

Report Highlights

Marijuana Consumer Safety

Department of Revenue • Department of Public Health & Environment
Performance Audit • September 2026 • 2553P



OFFICE OF THE STATE AUDITOR

C O L O R A D O

Key Concern

Overall, we found that the State has established a framework that helps provide some assurance that regulated marijuana products sold in Colorado are safe. However, we identified deficiencies and gaps in the State’s marijuana product safety framework that limit its effectiveness to identify and respond to health and safety risks, which increase the risk that consumers may ultimately use contaminated products.

Key Findings

- Colorado’s regulatory framework lacks a fully functional state reference lab to assist with testing marijuana products. The State’s inability to provide independent and comprehensive product testing impacts its ability to effectively enforce safety requirements.
- Current rules for marijuana product testing and marijuana facility record retention, combined with the Department of Revenue’s Marijuana Enforcement Division’s (MED) limited and inconsistent monitoring, limit MED’s ability to identify product safety risks and help ensure that licensed marijuana businesses meet product safety requirements.
- MED could take additional steps to issue Health and Safety Advisories more timely when it has identified safety issues with marijuana products and improve the effectiveness of its communications to consumers and other stakeholders to better support public safety.
- The Colorado Department of Public Health & Environment (CDPHE) should improve its oversight of the private labs that conduct routine marijuana product testing to ensure that these labs produce consistent and accurate results.

Background

- In 2012, Colorado voters passed Amendment 64 that added Section 16 to Article XVIII, authorizing personal use of marijuana, also referred to as “retail marijuana.” Amendment 64 also required the State to establish a regulatory structure for retail marijuana and expressed the voters’ intent that, “...marijuana should be regulated in a manner similar to alcohol...” [Colorado Const., Art. XVIII, Sec. 16(1)(b)].

- In Colorado, multiple state agencies share responsibility for marijuana consumer safety, including the Department of Revenue’s MED, CDPHE’s State Reference Lab, Colorado’s Department of Agriculture, and the Attorney General’s Office.

Audit Recommendations Made	Agency Responses		
14	Agree	Partially Agree	Disagree
	14	0	0