



# Arizona Department of Agriculture

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## Industrial Hemp Program Rules Committee Meeting Minutes 12-7-18

Call to Order. - Dwayne Alford called the meeting to order at 11:05 A.M.

Roll Call. - Brian McGrew called roll. All Committee members present. A quorum was indicated.

Approval of October 30, 2018 Minutes. - Mr. Alford called for discussion of the October 30, 2018 meeting minutes. Hearing none, Mr. Ollerton made a motion to approve the minutes as written, Mr. Holley seconded and all members voted to approve the minutes as written.

Approval of November 15, 2018 Minutes. - Mr. Alford called for discussion of the November 15, 2018 meeting minutes. Hearing none, Mr. Ollerton made a motion to approve the minutes as written, Mr. Holley seconded and all members voted to approve the minutes as written.

November 15 update. - Mr. McGrew review the discussions and changes made to the draft administrative rule language discussed during the November 15th Committee meeting.

Violations, Penalties, and Restrictions. - Mr. McGrew provide information regarding the process other

Administrative Rule Language. - With the discussion that occurred with the November 15 Update, additional discussion of rule language was tabled for the next meeting.

Future Agenda Items. - Mr. Alford asked the Committee for suggestions on future agenda items.

Call to the Public. - Mr. Alford opened the floor to the public for comments. Salvador commented that there should be the ability for a person to apply for more than one type of license. Mr. McGrew indicated that it was the intent to have that ability for an applicant.

Lucas Johnson, Ascending Farms, noticed that some of the draft rule language conflict with his AMMA (Arizona Medical Marijuana Act) rights on growing hemp. Mr. McGrew indicated that he would have to look into the AMMA language and DHS Administrative Rules to determine if there is any conflicting language.

Bill Bartwohl expressed concern that, in his opinion, there should be a horticulturist on the Committee, and that there we some every disturbing language indicated in the draft language seen today. Ms. Lanier asked Mr. Bartwohl to point out some of the language that was concerning so the Committee could look more closely into it. Mr. Bartwohl pointed out that, for one thing, the misinformation about drought and its effect on THC levels. Ms. Lanier pointed out that this information was based on a discussion, and not what was specifically indicated in any rule language. Mr. Bartwohl indicated that field testing and plant knowledge issues were still a concern (No draft compliance requirements were indicated today). Mr. Bartwohl restated that there should be a horticulturist on the Committee.

Mikel Weisser, of Arizona Cannabis Monthly, indicated that Dr. Hope Jones may be able to provide expert testimony on testing and would be able to provide contact information.

Bruce Hurst asked that if the Federal government legalized industrial hemp, would the Arizona pilot program mute. Mr. McGrew indicated that there would still be a requirement for a licensing program for the commercialization of industrial hemp. The current rule development would include the necessary provisions for commercialization. Mr. Alford indicated to Mr. Hurst that according to the 2018 Farm Bill, each state would have to monitor their own programs.

Kevin made a comment that in Yavapai County property is zoned primarily residential, even rural areas. It was explained that the draft language is intended to address actual, physically occupied residential buildings. Mr. McGrew indicated that the County Planning Directors would provide some language suggestions to better clarify. It was also indicate that there should be provisions to allow research with hemp that contains above 0.3% THC. Trevor Donaldson, indicated that from his understanding is that 0.399% is legal. Mr. McGrew said that is the case in Kentucky, this Committee will have to review that interpretation for Arizona's rules. Mr. Echevarria indicated that if the legislation is clear that 0.3% is the limit, then administrative rules cannot make exceptions above that level. Mr. Johnson asked why a person would not be able save purchased seed. It was indicated to Mr. Johnson that it was not the intent to limit seed storage or saving and the Committee would review the language for that interpretation to correct it. An audience member asked if there could be provisions to make allowances for a crop that is slightly over 0.3% where the THC could be removed and the grower is given his crop back. Mr. Holley indicated that, scientifically that is possible, but the level oversight required may be too much for the resources available to the Department. Mr. Ollerton indicated that this sort of change would require change in the legislation. Steven Christiansen asked for clarification on testing. If an inspector comes to collect a sample on an 80 acre parcel are they only going to take one sample? Mr. Ollerton indicated that it would be a composite sample of several points in a field. Mr. McGrew indicated that those provisions are still being developed but it would likely be a composite sample prior to harvest. It was asked if it is mandated that the sample be collected prior to harvest. Mr. McGrew will look into the question and the Committee will have more discussion on this issue in upcoming meetings.

A person asked about what licensing fees would be. It was indicated that fees are still in development.

Mr. Alford stated that the next meeting will be scheduled after the holidays

With no further business, Mr. Alford adjourned the meeting at 2:00 P.M.