

Nathan Berube
Falmouth
LD 1847

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Presented by: Nathan Berube, Small-Scale Medical Cannabis Caregiver, Hash Works
Honorable Members of the Maine Legislature,

I am Nathan Berube, a small-scale medical cannabis caregiver from Falmouth operating Hash Works from my home. For five years, Hash Works has thrived, providing safe, pesticide-free cannabis to patients with chronic conditions. I strongly oppose LD 1847, which mandates testing and tracking for medical cannabis akin to the adult-use program, as it imposes unsustainable costs, relies on flawed testing procedures, and introduces legal risks associated with tracking systems like METRC, threatening small caregivers and patient access.

Flaws in Current Testing Procedures

Section 6 (22 MRSA §2430-O) and Section 7 (22 MRSA §2430-P) require mandatory testing for contaminants like PFAS, pesticides, and microbes, mirroring adult-use standards. However, Maine's testing infrastructure is unreliable. The Office of Cannabis Policy's (OCP) 2023 study, which reported a 45% failure rate in medical cannabis samples, used a small, non-representative sample and lacked evidence of patient harm, inflating risks. Testing labs, limited to five statewide, produce inconsistent results, as seen in three adult-use recalls for mold due to varying lab standards. Nova Analytic Labs' 2023 study found a 21% pesticide failure rate in voluntary medical samples, yet recreational samples failed at only 4%, suggesting methodological discrepancies. These flaws risk false positives, forcing small caregivers like me to destroy safe products or incur remediation costs, despite my rigorous sterilization and clean cultivation practices.

Economic Burden on Small Caregivers

The mandatory testing outlined in Sections 6 and 7, covering every batch for multiple contaminants, could cost Hash Works \$20,000-\$50,000 annually. As a home-based operation, I cannot absorb these costs without raising prices or closing, limiting access for my patients among Maine's 106,000+ medical cannabis users. Section 9 (22 MRSA §2430-R) allows caregivers to collect samples, but the required protocols, audits, and in-person transfers add further expenses and complexity, undermining my ability to serve patients efficiently.

Legal Issues with METRC Tracking System

Section 12 (22 MRSA §2430-U) mandates a tracking system, likely METRC, given its use in Maine's adult-use program. However, METRC faces significant legal challenges in other states, raising concerns about its implementation. In Michigan, a 2022 lawsuit (*Viridis Laboratories v. Michigan Cannabis Regulatory Agency*) alleged METRC's data inaccuracies led to wrongful recalls, costing businesses millions. In California, METRC's monopoly status has sparked antitrust lawsuits, with operators claiming excessive fees and data privacy violations. These issues suggest METRC's adoption in Maine could expose caregivers to legal risks, data errors, and high compliance costs, particularly burdensome for small operators like Hash Works, which relies on manual record-keeping to track my small-batch production.

Alternative Solutions

Instead of costly mandates, the Legislature should prioritize education on safe cultivation, as I employ with sanitized grow spaces and voluntary testing. The OCP's 2023 study lacks proof of widespread contamination necessitating universal testing. Targeted testing for high-risk products or subsidies for small caregivers would better balance safety and affordability. The proposed tracking system's complexity, coupled with METRC's legal troubles, risks entangling caregivers in litigation and operational failures seen elsewhere.

Impact on Patients

LD 1847's testing and tracking requirements, while well-intentioned, could force

small caregivers out, consolidating the market and raising prices. This jeopardizes access to affordable, tailored medicine for patients in rural areas. Section 14's allocation of adult-use taxes to medical programs is insufficient to offset these burdens, and Section 15's youth study group, while valuable, does not address the immediate harm to caregivers.

I urge you to reject LD 1847 or amend it to exempt small caregivers, fund testing subsidies, and avoid problematic tracking systems like METRC. Protect Maine's medical cannabis program by supporting education and fairness for small operators like Hash Works.

Sincerely,

Nathan Berube

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