

State of California
Department of Cannabis Control
California Code of Regulations, Title 4, Division 19
Notice of Modifications to Proposed Regulation Text and Addition of
Document to Rulemaking File:
Pesticide Testing

In accordance with Government Code section 11346.8(c) and section 44 of title 1 of the California Code of Regulations (CCR), the Department of Cannabis Control (Department) hereby provides notice of modifications to the proposed regulation text that was the subject of public hearing on July 29, 2025. The text of the regulations with proposed modifications is attached to this Notice.

Additionally, in accordance with Government Code sections 11346.8(d), 11346.9(a)(1), and 11347.1, the Department hereby provides notice that a document relied upon in developing the proposed regulations has been added to the rulemaking file and is available for public inspection and comment. The document added to the rulemaking file is “Department of Pesticide Regulation Memorandum, Recommended Revisions to the Pesticide Action Levels for Testing Edible Cannabis Products in California, August 5, 2025.”

Beginning February 11, 2026, this document is available for public inspection on the Department’s website at <https://www.cannabis.ca.gov/cannabis-laws/rulemaking/dcc-2025-03-r-pesticide-updates/>, by request made to a Department contact person identified in the Notice of Proposed Action, or between the hours of 8:00 a.m. and 5:00 p.m. at the following address:

Department of Cannabis Control
Legal Affairs Division
2920 Kilgore Road
Rancho Cordova, CA 95670

Written Comment Period

The written comment period begins on February 11, 2026, and ends on March 4, 2026. Any interested person, or their authorized representative, may submit written comments relevant to the indicated changes by mail or email to:

Department of Cannabis Control
Legal Affairs Division
2920 Kilgore Road

Rancho Cordova, CA 95670

E-mail: publiccomment@cannabis.ca.gov

All written comments received by March 4, 2026, that pertain to the indicated changes will be considered by the Department and summarized and responded to in the Final Statement of Reasons.

Summary of, and Rationale for, Proposed Modifications to Regulation Text

The Department initially proposed adopting the revised pesticide action levels recommended by the Department of Pesticide Regulation (DPR) in a memo to the Department dated December 2024 (“December Memo”). DPR acknowledged in the December Memo that some proposed action levels may be below the detection limit of current analytical testing equipment. In the Notice of Proposed Rulemaking Action, the Department specifically solicited input regarding whether the proposed action levels are achievable with current equipment and, if not, what levels are more reasonable.

Comments received during the 45-day public comment period indicated that the action levels for some pesticides were significantly lower than currently achievable levels. This feedback aligned with findings in the Standard Regulatory Impact Analysis, which determined that the costs of compliance at the proposed levels were significant and would lead to a loss of half of the licensed cannabis laboratories in California.

In August 2025, DPR provided an updated memo (“August Memo”) to the Department reflecting modified recommendations to the proposed action levels. As described in the August Memo, DPR reevaluated the recommended pesticide levels based on data from a cannabis consumption study conducted by California State University, Sacramento, and modified the action levels for non-inhalable products based on information gathered in that study. Part of the updated recommendation was to establish a third category of cannabis products to better reflect consumption patterns. This new category of “beverages” would be assigned action levels lower than those for other non-inhalable products (such as edibles, tinctures, and topicals).

At this time, the Department has decided not to implement a third category of action levels. However, in furtherance of public health protection, the Department is proposing to adopt the recommended lower beverage action levels for all non-inhalable products whenever feasible. The Department has determined, based on information received during the 45-day public comment period and its own analytical testing capabilities, that 0.02 µg/g is the lowest feasible action level for pesticide testing at this time. For any given analyte in section 15719, if DPR’s recommended action level for beverage testing is below that threshold, 0.02 µg/g has been proposed instead.

The Department is proposing to implement the changes to section 15719 in two phases. “Phase I” eliminates the distinction between Category I and Category II pesticides and

establishes new, currently achievable action levels for all former Category I analytes. Phase I changes will become operative immediately upon the effective date of the amended regulation. “Phase II” establishes revised action levels for many analytes as well as revised limit of quantitation (LOQ) thresholds, which may require some testing laboratories to revise and revalidate their testing methods. To provide sufficient time for testing laboratories to complete that work, Phase II changes will not be operative until 18 months after the effective date of the amended regulation.

