



COMMONWEALTH of VIRGINIA

DEPARTMENT OF FORENSIC SCIENCE

OFFICE OF THE DIRECTOR
A Nationally Accredited Laboratory

700 NORTH 5TH STREET
RICHMOND, VIRGINIA 23219
(804) 786-2281 FAX (804) 786-6857

NOTICE OF DFS POLICY NOTICE

TO: All Agencies Served by DFS
FROM: Linda C. Jackson, Department Director 
DATE: July 1, 2022
RE: Updated Submission Policy for *Cannabis sativa* Plant Material

As of July 1, 2022, two new criminal offenses have been added to the Virginia Code regarding possession of marijuana under Virginia Code § 4.1-1100. Based on these changes, the Department of Forensic Science is revising its marijuana submission policies.

For cannabis edibles, DFS can identify cannabinoids that may be present in a food product, but cannot quantify the tetrahydrocannabinol (THC) concentration. While the Department works to develop and validate a method internally, we are working on establishing a contract to allow for outsourcing evidence to a private laboratory to provide this service in the meantime. Once quantitative testing for cannabis edibles is available by either mechanism, DFS will notify its customers and stakeholders of the change in analytical testing capability.

The updated table below summarizes current submission guidelines for marijuana evidence, and is applicable to evidence submitted alone or with other suspected controlled substances.

Offense	Policy
<ul style="list-style-type: none">Possession of marijuana and marijuana products (§ 4.1-1100)	<p>Accepted: Quantities over 4 ounces</p> <p>Accepted with Limitations: Contested civil offenses (greater than 1 ounce but less than 4 ounces) submitted by law enforcement</p> <p>Not Accepted: Quantities under 1 ounce OR uncontested civil offenses</p>

Offense	Policy
<ul style="list-style-type: none"> Home cultivation of marijuana (§ 4.1-1101) 	<p>Accepted: Five or more separately packaged plants or portions thereof, if a plant count is needed</p> <p>Not Accepted: Four or less plants, or portions thereof</p>
<ul style="list-style-type: none"> Possession of marijuana and marijuana products by individuals under the age of 21 (§ 4.1-1105.1) Other misdemeanors with no weight thresholds (§§ 4.1-1107, 4.1-1108, 4.1-1109, and 4.1-1110) 	<p>Accepted: All weighable quantities (not residue amounts)</p>
<ul style="list-style-type: none"> Possession with Intent/Distribution (§ 18.2-248.1) 	<p>Accepted: Quantities over 1 ounce</p> <p>Accepted with Limitations: Quantities under 1 ounce require a request from a Commonwealth's Attorney (CA)</p> <p>Not Accepted: Quantities under 1 ounce without CA request</p>

If you have any questions regarding these marijuana submission guidelines, please contact the Controlled Substances Section Supervisor at the DFS Laboratory that provides service to your agency:

Laboratory	Section Contact	Phone Number
Central (Richmond)	John Przybylski	(804) 588-4154
Eastern (Norfolk)	Brian Meinweiser	(757) 355-5958
Northern (Manassas)	Jeana Rodenas	(703) 334-9736
Western (Roanoke)	Rebecca Hutchison	(540) 283-5930