

Chair Wilde and Members of the Committee,

My name is Cheryl Johnson. I reside in Jackson County and make edibles and topicals on both the OLCC side and the hemp side of the Cannabis Industry. Thank you for your time today.

I would like to address the very real public safety and consumer protection issue we have right now in regards to hemp based products being produced and sold on the open market. At this very moment in this state there are products being produced and sold over the counter that have more than double the amount of THC than allowed in the OLCC regulated system. CBD products are advertised below the .3% legal THC limit, but actually have enough THC to get consumers high. This is an outrageous oversight on the public officials who crafted the hemp rules and regulations. Or was it an actual oversight?

In the OLCC regulated system., edibles have extremely specific regulations. They are limited to 5ml THC per serving - 50ml per package. A COA from a third party testing lab verifies compliance with this rule. The potency is based per serving, regardless on how much the item weighs – a 5 gram mint or a 20 gram gummy, it makes no difference. The amount allowed per serving and how many servings per container is determined by OLCC regulation.

In the hemp un-regulated system, the determination in rule is potency by weight. The more the item weighs the more THC can LEGALLY be in the product. This mishap allows, for example, a caramel with 50 percent more THC in it that is allowed in the OLCC system. Some products are 100 percent over what is allowed. Additionally, there is no limit to how many you can purchase or any ID checks. With a strong website presence these products are being sold online across the country. This is absolutely UNEXCEPTABLE!

How did we get here? It is troubling to me that the same people that regulate and know the rules for THC did not see this coming. OLCC, ODA, OHA. What happened? It's a serious oversight. Not only is it a matter of Public Safety and Consumer Protection, it an unfair trade practice. What is the responsibility to the OLCC licensees that have followed the rules, paid for the licensees, security, cameras, Metrc, packaging, testing, and the list goes on.

I can attest that it cost me 70 percent more to create products on the OLCC side then hemp side. The hemp product comes to the open market at a better price point, double the THC a consumer can purchase at a dispensary, can be sold at any stores.

These hemp companies use their food processor ODA license and test results showing they passed the .3% limit to have credibility. But, they are selling hot product, in state and out of state that minors can purchase, and that the consumer that is not aware can get them high

The solution. Change the language to per serving. Align it with the OLCC verbiage. Lets move forward. Lets fix this. There is talk about intoxicating compounds legislation to get a handle on the Delta 8, and other compound intoxicants that are being changed at the lab. Without a doubt we must change this. However without changing the potency by weight, these products will still be on market over .3 THC limit. Simply put, without the potency by weight percentage change, nothing will change.

Children will still be able to purchase intoxicating products, OLCC licensees will continue to be edged out of the market because they cannot compete with products that have 50-200 percent more THC. Consumers will continue to consume products that are not clear on THC content. We are all now complicate. We all now hold the responsibility for any tragedy that happens under these circumstances. Please help me do what the voters supported - THC products sold in a regulated closed loop system.

Thank you.