Section 15719

The title of this section is modified for consistency with terminology throughout the section.

New subsection (c) is proposed to implement Phase I and establish a sunset date for the testing requirements that follow.

Existing subsection (c) is renumbered to new subsection (c)(1) and modified to establish an action level of 0.10 µg/g for each former Category I pesticide. The initially proposed requirement to establish an LOQ of no greater than 50% of the action level is deleted and replaced with the requirement to establish an LOQ of 0.10 µg/g or below for every pesticide. Establishing the LOQ at 50% of the proposed action level was a commonly raised concern during the public comment period, especially for very low action levels. Additionally, establishing LOQs at 50% of all updated action levels would take time and therefore would not align with the proposed phased implementation. Because testing labs are currently required by existing section 15719(c) to have established an LOQ of 0.1 µg/g for all Category I pesticides, all labs will be able to test to this action level immediately. The reference to “the table” below is modified to “Table 1” to mitigate confusion, as there will now be two tables in section 15719.

Existing subsection (d) is renumbered to new subsection (c)(2) and modified to remove the word “representative” to align with terminology used in existing sections 15720(e), 15721(d), 15722(f), and 15723(c), all of which refer to “sample” rather than “representative sample.” The reference to “the table” is modified for the reason stated above.

New subsection (d) is proposed to implement Phase II and establish an operative date of 18 months after the effective date of the regulation for the testing requirements that follow. The Department determined, based on prior experience in developing testing methods, that 18 months is a reasonable amount of time to allow licensed laboratories to develop new test methods without unnecessarily prolonging updates designed to protect human health.

New subsection (d)(1) is proposed to govern LOQs for testing of all pesticide analytes in new Table 2. Subsection (d)(1)(A) is proposed to require establishing the LOQ at or below 0.10 µg/g if the action level is greater than or equal to 0.10 µg/g. This aligns with

the current LOQ requirement of 0.10 µg/g in existing section 15719(c) while allowing licensed laboratories to set a lower limit. Subsection (d)(1)(B) is proposed to require establishing the LOQ at or below the action level if the action level is less than 0.10 µg/g. The Department decided not to move forward with the initially proposed requirement to establish LOQs at 50% of the action level because for very low action levels, such as those below 0.10 µg/g, establishing an LOQ of half the level creates technical challenges and could require significant investment in laboratory equipment.

Modifications to Proposed Action Levels

Table 1

Note: Pesticides not listed below are not being modified and remain as they were proposed in the 45-day text.

Abamectin is reverted to the existing action level and will be updated in Phase II. The Chemical Abstract Service (CAS) number has also been updated as recommended by DPR in the December Memo.

Acephate is reverted to the existing action level and will be updated in Phase II.

Acequinocyl is reverted to the existing action level of 4.0 µg/g. In the August Memo, DPR recommended an action level of 4.0 µg/g.

Acetamiprid is reverted to the existing action level of 0.10 µg/g for inhalable products in Phase I, rather than the previously proposed 3.0 µg/g. Laboratories can already test to the lowered action level; the Department has determined that an action level of 0.10 µg/g for non-inhalable products is therefore not burdensome to the industry and will provide greater public health benefit.

Aldicarb is lowered to 0.10 µg/g for inhalable products in Phase I, rather than the previously proposed 0.5 µg/g. Aldicarb is not registered for use in California and cannot be lawfully used on any agricultural product grown in this state (DPR December memo, pg. 26) This substance is considered highly toxic and emits toxic fumes when heated to high temperatures. Laboratories can already test to the lowered action level; the Department has determined that an action level of 0.10 µg/g for non-inhalable products is therefore not burdensome to the industry and will provide greater public health benefit. For non-inhalable products, the action level for aldicarb is proposed to be established at 0.10 µg/g in Phase I as this level can be implemented immediately. Further updates are proposed for Phase II.

Azoxystrobin is reverted to the existing action levels and will be updated in Phase II.

Bifenthrin is reverted to the existing action level of 0.50 µg/g for non-inhalable products in Phase I, rather than the previously proposed 1.6 µg/g. Laboratories can already test to the lowered action level; the Department has determined that the existing action level

for non-inhalable products is therefore not burdensome to the industry and will provide greater public health benefit.

