



## South Carolina Law Enforcement Division

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### **FORENSIC SERVICES LABORATORY CUSTOMER NOTICE 2018-04 December 14, 2018**

#### **TERMINATION OF MARIJUANA ANALYST CERTIFICATION/TESTING PROGRAM**

Effective immediately, the SLED Forensic Services Laboratory is discontinuing the Marijuana Analyst Certification/Recertification and Testing programs. Subsequently, all law enforcement officers currently certified under the SLED Marijuana Analyst Program (Program) should discontinue testing plant material. Be advised that SLED has researched this issue extensively and has determined that due to the creation of the Industrial Hemp Program, the Marijuana Testing procedures covered in this Program (microscopic analysis and Duquenois-Levine chemical spot test) cannot differentiate between Industrial Hemp and Marijuana. In accordance with S.C. Code Ann. § 46-55-10, Industrial Hemp is defined as Cannabis that contains not more than 0.3 percent of delta-9-tetrahydrocannabinol (THC) on a dry weight basis, and S.C. Code Ann. § 46-55-50 states that Industrial Hemp is “excluded from the definition of marijuana in Section 44-53-110”. However, all Cannabis plant material that contains greater than 0.3 percent of THC on a dry weight basis is still considered Marijuana and punishable accordingly. SLED’s decision to discontinue the Program should not in any way be considered a change or alteration to the way that probable cause is determined in the State of South Carolina for any and all drug charges, including Marijuana.

However, in terms of confirmatory testing, in order to accurately analyze plant material and verify the THC level to distinguish between Industrial Hemp and Marijuana, cases will need to be submitted to the SLED Drug Analysis laboratory for quantitative analysis of THC. When submitting evidence through pre-log, please select the THC Quantitation (DC-THCQ) service. SLED has developed a quantitative analysis to address this issue as timely as resources allow; however, a minimum of four (4) weeks will be needed for testing.

In addition, the SLED Forensic Services Laboratory is prepared to provide regional, county, and municipal drug laboratories throughout the state with our testing procedures and training for semiquantitative analysis of THC in plant material. Several sessions with hands-on training will be offered during the month of January and continuing as needed to provide information regarding validation, testing procedures and instrumental methods.

For additional questions or concerns, please contact Captain Wendy Bell, Ph.D. with the SLED Forensic Services Laboratory (803-896-7277 or [wbell@sled.sc.gov](mailto:wbell@sled.sc.gov)).



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