

Joint Committee on Implementing Measure 91
Testimony of Lisa Naito
April 29, 2015

Co-Chairs Burdick and Lininger and Members of the Joint Committee on Implementing Measure 91. For the record, I am Lisa Naito, a Principal of the Hooley & Naito firm. Thank you for the opportunity to testify in support of the -6 Amendments to SB 844.

Our firm represents Phylos Bioscience, LLC, an Oregon biotech company. Dr. Mowgli Holmes is their Chief Scientific Officer and has presented testimony to this Committee on several occasions. Dr. Holmes is also a Co-Founder of the Cannabis Safety Institute, which was formed to provide research and scientific information related to Cannabis.

Our goal is for Oregon to become the national model in setting industry-leading, scientific-based consumer health and safety standards for laboratory certification and Cannabis testing. The -6 Amendments to SB 844 position Oregon to achieve this goal.

First, the Amendments require that laboratories licensed for Cannabis testing must be accredited and held to the same scientific and professional standards of other analytical laboratories. Oregon is fortunate to host the Oregon Environmental Laboratory Accreditation Program (ORELAP) administered through the Oregon Health Authority, which is respected in the scientific community and internationally. For the first time in Oregon, laboratories testing marijuana will be accredited by ORELAP, which will help ensure that consumers receive accurate information about potency and assure the public that cannabis products have been tested accurately for known health risks.

Secondly, the Amendments require minimum standards for testing marijuana products by statute. Marijuana will be required to be tested for microbiological contaminants, pesticides and other contaminants, which could include heavy metals. Procedures are required to test concentrates and extracts to protect public health. Additionally, procedures will be required for tracking marijuana and marijuana products during the testing process and also for documenting and reporting test results.

The Amendments strike the appropriate balance between legislation and rule making, by allowing for additional standards for testing marijuana by rule. The Oregon Health Authority in consultation with the Oregon Liquor Control Commission and the State Department of Agriculture will adopt rules that specify the specific procedures and the specific substances to test for. This is appropriate, as procedures will change as new technologies are developed or new contaminants are identified. Flexibility through the rule-making process is achieved through these amendments.

The proposed Amendments do not apply to personal grows or primary caregivers under the medical marijuana system and the proposed Amendments are sensitive to the costs involved for these testing procedures for marijuana in the commercial market. The rule-making process must consider the cost of a potential procedure and may not adopt more rules than are necessary to protect the public health and safety. With an appropriate balance of safety and cost, consumers will want a safe product, rather than seek out marijuana from the black market.

Thank you all for the work you have done on the issues of laboratory certification and testing for public health and safety. You have considered detailed and lengthy technical and scientific information in your deliberations. Thank you for basing your decisions and these Amendments on that science.

I want to particularly thank Co-Chair Lininger for her leadership in taking on these public health issues and Senator Kruse for participating in the informal workgroup and sharing his expertise. Finally, appreciation must be given to Mark Mayer for taking these complex concepts and drafting them into a workable statutory framework.

Last February, I attended one of the listening tours held by the OLCC here in Salem. There must have been several hundred people there. There was virtually unanimous support for health and safety testing for marijuana products and appropriate labeling. The importance of your work to protect the health and safety of marijuana products can not be overstated. Thank you.