

Testimony of Jesse Peters
Oregon Cannabis Growers PAC

Co-chairs Burdick and Lininger, members of the committee:

When the 2013 legislature adopted HB 3406 to license and regulate medical marijuana dispensaries, it included a requirement that the PRF of a dispensary ensure marijuana be tested before putting it on the shelves.

When we entered the rule making process last year, OHA's legal counsel determined that the law did not give OHA the ability to license and regulate labs. Yet testing was still required. Since then we've embarked on a somewhat haphazard and less than consistent program for testing both the dried flowers and the products processed into extracts.

In the recent set of rules that went into effect on January 28, 2015, the testing section was somewhat clarified to require under all circumstances that each dispensary test every strain of flower it brings into the shop or may accept test results from growers provided "The PRF can demonstrate that a random sample was taken, and that the batch from where samples were taken were sealed and not tampered with from the time samples for testing were taken and when they were delivered to the facility."

As we move forward, it is the position of the Oregon Cannabis Growers PAC that growers be required to test their product at a certified lab, and the grower should be held accountable and responsible for getting that tested product onto the shelves of the facilities.

Today, if I grow ten pounds and sell one pound to 10 different dispensaries, ten different tests on the same batch are required, a total of about \$1000-\$2000 for those ten tests. If I can test that entire batch, the cost will be between \$100 and \$200; an expense that has far less, if any, impact on the final price being charged to patients and eventually consumers. This also ensures consistency of test results of the same product being sold at different dispensaries.

Growers strive for consistency in their products and we must also have consistency in our testing programs.

Some of the biggest challenges we've seen since the implementation of HB 3460 are:

- The labs are not certified,
- The tests they perform are not always to the specifications required under current rules,
- The equipment they use is varied,
- There are differences in what compounds, pesticides, and solvents they test for.
- There are varied methodologies for testing the CFU count of mold

As a grower and a representative of the Oregon Cannabis Growers PAC, we support the following principles as the Legislature. OLCC and OHA consider testing under both the adult use and medical marijuana markets:

- The tests for any product reaching any type of commercial/retail/dispensary outlet should be the same.

- Labs should be licensed by the state.
- Labs should be certified under The Oregon Environmental Laboratory Accreditation Program (**ORELAP**).
- Labs should all be required to use a standardized set of instruments and protocols that will perform all the tests required under law.
- Labs should all be required to perform the same tests using the same protocols.
- Labs results must clearly state all legally required results.

Another one of the new rules that must be modified is the one that requires the marijuana to be sealed in bags between testing and delivery to the dispensary.

Like many unprocessed agricultural products, sealing in plastic bags can actually increase the chance of mold developing. Marijuana as it cures occasionally needs a breath of fresh air to maintain its peak condition. The curing process of marijuana for consumption can be likened to the aging process of high quality spirits, wine, or cigars. Marijuana while it cures requires constant attention at varying temperatures and humidity, and must “breathe”, not only to maintain its quality, but also prevent the increase of mold.

As we reach a time where we as growers will need to have large quantities of stock on hand to meet the demand of the ever-growing medical, and now recreational, market; we must be able to properly maintain our stock and protect our investment in order to ensure the success of this rapidly growing industry. Without this ability, stock will mold, supply will dwindle, and product will be sold into the black market to save the cost and risk of both.

As the ones charged with paying the tax and the ones ultimately held accountable for the amounts we grow, we must be the ones in charge of protecting and securing our products.

We encourage inspections and we will put systems in place to track the amounts of marijuana we grow. But we must also be given the right to care, maintain, secure and transport to market the product we grow.

As the first member of the Oregon cannabis Growers Pac to testify in front of you this session, I also want to add that our group is very much ready to embark on this journey with you. We are willing to be licensed and accountable for the product we produce and we are looking forward to being a part of a successful implementation of Ballot Measure 91.

We thank you all for your time and dedication.
And stand ready to assist in any way we can.