

Iowa Industrial Hemp Program Study Committee

November 21, 2016

Public Safety Questions & Considerations: Dale Woolery, Iowa Office of Drug Control Policy

Thank you for the opportunity to participate today. Because Iowa currently does not have an industrial hemp program, and the federal law allowing such programs in states is relatively new, my knowledge on this subject is limited. I've attempted to periodically follow the hemp issue from a distance in recent years, and was asked to share brief comments with you.

My remarks—a few observations and questions—will indeed be concise, focused mainly on public safety related matters. I'm not here to support a position for or against, but rather to contribute to a discussion of what a proposed Iowa industrial hemp program might look like. I'll do my best to answer questions, and appreciate learning from what others have to say.

Hemp contains tetrahydrocannabinol (THC) in relatively low concentrations, when produced as intended. Except for a narrowly constructed hemp exemption, THC remains a Schedule I controlled substance, and is illegal under federal law. Except for Iowa's limited cannabidiol (CBD) exemption, THC is also a Schedule I controlled substance under State law. THC's primary scheduling status is due to its high potential for abuse, which is also the basis for some of my comments.

How would THC—the main psychoactive component of hemp, *Cannabis sativa* L., or other such plants—be regulated in a way to ensure compliance with the narrow exemption to federal law (Agricultural Act of 2014, Section 7606) limiting THC in industrial hemp to no more than 0.3% on a dry weight basis? Would an Iowa industrial hemp program meet all aspects of federal law restricting cultivation to an agricultural pilot program or other agricultural or academic research project with proper state oversight?

It's my understanding hemp plant buds can be processed to extract hemp or hash oil containing higher THC concentrations, similar to what some are doing with marijuana plants—including here in Iowa—to make more potent marijuana concentrates. Step-by-step instructions for making hash oil from hemp buds are available online. Should this be a concern?

Verification of THC content would be vital, considering the THC level in illegal marijuana seized by U.S. law enforcement now averages more than 13%, and is reported as high as 90+% in marijuana concentrates (e.g., hash oils) produced in states such as Colorado where "recreational" marijuana is legal.

Because 9% of all marijuana users become addicted to it and marijuana is the most prevalent illicit substance used in Iowa, restricting THC levels is important to preventing abuse, impairment and threats to public safety. Over 70 percent of Iowa adolescents in treatment cite marijuana as their primary substance of abuse.

Though genetically different and distinguished by its agricultural use and biological makeup, hemp is of the same plant species as marijuana. Some hemp and marijuana plants may look similar to the untrained eye, potentially making it difficult for law enforcement and others to distinguish between a hemp crop or plant and illegal drug activity, or to identify illegal drug production.

What precautions would be taken to: ensure hemp is grown only for research purposes; prevent hemp seed or product theft; protect against THC drift or creep; and guard against other unintended consequences? Would licenses, registrations or permits be required, and how would renewals be handled? Would criminal background checks be included? Would grow site locations or coordinates be recorded? How would transactions be documented? Would product content be verified by an independent lab? What other program security and integrity assurances would be put in place, and by whom?

Because of its association with marijuana, hemp might send a confusing or counterproductive message, particularly to some Iowa youth. Certain hemp proponents elsewhere are advocates for marijuana legalization, as illustrated by one of many comments previously published by *High Times*: "When people buy and see hemp it stimulates public awareness, mainstreaming the evil weed into a normal commodity whose days of illegality are numbered." What would be done to prevent confusion and potential increases in abuse in Iowa?

Would the costs of regulating a hemp industry exceed the economic benefits derived from it, as suggested in reports from the University of Kentucky (UK) and United States Department of Agriculture (USDA), and cited by the Congressional Research Service?

What is the true market for hemp? The USDA has questioned the market for a variety of hemp products, as have some UK researchers.

What's the experience of other states passing state industrial hemp laws per the federal hemp exemption? What lessons can Iowa learn from other states and federal officials?

Thank you.

Respectfully Submitted 11-21-16,
Dale Woolery, Iowa Office of Drug Control Policy