



Can EMSL Accept CBD Products?

Cannabidiol (CBD) Oil is currently being used in a variety of food, vitamin, and personal care products. Some examples are: oils, creams, capsules, gummies, drink powders, tea, and other extracts. It is currently being offered for both human and animal consumption in a variety of doses and servicing sizes. EMSL Analytical, Inc. offers specific testing options to analyze these products for common microbial and chemical tests through our Food Division.

Components

- **Cannabis** (also known as marijuana): A plant that is grown for medical and recreational consumption. Cannabis can be broken down and used as an additive in many food and personal care products.
- **Hemp**: A strain of the cannabis plant grown for industrial uses.
- **Delta-9-tetrahydrocannabinol (THC)**: The active ingredient in cannabis that leads to the psychological properties within cannabis. It is currently a United States Drug Enforcement Agency (US DEA) Schedule 1 controlled substance.
- **Cannabidiol (CBD)**: A naturally occurring cannabinoid constituent that can both be derived from cannabis or hemp plants.

THC content in the product will determine if EMSL can accept the product for testing and to which lab the sample can be sent. **NOTE: EMSL currently does not analyze samples for THC content, so this needs to be done by a third-party laboratory before any sample can be sent in.**

In order to determine if EMSL can accept a product, gather this information and follow these steps:

1. What type of product is this?
2. Is this product for human or animal use?
3. What type of analysis are you requesting for this product?
4. Do you have a copy of a third-party analytical laboratory showing the current THC content of the sample? Please email a copy of the report to: deasample@emsl.com.
5. The DEA Sample Group will evaluate and determine if EMSL can proceed.

References

The Agriculture Improvement Act of 2018, which was signed into law on December 20, 2018, changed the definition of marijuana to exclude “hemp”—plant material that contains 0.3 percent (< 0.3%) or less delta-9 THC on a dry weight basis. Accordingly, hemp, including hemp plants and cannabidiol (CBD) preparations at or below the 0.3 percent delta-9 THC threshold, is not a controlled substance, and a DEA registration is not required to grow or research it.

<https://www.dea.gov/factsheets/marijuana>

<https://www.dea.gov/press-releases/2019/08/26/dea-announces-steps-necessary-improve-access-marijuana-research>

<https://www.ams.usda.gov/rules-regulations/hemp>



Can EMSL Test a CBD Oil or Product?

What is the THC content of the CBD product?

Email a copy of the third-party lab report showing the THC content to: deasample@emsl.com.

THC content \leq 0.3%

OK TO ACCEPT!

Contact EMSL's Food Division for testing options.

YES*

Company submitting sample must complete a DEA Form 222* and email it to deasample@emsl.com.

THC content $>$ 0.3%

STOP!

Sample can **ONLY** be sent to EMSL's Cinnaminson, NJ lab.

Does the company sending in the sample have a US DEA license?

NO

Sample will be treated as an unknown sample.

When submitting the samples:

1. Client must send attention: DEA SAMPLE.
2. FedEx/UPS Tracking must be provided to deasample@emsl.com.
3. *Copy of DEA Form 222 must be included in the box (if applicable).

NOTE: Once shipped, samples cannot be returned to client.
All sample material received must be destroyed per US DEA regulations.