Boscalid is reverted to the existing action level of 10.0 µg/g for non-inhalable products in Phase I, rather than the previously proposed 11 µg/g. Laboratories can already test to the lowered action level; the Department has determined that the existing action level for non-inhalable products is therefore not burdensome to the industry and will provide greater public health benefit.

Buprofezin is removed from Table 1 and will be addressed in Phase II. This is a new analyte to be added to the testing panel and laboratories will need time to develop and validate their testing procedure.

Captan is modified to include the metabolite tetrahydrophthalimide (THPI) as recommended by DPR in the December Memo. As noted by DPR, “captan metabolizes and rapidly degrades in the environment to tetrahydrophthalimide (THPI), which is detected on crops. US EPA considers THPI to have equivalent toxicity to captan and includes THPI in the residue tolerances established for captan. Cannabis products should be tested for both captan and THPI. If detected, THPI should be converted to captan equivalents and added to the parent to calculate a total captan residue.”

Carbendazim is removed from Table 1 and will be addressed in Phase II. This is a new analyte to be added to the testing panel and laboratories will need time to develop and validate their testing procedure.

Carbofuran is proposed to be lowered to 0.10 µg/g for inhalable products in Phase I, rather than the previously proposed 0.5 µg/g. It is not registered for use anywhere in the United States and cannot be used lawfully on any agricultural product (DPR December memo, pg. 29). This substance is considered highly toxic and emits toxic fumes when heated to high temperatures. Laboratories can already test to the lowered action level; the Department has determined that an action level of 0.10 µg/g for non-inhalable products is therefore not burdensome to the industry and will provide greater public health benefit. For non-inhalable products, the action level for carbofuran is proposed to be established at 0.10 µg/g in Phase I as this level can be implemented immediately. Further updates are proposed for Phase II.

Chlorantraniliprole is reverted to the existing action level of 10.0 µg/g for inhalable products in Phase I, rather than the previously proposed 14.0 µg/g. Laboratories can already test to the lowered action level; the Department has determined that the existing action level for inhalable products is therefore not burdensome to the industry and will provide greater public health benefit.

Chlordane is proposed to be established at 0.10 µg/g in Phase I for non-inhalable products as this level can be implemented immediately. Further updates are proposed for Phase II.

Chlorfenapyr is proposed to be established at 0.10 µg/g in Phase I for non-inhalable products, rather than the previously proposed 2.5 µg/g. Laboratories can already test to the lowered action level; the Department has determined that an action level of 0.10 µg/g for non-inhalable products is therefore not burdensome to the industry and will provide greater public health benefit.

Chlorpyrifos is proposed to be lowered to 0.10 µg/g for inhalable products in Phase I, rather than the previously proposed 0.5 µg/g. This substance is only registered for non-food uses in California and cannot be lawfully used on cannabis (DPR December memo, pg. 30). Chlorpyrifos emits toxic fumes when heated to high temperatures. Laboratories can already test to the lowered action level; the Department has determined that an action level of 0.10 µg/g for non-inhalable products is therefore not burdensome to the industry and will provide greater public health benefit. For non-inhalable products, the action level for chlorpyrifos is proposed to be established at 0.10 µg/g in Phase I as this level can be implemented immediately. Further updates are proposed for Phase II.

Clofentezine is reverted to the existing action level of 0.50 µg/g for inhalable products in Phase I, rather than the previously proposed 0.65 µg/g. Laboratories can already test to the lowered action level; the Department has determined that the existing action level for inhalable products is therefore not burdensome to the industry and will provide greater public health benefit.

Coumaphos is proposed to be established at 0.10 µg/g in Phase I for non-inhalable products, rather than the previously proposed 0.01 µg/g, as this level can be implemented immediately.

Cyfluthrin is reverted to the existing action level and will be updated in Phase II.

Cypermethrin is reverted to the existing action level and will be updated in Phase II.

Cyprodinil is removed from Table 1 and will be addressed in Phase II. This is a new analyte to be added to the testing panel and laboratories will need time to develop and validate their testing procedure.

Dacthal (DPCA) is removed from Table 1 and will be addressed in Phase II. This is a new analyte to be added to the testing panel and laboratories will need time to develop and validate their testing procedure.

