

Testimony In Opposition to L.D. 1620, An Act to Amend the Laws Regulating the Testing of Adult Use Cannabis and Adult Use Cannabis Products, and L.D. 1672, An Act to Allow Participation in the Adult Use Cannabis Tracking System to Be Voluntary and in Favor of LD 104, An Act to Protect the Health of Medical Cannabis Patients and Streamline the Mandatory Testing of Cannabis, and LD 1847, An Act to Institute Testing and Tracking of Medical Use Cannabis and Cannabis Products Similar to Adult Use Cannabis and Cannabis Products

Before the Joint Standing Committee on Veterans and Legal Affairs

May 5, 2025

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

On behalf of the Maine Cannabis Lab Consortium, we write to provide testimony to support a few general principles that will improve the cannabis programs in Maine, provide safety assurances for consumers and ensure cultivators and manufacturers of all programs are operating on equal footing and are free from competing against inversion of illicit product in the state of Maine. Specifically, pursuant to the below, we are testifying in opposition to LD 1620 and LD 1672 and in support of LD 1847 and LD104

- All three programs in the state of Maine, Adult Use, Medical Use and Hemp need to be regulated with mandatory tracking, tracing and testing. Studies from multiple markets (articles referenced and linked below) indicate that illegal/unregulated cannabis generally contains higher levels of contaminants than regulated products and that illegal marijuana is being sold over the counter as hemp products. Real world data from samples right here in Maine follow that same trend.
- There is a need for greater transparency in testing results in all programs. De-identified, detailed data needs to be provided to the public. Every test result related to each product's unique plant or batch identifier should be made available. This will allow for the public to evaluate trends or biases from the testing labs, evaluate consistency, identify lab shopping and reveal bad actors in the testing space. In addition the office should execute a round robin study quarterly with all labs in the form of a "secret shopper" program and these results should be made available to the public.
- The current tracking, tracing and testing regimen in the Adult Use market needs to remain intact without substantial changes and should be used as a template for regulation in the medical and hemp program. That is, mandatory tracking and testing of each batch produced is the standard. Any change to an "audit" style regimen could lead to increased contaminated product in the market, recalls of months worth of product should an audit failure occur and a structural collapse of the testing infrastructure. An overview of testing data shows an audit program would result in an increased rate of contaminated product available to consumers.
- Minor adjustments are justified for the adult use program and subsequently the medical and hemp program. For instance, a change in the "failure" limit of total yeast and mold testing with speciation instead of retesting has been evaluated and has potential to be a

more common sense approach to what we have seen in the state. An expanded panel of mycotoxins is also needed and should replace live organism testing in concentrates.

In summary, we would support any bill or initiative that included the above tenets. There is obviously more detail to discuss in each of the points above, but these are general good practices that we believe will improve patient and consumer safety, improve testing consistency and accuracy, protect cultivators and manufacturers from inversion and lead to an overall more robust market. We are happy to provide data/studies and more detailed analysis. In contrast, we are opposed to any bill or initiative that would violate the general points above or seek to remove mandatory tracking, tracing and testing on a batch level.

Sincerely,
Nova Analytic Labs
CatLabs
MCR

References:

Cannabis Data Gathering Program: A Comparison of Legal and Illegal Dried Cannabis Products

<https://www.canada.ca/en/health-canada/services/publications/healthy-living/data-gathering-program-comparison-legal-illegal-dried-cannabis-products.html>

High potency and pesticides: Marijuana is being sold over the counter in Florida as hemp
<https://www.miamiherald.com/news/politics-government/state-politics/article292045805.html>

Product labeling accuracy and contamination analysis of commercially available cannabidiol product samples

<https://www.frontiersin.org/journals/pharmacology/articles/10.3389/fphar.2024.1335441/full>

ACIL Hemp Market Study

https://cdn.ymaws.com/www.acil.org/resource/resmgr/cannabis/P2_2024_ACIL_Product_Study_r.pdf