

## HB 1612 Written Testimony House RSG Meeting 4pm 2/7/2023

Submitted 3:58 pm 2/8/2023

Co-Chairs and Committee Members:

As supplement to my oral testimony on Feb 7 opposing HB-1612, I would like to make the following points:

- For two years, WA state law has allowed the sale of product containing the following amounts of THC (at 0.3% by weight) to be sold virtually without restriction across the state:
  - o 4-oz chocolate bar containing 277 mg THC, or over 27 maximum I-502 doses
  - o ¼ lb of butter containing 341 mg THC, or over 34 maximum I-502 doses
  - o 12-oz can of soda (pop) containing approximately 1,107 mg THC, or over 110 maximum I-502 doses
  - o 1-lb loaf of bread containing 1,362 mg THC, or over 136 maximum I-502 doses

A number of folks have testified for this bill by emphasizing what they see as the dangers of THC --- particularly in youth or anyone having brains less than 25 years of age ---, including moving stories about the death of a child and a pediatrician whose practice often sees the impacts of (I believe she said) the increased aggression that comes from cannabis use, and the epidemic of psychosis that child-use will wrought upon society.

While I appreciate the market-development benefits of stoking such largely unfounded fears to those in the prevention and treatment and enforcement and behavioral health communities, I bring your attention to the lack of any such problem patterns emerging during the two+ years that products containing high-doses of THC have been widely available in the state of Washington for sale outside of regulated stores to adults and children in this state.

When folks exaggerating the negative physical, mental and societal health impacts of cannabis, let alone of specific cannabinoids begin to cite dozens of cases nationally showing up in poison control center reports, they rarely make mention of how UNCOMMON such reports are in this state. If pushed on the issue, I expect they will not bother to share that the very same poison control data show (I believe) ZERO deaths directly associated with such “cannabis poisonings”.

No-one I know in the industry, my neighborhood, or my social circles wants kids to be using cannabis --- unless for valid medical reasons. Current RCWs, apparently structured to help hemp farmers launch their businesses following the enactment of the 2018 Federal Farm Bill, enabled this unintended retail access by kids to high-dose THC.

That needs to stop for many reasons. I do, however, want to emphasize that the URGENCY of the change is being exaggerated beyond the actual experience of this state over the past couple of years.

In my oral testimony, I stressed how inappropriate it was to increase the number of folks whose legal activities would be made illegal if this bill were to pass in it’s current form. The LCB has, once again, made a clumsy attempt at expanding it’s authority and, it should be noted, apparently did so without

even checking with the WPS about the millions of dollars of new lab machinery they would need to even have a chance of being able to do the tests that would be required under this bill.

One of the lab directors testified to you yesterday and indicated that what this Bill would require to have tested CANNOT BE PROPERLY TESTED FOR TODAY. She is correct. The WSP seems to know this. The LCB seems not to. They have no excuse for such ignorance today (they were first made aware of the risks of delta 8 THC in 2013 by the BOTEC consultants, for example).

Sloppy regulation should not be a catalyst leading to sloppy legislation.

At a minimum, fix it so that this bill does NOT expand the definitions of cannabis and cannabis products. Also, don't allow the LCB to change away from "dry weight metrics" when defining THC concentration.

Don't allow the LCB to make all kinds of THC analogues allowed by calling out some very specific classes of such analogues for exclusion from the market ( the "hydrogenated or structural isomer forms of THC" language).

I am aware of NO concerns having been expressed about "synthetically-derived CBD". Concerns have been expressed regarding synthetically-derived delta-8 THC (and delta-10 THC) derived FROM CBD, but none that I have heard regarding what the bill requests. Makes me wonder what they are really after.

Introducing dependent cross-definitions in the HEMP and UCS acts in which one depends on the status of the other strikes me as bad legislation. It is certainly very difficult to understand.

PLEASE do not pass this misguided bill out of committee. A fix is needed, but kids aren't dying in the street (or so the data suggest) because of the problematic products that the 2019 legislature enabled to be sold in this state.

Fix the problem, but please do so well and in a manner that does not give any further authority to an Agency with a strong history of misusing the authority it has.

Please don't make the LCB's Washington more restrictive regarding the sale of <.3% THC products than is the DEA's America.

Jim MacRae