DDVP (Dichlorvos) is proposed to be established at 0.10 µg/g in Phase I for non-inhalable products, rather than the previously proposed 0.01 µg/g, as this level can be implemented immediately. Further updates are proposed for Phase II.

Diazinon is reverted to the existing action level of 0.20 µg/g for inhalable products. In the August Memo, DPR recommended an action level of 0.20 µg/g.

Dimethoate is proposed to be established at 0.10 µg/g in Phase I for non-inhalable products, rather than the previously proposed 2.0 µg/g. Laboratories can already test to the lowered action level; the Department has determined that an action level of 0.10 µg/g for non-inhalable products is therefore not burdensome to the industry and will provide greater public health benefit.

Dimethomorph is reverted to the existing action level and will be updated in Phase II.

Ethoprop(hos) is proposed to be established at 0.10 µg/g in Phase I for non-inhalable products, rather than the previously proposed 0.01 µg/g, as this level can be implemented immediately. Further updates are proposed for Phase II.

Fenhexamid is reverted to the existing action level of 10.0 µg/g for non-inhalable products in Phase I, rather than the previously proposed 19.0 µg/g. Laboratories can already test to the lowered action level; the Department has determined that the existing action level for inhalable products is therefore not burdensome to the industry and will provide greater public health benefit.

Fenoxycarb is proposed to be established at 0.10 µg/g in Phase I for non-inhalable products, rather than the previously proposed 3.0 µg/g. Laboratories can already test to the lowered action level; the Department has determined that an action level of 0.10 µg/g for non-inhalable products is therefore not burdensome to the industry and will provide greater public health benefit.

Fenpyroximate is reverted to the existing action level of 2.0 µg/g for non-inhalable products in Phase I, rather than the previously proposed 4.0 µg/g. Laboratories can already test to the lowered action level; the Department has determined that the existing action level for inhalable products is therefore not burdensome to the industry and will provide greater public health benefit.

Fenobucarb (BPMC) is removed from Table 1 and will be addressed in Phase II. This is a new analyte to be added to the testing panel and laboratories will need time to develop and validate their testing procedure.

Fipronil is proposed to be established at 0.10 µg/g in Phase I for non-inhalable products, rather than the previously proposed 0.030 µg/g, as this level can be implemented immediately. Further updates are proposed for Phase II.

Fonicamid is reverted to the existing action level of 2.0 µg/g for non-inhalable products in Phase I, rather than the previously proposed 6.0 µg/g. Laboratories can already test to the lowered action level; the Department has determined that the existing action level for inhalable products is therefore not burdensome to the industry and will provide greater public health benefit.

Fludioxonil is reverted to the existing action level of 30.0 µg/g for non-inhalable products. In the August Memo, DPR recommended an action level of 30.0 µg/g.

Fluopyram is removed from Table 1 and will be addressed in Phase II. This is a new analyte to be added to the testing panel and laboratories will need time to develop and validate their testing procedure.

Hexythiazox is reverted to the existing action level of 2.0 µg/g for non-inhalable products in Phase I, rather than the previously proposed 6.0 µg/g. Laboratories can already test to the lowered action level; the Department has determined that the existing action level for inhalable products is therefore not burdensome to the industry and will provide greater public health benefit.

Imazalil is proposed to be lowered to 0.10 µg/g for inhalable products in Phase I, rather than the previously proposed 5.0 µg/g. Laboratories can already test to the lowered action level; the Department has determined that an action level of 0.10 µg/g for non-inhalable products is therefore not burdensome to the industry and will provide greater public health benefit.

Isoprocarb (MIPC) is removed from Table 1 and will be addressed in Phase II. This is a new analyte to be added to the testing panel and laboratories will need time to develop and validate their testing procedure.

Malathion is reverted to the existing action level of 5.0 µg/g for non-inhalable products in Phase I, rather than the previously proposed 8.0 µg/g. Laboratories can already test to the lowered action level; the Department has determined that the existing action level for inhalable products is therefore not burdensome to the industry and will provide greater public health benefit.

Methamidophos is removed from Table 1 and will be addressed in Phase II. This is a new analyte to be added to the testing panel and laboratories will need time to develop and validate their testing procedure.

