



JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
OFFICE OF CANNABIS POLICY  
162 STATE HOUSE STATION  
19 UNION STREET  
FIRST FLOOR  
AUGUSTA, MAINE 04333-0162

ADMINISTRATIVE & FINANCIAL SERVICES

KIRSTEN LC FIGUEROA  
COMMISSIONER

OFFICE OF CANNABIS POLICY

JOHN HUDAK  
DIRECTOR

May 5, 2025

Re: LD 1488, An Act Regarding Cannabis Testing and the Manufacture of Cannabis and Hemp Products

Senator Hickman, Representative Supica, Members of the Joint Standing Committee on Veterans and Legal Affairs:

The Office of Cannabis Policy (OCP) respectfully submits the following comments in opposition to LD 1488 because this bill fails to grapple with the real public safety concerns presented by allowing untracked and untested hemp to be processed in the same facility where tracked and tested adult use cannabis is manufactured. This bill also increases the risk that adult use consumers of edible cannabis products will be exposed to harmful levels of microbial contaminants by eliminating mandatory testing for dangerous mold and mildew and harmful microbes. While the Office is willing to explore solutions to address the proponents' concerns, additional regulatory guardrails are necessary to protect public safety and consumer health.

The provision amended in Section 1 of the bill was just overhauled last spring in LD 40 (PL 2023, ch. 679). The exclusion of hemp manufacturing in that bill being deliberate and necessitated by the lack of mandatory inventory tracking and testing of hemp. It remains irresponsible to exacerbate existing public health and safety challenges posed by untracked and untested medical cannabis by permitting the simultaneous manufacture of cannabis and untested and untracked hemp products within an adult use products manufacturing facility. If hemp biomass may be extracted within an adult use cannabis products manufacturing facility, it is critical for that hemp to be tracked and distinguishable from any adult use cannabis and/or medical cannabis biomass at the manufacturing facility. Similarly, if hemp extract may be made and used to make edible products that do not contain THC, that extract must be tracked and distinguishable from any adult use and/or medical cannabis extracts at the manufacturing facility.

Section 2 of this bill appears to address the separate issue of testing of edible cannabis products for harmful contaminants like yeast, mold, mildew, bacteria, E. coli, and Salmonella. Nationwide recalls of everything from pork to salad greens to soup serve as monthly reminders of the precarious state of our existing food safety system in this country.<sup>1</sup> At a time when existing food

---

<sup>1</sup> U.S. Department of Agriculture, Recalls & Public Health Alerts, available at: <https://www.fsis.usda.gov/recalls> (accessed April 29, 2025). See also U.S. Food and Drug Administration, Recalls, Market Withdrawals, & Safety Alerts, available at: <https://www.fda.gov/safety/recalls-market-withdrawals-safety-alerts> (accessed April 29, 2025). and Bill Chappell and Allison Aubrey, *Yes, the number of food recalls has been rising. Here's what you need to*

inspection and safety regulations are being rolled back broadly, the responsible course of policymaking is to pause further rollbacks at the local level until we can appreciate the impact of those changes on any ingredients used to make edible cannabis products.

As we have shared with this committee, OCP's department bill, LD 104, takes a comprehensive and science-based approach to right sizing mandatory testing for the adult use program, in addition to bringing that basic public health tool to the medical cannabis program. The goal of LD 104's adult use provisions is to ensure that licensees are testing for the right harmful contaminants at the right point in the cultivation and manufacturing processes. This includes looking for microbial contaminants and foreign material at the end of the manufacturing process, as accidents can and do happen. For example, using baking powder when a recipe calls for baking soda or using 2 tablespoons of vanilla extract when the recipe calls for 2 teaspoons. Other times, a silicone-covered whisk can break down and leave bits of silicone throughout a batch of brownies or an unsuspecting housefly can get mixed into a batch of cookies. Mandatory contaminant testing is not just about discouraging intentional misconduct, it is also about identifying issues that can arise throughout the supply chain and ensuring that consumers know what they are putting into their bodies.

With all of that in mind, the Office is willing to work with this committee to address the concerns raised by the proponents of this bill, but the solution suggested by LD 1488 is unworkable as a matter of public health and safety. It is critical that this committee learn the lessons of the past three Legislatures to ensure that any new cannabis policies adopted by this committee do not further exacerbate existing issues created by the unending churn of legislative intervention into this nascent market. As always, we thank the committee for its time and we would be happy to answer any questions you have at the work session.

---

*know*, NPR (Dec. 9, 2024), <https://www.mainepublic.org/npr-news/2024-12-09/yes-the-number-of-food-recalls-has-been-rising-heres-what-you-need-to-know> (accessed April 29, 2025).