

February 15, 2023

House Economic Matters Committee Delegate C.T. Wilson, Chair

Delegate Brian M. Crosby, Vice Chair

Subject: Strong Opposition - H.B. 0556 Cannabis Reform,
Favorable with Amendments

Chair Wilson and Members of the House Economic Matters Committee:

I am writing to you as a concerned hemp farmer in located in Lothian, Maryland. I am the owner and operator of Honey's Harvest Farm located at 5801 Brooks Woods Road in Lothian, MD.

We have held a Maryland Hemp License since hemp was allowed in Maryland, starting in 2019.

It should be noted that language included in SB0556 enacts devastating consequences for Maryland's legal hemp industry.

I am very concerned about the proposed language in the Cannabis Reform Act, HB0556. First, as currently written, this bill lowers the acceptable Delta-9-Tetrahydrocannabinol concentration in the natural hemp plant, below the federally allowable threshold of 1% THC on a dry weight basis (§ 36-101 (C)(1); Page 18 line 19).

Secondly, HB0556 is currently written to place a cap on THC at 0.5mg per serving and 2.5mg per package. This calculation in milligrams, when converted back to percentage violates the federal definition of hemp at .3% THC on a dry weight basis, thereby, once again, deeming the federally legal hemp industry, "illegal". The mg conversion as stated does not work nor does it make sense, and, in my observation aims to outlaw the federally legal hemp industry. This clause essentially allows only the cannabis industry to sell lawful hemp products. In essence, a hemp farmer, cultivator, and processor would be required to obtain either a medical or recreational cannabis license simply to offer a hemp product, thereby putting all hemp producers out of business in the state of Maryland.

This language referring to milligrams instead of percentages, is not only misleading but it would render hundreds of products that are currently protected under federal law illegal. As written, this bill would have a devastating impact on the hemp industry in Maryland and would result in the

closure of hundreds of family-owned, small, and minority owned businesses like mine. It would destroy a federally legal industry overnight without any input from industry participants, while at the same time legalizing a federally illegal industry.

Thirdly, the clause, located on Page 70, Line 8, **[(B) A PERSON MAY NOT SELL OR DISTRIBUTE A CANNABINOID PRODUCT THAT IS NOT DERIVED FROM NATURALLY OCCURRING BIOLOGICALLY ACTIVE CHEMICAL CONSTITUENTS.]** is arbitrary and capricious and appears to be based upon an attempt to limit the furtherance of the federally legal hemp industry. This clause is in no apparent way, founded in scientific research or scientific knowledge of the naturally occurring cannabinoids in the natural hemp plant. Therefore, this is an unfounded and potentially prohibitively limiting condition. Since we have not developed the technological processes to identify all naturally occurring cannabinoids in hemp, (and considering that most of the cannabinoids which have been identified are found to be naturally non-psychoactive), this singular clause could have far-reaching consequences and ultimately be devastating to the long term medical and health benefits of the hemp plant and subsequently the associated potential hemp products. If the intention is to eliminate the Delta8 and Delta10 products, I do not support it for that reason either. Delta8 and Delta10 are federally protected under the existing federal hemp law and USDA final ruling, which has already been contested and overruled to remain federally legal. These products, along with all cannabis and hemp products should be regulated in Maryland. We need to provide safe boundaries with respect to product testing and labelling, just as we are rushing to do for the new recreational industry.

Fourthly, The Hemp Industry in Maryland has worked hard to create common sense regulations for these types of products in accordance with the recommendations from the Maryland Medical Cannabis Commission's study group that was formed last year to study these products specifically. A collaborative effort between the hemp and cannabis industry can and should exist as that is what is best for our industry as well as what is best for the consumers of these products. Therefore, the hemp industry needs fair and equitable representation in the industry. I request

the amendments noted below to ensure that the hemp industry is not left behind or marginalized in any way.

Therefore, I respectfully request the following amendments noted in red.

- 1) Page 18, line 19: (C) (1) **A DELTA-9-TETRAHYDROCANNABINOL CONCENTRATION GREATER THAN [0.3%] 1% ON A DRY WEIGHT BASIS.**
- 2) • AMEND Page 69, lines 23-27: (A) (1) **A PERSON MAY NOT SELL OR DISTRIBUTE A PRODUCT INTENDED FOR HUMAN CONSUMPTION OR INHALATION THAT CONTAINS MORE THAN 0.5 MILLIGRAMS OF TETRAHYDROCANNABINOL PER SERVING OR 2.5 MILLIGRAMS OF TETRAHYDROCANNABINOL 0.3% DELTA-9-TETRAHYDROCANNABINOL ON A DRY WEIGHT BASIS...**
- 3) Page 70, Line 8, STRIKE : [~~(B) A PERSON MAY NOT SELL OR DISTRIBUTE A CANNABINOID PRODUCT THAT IS NOT DERIVED FROM NATURALLY OCCURRING BIOLOGICALLY ACTIVE CHEMICAL CONSTITUENTS.~~]
and add the language in the **ADDENDUM** (starting at page to this letter (as it's a bit lengthy – as it needs to be comprehensive) to provide for consumer safety, efficacy, and accuracy of testing and labelling of hemp and hemp derived products:
- 4) AMEND HB0556 1-303. • Page 6, lines 16-17: **TWO SHALL BE KNOWLEDGEABLE AND EXPERIENCED IN THE CANNABIS INDUSTRY; AND TWO SHALL BE KNOWLEDGEABLE AND EXPERIENCED IN THE HEMP INDUSTRY** 1-309.2. • Page 14, line 2: ADD - **(VI) THREE REPRESENTATIVES FROM THE HEMP INDUSTRY;** • Page 14, line 3: (VI) (VII)
• Page 14, line 6: (VII) (VIII) • Page 14, line 3: (VII) (IX)

I respectfully urge you to amend the language in this bill for the betterment and preservation of Maryland's legal hemp industry and for the protection of the new and evolving industries associated herein, and for the safety of the consumers of the associated existing, new and

evolving products. Additionally, I very much appreciate the opportunity to work with you and your committee to help enact fair and equitable legislation that safeguards consumers and protects our small businesses owned and operated by citizens and constituents of myriad and diverse races, creeds, genders, and cultural ancestry.

Thank you so much for your support.

Sincerely,

Anna M. Chaney
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Attachments: ADDENDUM