Methiocarb is proposed to be lowered to 0.10 µg/g for inhalable products in Phase I, rather than the previously proposed 0.20 µg/g. This substance is not registered for use in California for any agricultural product and cannot be lawfully used on cannabis (DPR December memo, pg. 38). Methiocarb emits toxic fumes when heated to high temperatures. Laboratories can already test to the lowered action level; the Department has determined that an action level of 0.10 µg/g for non-inhalable products is therefore not burdensome to the industry and will provide greater public health benefit. For non-inhalable products, the action level is proposed to be established at 0.10 µg/g in Phase I, rather than the previously proposed 0.015 µg/g, as this level can be implemented immediately. Further updates are proposed for Phase II.

Methomyl is reverted to 0.1 µg/g for non-inhalable products in Phase I. In the August Memo, DPR recommended an action level of 0.1 µg/g.

Methyl parathion is proposed to be established at 0.10 µg/g in Phase I for non-inhalable products, rather than the previously proposed 0.0013 µg/g, as this level can be implemented immediately. Further updates are proposed for Phase II.

Mevinphos is proposed to be established at 0.10 µg/g in Phase I for both inhalable and non-inhalable products, rather than the previously proposed 0.040 µg/g and 0.017 µg/g, respectively, as this level can be implemented immediately. Further updates are proposed for Phase II.

Monocrotophos is removed from Table 1 and will be addressed in Phase II. This is a new analyte to be added to the testing panel and laboratories will need time to develop and validate their testing procedure.

Naled is reverted to the existing action level and will be addressed in Phase II.

Omethoate is removed from Table 1 and will be addressed in Phase II. This is a new analyte to be added to the testing panel and laboratories will need time to develop and validate their testing procedure.

Oxamyl is reverted to the existing action level and will be addressed in Phase II.

Paclobutrazol is proposed to be lowered to 0.10 µg/g for non-inhalable products in Phase I, rather than the previously proposed 5.0 µg/g. Laboratories can already test to the lowered action level; the Department has determined that an action level of 0.10 µg/g for non-inhalable products is therefore not burdensome to the industry and will provide greater public health benefit.

Pentachloronitrobenzene is reverted to the existing action level of 0.20 µg/g for non-inhalable products in Phase I, rather than the previously proposed 1.0 µg/g. Laboratories can already test to the lowered action level; the Department has determined that the existing action level for non-inhalable products is therefore not burdensome to the industry and will provide greater public health benefit.

Phosmet is reverted to the existing action level and will be addressed in Phase II.

Procymidone is removed from Table 1 and will be addressed in Phase II. This is a new analyte to be added to the testing panel and laboratories will need time to develop and validate their testing procedure.

Propoxur is proposed to be established at 0.10 µg/g in Phase I for non-inhalable products, rather than the previously proposed 0.019 µg/g, as this level can be implemented immediately. Further updates are proposed for Phase II.

Pymetrozine is removed from Table 1 and will be addressed in Phase II. This is a new analyte to be added to the testing panel and laboratories will need time to develop and validate their testing procedure.

Pyraclostrobin is removed from Table 1 and will be addressed in Phase II. This is a new analyte to be added to the testing panel and laboratories will need time to develop and validate their testing procedure.

Pyrimethanil is removed from Table 1 and will be addressed in Phase II. This is a new analyte to be added to the testing panel and laboratories will need time to develop and validate their testing procedure.

Spinetoram is reverted to the existing action level of 3.0 µg/g in Phase I for non-inhalable products, rather than the previously proposed 2.5 µg/g, as this level can be implemented immediately. In addition, the CAS numbers for this analyte are reverted to existing law; the previously proposed revision was inaccurate.

Spinosad is reverted to the existing action level of 3.0 µg/g in Phase I for non-inhalable products, rather than the previously proposed 2.5 µg/g, as this level can be implemented immediately. In addition, the CAS number for this analyte is reverted to existing law; the previously proposed revision was inaccurate.

Spiromesifen is reverted to the existing action level and will be addressed in Phase II.

Spiroxamine is proposed to be established at 0.10 µg/g in Phase I for non-inhalable products, rather than the previously proposed 0.70 µg/g. Laboratories can already test to the lowered action level; the Department has determined that an action level of 0.10 µg/g for non-inhalable products is therefore not burdensome to the industry and will provide greater public health benefit.

