



May 28, 2015

To: House Committee on Rules
Re: Testimony on HB 2668

My name is Todd Dalotto, a resident in Rep. Andy Olson's district near Albany, Oregon. I've been working professionally in the cannabis industries for over 21 years. I'm a horticultural scientist, cannabis industry consultant, and public policy advisor. I'm a current member and former Chair of the Oregon Health Authority's Advisory Committee on Medical Marijuana (ACMM) and have served on numerous DHS and OHA Legislative and Administrative Rule Advisory Committees relating to cannabis.

I founded the United States' first hemp food business, *Hungry Bear Hemp Foods* in Eugene in 1994, and authored the world's first hemp cookbook, *The Hemp Cookbook: From Seed to Shining Seed*, in 1999. Similarly, I have founded some of the first organizations and businesses serving medical marijuana patients & businesses, and adult-use cannabis businesses in Oregon.

Thus, I have equal enthusiasm to see both hemp and marijuana industries thrive in Oregon and would very much like to see all cannabis industries have the best economic and agricultural opportunities for Oregonians in all parts of our state. Based upon my scientific understanding of production and breeding of all types of Cannabis cultivars, and my experience in legislative and rule drafting, I see opportunities in HB 2668 to resolve potential conflict between hemp and marijuana production.

As a horticultural scientist and proponent of sound science-based public policy decisions, I strongly favor the language in the dash-7 amendments, which calls for OSU research to determine isolation distances and other objectives, over the dash-8 amendments which would prohibit fertile male hemp plants in three Southern Oregon Counties. I offer the following comments, recommendations, and rationale for the following sections of dash-7 amendments:

SECTION 1

- I recommend allowing licensees time to provide the required information before revoking their license. This would be fair treatment to someone who pursued a license in good faith.

SECTION 2

- I strongly support charging OSU with conducting research on all research goals stated in this section, and for the future legislative amendments to be based in this research.
- OSU is perfectly poised to conduct this research, as the College of Agricultural Science (where I received my Honors Horticultural Research Degree) is one of the top five agricultural schools in the U.S, and conducts a great deal of research with hops and wind-pollinated crops (grasses, hazelnuts, forest trees, etc.).

- I support the *option* of conducting research at current licensees' locations, but I also recommend allowing the research to be conducted at OSU research fields or other suitable locations.
 - Rationale: There are many requirements for *research* plots that may or may not be present in *production* plots, so it would be advisable to allow other options in case none of the licensees' plots are suitable for research.
- I strongly recommend removing all requirements for industrial hemp plants to have a crop-wide average of tetrahydrocannabinol that does not exceed 0.3%.
 - Rationale: The 0.3 & THC limit is an artificial and unnecessary requirement based upon unsubstantiated fear of drug effects from the use and processing of industrial hemp.
 - Hemp cultivars bred to be under 0.3% THC yield less fiber and are more susceptible to disease and pests than the normal hemp cultivars that have been used for thousands of years prior to the 1990s.
 - Hemp normally has approximately 3% THC in the flower, which is far too low of a concentration for anyone to get high from. In fact, smoking or vaporizing normal industrial hemp has been found to produce undesirable effects, such as headache and poor flavor, which easily discourages the user from trying it a second time.
 - Now that Oregon has legalized marijuana for adult-use, it is silly to require ultra-low-THC hemp when adults have legal access to high-quality and high-potency marijuana.
 - There are patches of feral (normal) hemp crops in Oregon that are remnants of past hemp production and transportation that can be utilized for seed collection that would not require a DEA import permit or the willingness of a foreign seed producer to export seed to the U.S., where their Plant Breeders Rights are not protected.
 - To accomplish this:
 - In 571.300(5)(a), delete, “, that contain a cropwide average tetrahydrocannabinol concentration that does not exceed 0.3 percent on a dry weight basis”
 - Delete Section 2(4)(c)
- I recommend deleting Section 2(4)(d) because it is not feasible to produce only female plants on plots greater than 2.5 acres.
- Instead of the OHA providing marijuana grow-site addresses, which poses a serious risk to the privacy and security of OMMP patients and growers, allow an ODA representative physical access the redacted database in the OMMP office to establish the acceptable industrial hemp cultivation areas without any patient registry data leaving the OMMP office and without the ODA representative seeing any personally-identifiable information.

SECTION 3

- I strongly recommend *not* delaying licensed (non-research) production, and instead allow licensees to produce a crop this year while the research is being conducted, as long as their field is located a sufficient distance from OMMP growsites – the economic opportunities of industrial hemp production in Oregon should not be delayed any longer.
- Therefore, please delete SECTION 3 in its entirety.

OTHER COMMENTS

- In Douglas, Jackson, and Josephine counties, there are microclimates, environmental conditions, and human culture that makes areas within these counties world renowned for cannabis cultivation as much as regions in France are renowned for wine production and culture. Therefore, it's very important for the culture as well as the economy of these areas to protect the terroir of this area by adopting a sort of appellation system. As, these counties have areas suitable for industrial hemp production, there's also the interests of hemp farmers to consider as well – the most difficult balance to strike that we're faced with. I therefore recommend the research proposed in this measure to include identifying areas within these counties where the respective crops should be allowed instead of prohibiting industrial hemp (or fertile male hemp plants) production entirely.
- I strongly support allowing the production of hemp seed for food, cosmetics, industrial oil, etc.
 - Currently the law allows production for only fiber and agricultural seed (seed for planting), but leaves out industrial and nutritional hemp seed.
 - Hemp seed is more valuable than hemp fiber in terms of revenue per acre and requires less infrastructure development for processing.

I hope you find my comments and recommendations valuable for your decisions regarding amendments to HB 2668. Please feel free to contact me if you have any questions.

Best,



Todd Dalotto, President