

Senator Hickman, Representative Supica, and the distinguished members of the Veterans and Legal Affairs Committee,

My name is Lizzy Hayes, I am an organic farmer, a medical cannabis caregiver and resident of Mercer. I am submitting testimony in support of LD1620

I support raising the total yeast and mold (TYM) limit and removing other total count microbial tests. This would remove some of the harmful incentives created by the unrealistic 10,000 cfu/g limit currently in place which causes operations to irradiate their flower or turning perfectly safe product into concentrates. The current microbial limits are not based on science and the change offered in this bill is a reasonable compromise. I would suggest removal of the TYM test altogether.

The OCP report [Harmful Contaminants in Maine's Medical Cannabis Program](#) states that 50 samples, or 42%, contained at least one contaminant that would have failed testing according to the mandatory testing standards set for Maine's Adult Use Cannabis. However, 60% of failures (30/50) were for TYM, tests which the manufacturer [states](#) "are unable to differentiate between pathogenic, beneficial, and benign yeast and molds, making them poor indicators of safety. A low TYM result does not mean a cannabis sample is free of pathogens. A high TYM result doesn't mean a sample is harmful to consumers. This is especially true in cannabis, which has a diverse microbiome of beneficial microbes that are not harmful to humans." Cannabis recalls in adult use have been due to failures for TYM, with no evidence of the presence of human pathogens. TYM testing is inconsistent with the Adult Use Statue which authorizes testing for "Dangerous yeasts, molds and mildew" not testing for TOTAL yeast and mold. These recalls create distrust of products from the regulated market and have not demonstrated an impact on public health outcomes.

I strongly support requiring transparency into Maine's testing data. Data scientists have [used testing data](#) from other states (WA,MI,NV) to identify lab fraud. Maines adult use program has not been made available, which is concerning and suspect. If it would identify lab fraud, we should make the data available and ensure the consumers are not being given misleading or meaningless test results.

I would like the committee to question why we require mandatory testing of cannabis. It is not required in the medical program and there is no data to suggest that medical patients are more likely to be harmed by cannabis products. Is there any data demonstrating harm being done by untested cannabis? It it safe to consume home grown cannabis? I think that the lack of mandatory testing of food, beverages and other consumer products would give reason to consider doing away with mandatory testing. Just like in the food industry, tested product, organic or other third party verified, should be a consumer choice, not a requirement.

Concerns with lab fraud, discrepancies between labeled results and audit test results, and the utter lack of evidence of people being harmed by contaminated cannabis would suggest that testing is largely unnecessary. It is intended to give consumers confidence in the legal market and direct them away from untested black-market products in order to capture tax dollars. It is important that we do not give consumers a false assurance and if we require testing it must be meaningful, science based and include safeguards to ensure incentives don't exist for labs to falsify results.

Thank you for your time and consideration.