Tebuconazole is reverted to the existing action level of 0.10 µg/g for inhalable products in Phase I, rather than the previously proposed 18.0 µg/g. Laboratories can already test to the lowered action level; the Department has determined that the existing action level for inhalable products is therefore not burdensome to the industry and will provide greater public health benefit. Tebuconazole is reverted to the existing action level of 2.0 µg/g for non-inhalable products. In their August Memo, DPR recommended an action level of 2.0 µg/g.

Thiacloprid is proposed to be established at 0.10 µg/g in Phase I for non-inhalable products, rather than the previously proposed 1.0 µg/g. Laboratories can already test to the lowered action level; the Department has determined that an action level of 0.10 µg/g for non-inhalable products is therefore not burdensome to the industry and will provide greater public health benefit.

Table 2

Note: Table 2 is being added and is accordingly highlighted in its entirety as newly proposed text. However, many of the analytes listed in Table 2 have action levels identical to their action levels in Table 1. Pesticides not listed below are proposed to remain at the same action level in Phase II as they had in Phase I.

Abamectin is proposed to be lowered to 0.10 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Acephate is proposed to be lowered to 0.18 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Aldicarb is proposed to be lowered to 0.02 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Azoxystrobin is proposed to be lowered to 30.0 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Buprofezin proposed to be established at 0.10 µg/g for inhalable products and 60 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Carbendazim is proposed to be established at 2.0 µg/g for inhalable products and 6.5 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Carbofuran is proposed to be lowered to 0.02 µg/g for non-inhalable products. Although DPR recommended a lower action level in the August Memo, the Department does not consider that level feasible. Therefore, the Department is proposing an action level of 0.02 µg/g to be as health protective as possible within technical limitations.

Chlordane is proposed to be lowered to 0.065 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Chlorpyrifos is proposed to be lowered to 0.093 µg/g non-inhalable products, as recommended by DPR in the August Memo.

Cyfluthrin is proposed to be lowered to 0.77 µg/g non-inhalable products, as recommended by DPR in the August Memo.

Cypermethrin is proposed to be lowered to 0.92 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Cyprodinil is proposed to be established at 0.10 µg/g for inhalable products and 50.0 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Dacthal (DPCA) is proposed to be established at 0.10 µg/g for inhalable products and 0.07 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

DDVP (Dichlorvos) is proposed to be lowered to 0.05 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Dimethomorph is proposed to be lowered to 16.0 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Ethoprop(hos) is proposed to be lowered to 0.02 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Fenoxycarb is proposed to be lowered to 0.05 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Fenubucarb (BPMC) is proposed to be established at 0.02 µg/g for inhalable products and 0.02 µg/g for non-inhalable products. This substance is banned for use in the United States but has been detected in cannabis grown at both licensed and unlicensed sites. In their memos to the Department, DPR recommended that this analyte be given an action level of “non-detect.” As discussed in the ISOR, the Department no longer considers “non-detect” to be an appropriate action level. Therefore, the lowest feasible action level of 0.02 µg/g is proposed for this analyte.

Fipronil proposed to be lowered to 0.03 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Fluopyram is proposed to be established at 5.0 µg/g for inhalable products and 33.0 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Isoprocarb (MIPC) is proposed to be established at 0.02 µg/g for inhalable products and 0.02 µg/g for non-inhalable products. This substance is banned for use in the United States but has been detected in cannabis grown at both licensed and unlicensed sites. In their memos to the Department, DPR recommended that this analyte be given an action level of “non-detect.” As discussed in the ISOR, the Department no longer considers “non-detect” to be an appropriate action level. Therefore, the lowest feasible action level of 0.02 µg/g is proposed for this analyte.

Methamidophos is proposed to be established at 1.0 µg/g for inhalable products and 0.064 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Methiocarb is proposed to be lowered to 0.02 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Methyl parathion is proposed to be lowered to 0.023 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Mevinphos is proposed to be lowered to 0.04 µg/g for inhalable products and 0.022 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Monocrotophos is proposed to be established at 0.30 µg/g for inhalable products and 0.056 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Naled is proposed to be lowered to 0.21 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Omethoate is proposed to be established at 0.10 µg/g for inhalable products and 2.0 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Oxamyl is proposed to be lowered to 0.17 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Phosmet is proposed to be lowered to 0.092 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Procymidone is proposed to be established at 0.02 µg/g for inhalable products and 0.02 µg/g for non-inhalable products. This substance is banned for use in the United States but has been detected in cannabis grown at both licensed and unlicensed sites. In their memos to the Department, DPR recommended that this analyte be given an action level of “non-detect.” As discussed in the ISOR, the Department no longer considers “non-detect” to be an appropriate action level. Therefore, the lowest feasible action level of 0.02 µg/g is proposed for this analyte.

