewater discharge

- I certify, each of the check boxes have been checked, indicative of each required item has been fulfilled and will be submitted with this application.
- I certify, I have read and have full access to 16.8.2 NMAC regulations.
- I certify, acknowledge and understand the cannabis laboratory regulations set forth in 16.8.2 NMAC and agree to adhere to these rules.
- I certify all materials, as required by 16.8.2.46, 16.8.2.47, and 16.8.2.48 will be maintained on the laboratory premises at all times and will be made readily available, when requested by CCD.
- I certify, that I have never been denied a license or had a license suspended or revoked by the division or any other state cannabis licensing authority or a detailed description of any administrative orders, civil judgements, denial or suspension of a cannabis license, revocation of a cannabis license, or sanctions for unlicensed cannabis activity by any state licensing authority, against the applicant, controlling person, or a business entity in which the applicant or controlling person was a controlling person within the three years immediately preceding the date of the application
- I certify that this laboratory is not licensed at the same location under the Liquor Control Act
- I certify that this business has obtained a current local jurisdiction business license, or will prior to operation of the cannabis establishment, and shall adhere to local zoning ordinance
- I certify that this laboratory will maintain on its licensed premise at all times, a complete and detailed diagram of the premises containing information required by 16.8.2.46 NMAC, which shall be made immediately available to the division upon request.
- I certify that the division may deny, withdraw, or suspend approval of a laboratory in accordance with this rule, upon determination by the department that the laboratory has violated a provision of this rule, upon failure of a proficiency test, upon the refusal of the laboratory to provide requested access to premises or materials, or upon the failure of a laboratory to comply with any standard, procedure, or protocol developed, submitted, or maintained pursuant to this rule [16.8.2 NMAC].

Signing below, signifies all material in this CCD Laboratory application are acknowledged, understood and will be adhered to. All above required documentation will be submitted, simultaneously, with this application. Under penalty of perjury, I hereby declare that the information contained within and submitted with the application is complete, true and accurate. I understand that a misrepresentation of fact or violation of these rules may result in denial of the license application or revocation of a license issued.

Performed by:

Laboratory

Representative

Signature: _____

Date: _____

Secondary

Review:

Laboratory

Representative

Signature: _____

Date: _____

THE SECTION BELOW IS FOR CCD REVIEW ONLY

Approval Year: _____

Reviewed by:

CCD

Representative

Signature: _____

Date: _____

Secondary

Review:

CCD

Representative

Signature: _____

Date: _____

Application: **Approved**

**Denied
reason for denial:**

Laboratory approval given by: _____ **on**

_____.

Laboratory approval expiration date:

_____.