



Testimony of the Maine Organic Farmers and Gardeners Association
in opposition to
LD 1996 - *An Act to Regulate Synthetic Hemp-derived Cannabinoids*

January 31, 2024

Good morning Senator Ingwersen, Representative Pluecker and members of the Joint Standing Committee on Agriculture, Conservation and Forestry. My name is Heather Spalding and I am deputy director of the Maine Organic Farmers and Gardeners Association (MOFGA). I am speaking today in respectful opposition to LD 1996 - *An Act to Regulate Synthetic Hemp-derived Cannabinoids*.

MOFGA is working to build a food system that is healthy and fair for all of us. Through education, training and advocacy, we are helping farmers thrive, making more local, organic food available and building sustainable communities. MOFGA is a USDA-accredited organic certifier, that certifies 526 organic farms and processing operations in Maine and New Hampshire representing more than \$120 million in sales and we are working hard to create opportunities for Maine's next generation of farmers. Each of these farmers is a Maine businessperson for whom economic health and environmental health are interdependent. While MOFGA envisions a future of healthy ecosystems, communities, people and economies sustained by the practices of organic agriculture, we attribute our success to collaboration and outreach to growers across the management spectrum.

MOFGA has an interest in LD 1996 because we certify eight hemp farmers (some who also create certified organic value-added products) and, in addition to our USDA-accredited organic certification program, we run an independent, third-party verification and certification program called Certified Clean Cannabis by MOFGA (MC3). The cannabis program caters to medical caregivers and adult-use producers in Maine who are striving to provide the safest and best quality products in the market. Our standards mirror the crop production components of the USDA National Organic Program. The MC3 Program is a voluntary marketing label designed to ensure customer and patient confidence in growing practices. To comply, all aspects of operations pertaining to MC3 standards must be verifiable through an audit process. This audit process consists of an MC3 system plan, review of plan, record keeping analysis, on-site inspection, and, ultimately, a certification decision. This process occurs on an annual basis and the certified operation is required to renew each year to maintain a valid certificate. The MC3 program has 14 certified producers in the program.

MOFGA has concerns about the charge of the proposed working group in LD 1996, and we oppose the terms of the moratorium. We understand that the impetus for LD 1996 is keeping hemp-derived food and drinks with high levels of THC out of the hands of children and adults who may not know about the possible impacts of the products. If this is an established problem in Maine, it should be addressed. We believe that the original intent was not to target Maine-based



hemp growers and producers, however we feel that the bill and the amendment will adversely impact them nonetheless. We have heard from MOFGA certified organic hemp producers that they fear this legislation will put them out of business. Emphasis is on the moratorium proposed in Section 2, which bans the sale of food products with 0.3% or more delta-9 THC or a combination of hemp-derived ingredients that in the aggregate contain 0.3% or more delta-9-THC. Section 2 defines "hemp-derived ingredients" as including extracts, which are a key component of our MOFGA certified organic farmers' products. The extracts they create, by design, exceed the .3% limit, but the concentrated extracts are diluted back to legal limits when added to the saleable products.

If this process results in the establishment of a working group to develop recommendations regarding the regulation of hemp-derived products, we advocate for assessing the THC levels in the final products to market, not the concentrated extract added to the product.

Thank you for your consideration of this legislation. I urge the Committee to vote unanimously in opposition to LD 1996 - *An Act to Regulate Synthetic Hemp-derived Cannabinoids*.

I would be happy to answer questions if you have any.

The Maine Organic Farmers and Gardeners Association (MOFGA) started in 1971 and is the oldest and largest state organic organization in the country. We're a broad-based community that educates about and advocates for organic agriculture, illuminating its interdependence with a healthy environment, local food production, and thriving communities. We have 15,000 members, we certify more than 500 organic farms and processing facilities representing \$120 million in sales, and we are working hard to provide training and create opportunities for Maine's next generation of farmers. Each of these farmers is a Maine businessperson for whom economic health and environmental health are interdependent. While MOFGA envisions a future of healthy ecosystems, communities, people and economies sustained by the practices of organic agriculture, we attribute our success to collaboration and outreach to growers across the management spectrum.