Propoxur is proposed to be lowered to 0.025 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Pymetrozine is proposed to be established at 1.0 µg/g for inhalable products and 0.52 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Pyraclostrobin is proposed to be established at 0.1 µg/g for inhalable products and 3.3 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Pyrimethanil is proposed to be established at 1.0 µg/g for inhalable products and 15.0 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Spiromesifen is proposed to be lowered to 2.5 µg/g for non-inhalable products, as recommended by DPR in the August Memo.

Updated Economic Impact Analysis

The proposed revisions described in this notice will reduce the economic impact of the regulatory action from \$168 million to \$27.9 million. The regulation is no longer considered a Major Regulation.

ERA Economics provided the following reassessment of the economic impacts of the revised regulation:

Relative to the initially proposed regulations, the revised regulations would reduce the equipment and variable costs for laboratories from meeting new pesticide residue standards and reduce the impact to cannabis supply from increased failure rate of pesticide residue testing. This would reduce testing cost increases for licensed distributors and lower the impact to licensed cannabis supply from increased test failures. Lastly, this would reduce costs (and benefits) to secondary businesses in terms of jobs, income, taxes, and value-added from reduced spending on laboratory equipment and the reduced change in production value from decreased licensed cannabis supply.

One-time costs to laboratories for the initially proposed regulations were \$20.58 million. Estimates of direct costs to laboratories under the revised regulations are

summarized in Table 1. As shown, the total one-time costs would decrease to \$79.29 thousand. Labs will no longer need to purchase new equipment, and there are fewer analytes requiring revalidation. Variable costs would decrease from \$427.6 thousand to \$124.9 thousand per laboratory due to the resulting reduction in required equipment maintenance and consumable usage. Direct costs to laboratories would decrease from \$30.0 million to \$2.8 million.

Table 1. Direct Costs per Laboratory and Industry Costs (Revised Regulations)

Item	Cost per Laboratory	Total Industry Cost
	<i>Thousands</i>	
New instruments	\$0.00	\$0.00
One-time labor	\$1.24	\$27.31
One-time consumables	\$2.36	\$51.99
Total One-Time Costs	\$3.60	\$79.29
Equipment maintenance	\$0.00	\$0.00
Variable labor	\$83.14	\$1,829.05
Variable consumables	\$41.78	\$919.07
Total Variable Costs	\$124.91	\$2,748.12
Total Costs	\$128.52	\$2,827.42

Note: Total industry costs calculated under the basis of 22 labs conducting compliance testing.

Market effects are summarized in Table 2. The estimated market effects are based on the change in the costs of producing licensed cannabis and the expected reduction in supply of licensed cannabis caused by the regulations. The total consumer loss for the revised regulations is \$12.1 million and the decrease in gross retail output is \$3.5 million, compared to \$41.8 million and \$12.3 million, respectively, for the initially proposed regulations.

Table 2. Changes in Surplus and Retailer Revenue for Licensed Market

Description	Market Effect - Proposed	Market Effect - Revised
	<i>(Thousands)</i>	
Consumer Surplus	-\$41,812	-\$12,130

Initial costs per laboratory	\$, thousands	\$935.42	\$3.60
Annual ongoing costs per laboratory	\$, thousands	\$427.59	\$124.91

Note: Total statewide costs for businesses and individuals are calculated as the sum of laboratory costs, consumer surplus, and total direct, indirect, and induced effects at retail.

Based on this assessment of the revised regulations, the total 12-month economic impact of regulatory costs, measured as changes in direct costs, consumer losses, and gross output value, would equal \$27.9 million across all affected sectors. Human and environmental benefits were not possible to quantify. Accordingly, the modified proposal is no longer considered a major regulation.