

From: Giguere, Cary [Cary.Giguere@vermont.gov]
Sent: Tuesday, September 06, 2016 10:05 AM
To: Pepper, James
Subject: RE: Industrial Hemp Program
Attachments: Adult Use Regulatory Infrastructure.docx; Proposal for Cannabis Regulation at the VAAF.M.docx

These could be useful if you want to share.

From: Pepper, James
Sent: Tuesday, September 06, 2016 9:45 AM
To: Giguere, Cary <Cary.Giguere@vermont.gov>
Subject: RE: Industrial Hemp Program

Awesome- thanks!

From: Giguere, Cary
Sent: Tuesday, September 06, 2016 9:41 AM
To: Pepper, James <James.Pepper@vermont.gov>
Subject: RE: Industrial Hemp Program

I can do. Thanks James

From: Pepper, James
Sent: Tuesday, September 06, 2016 9:40 AM
To: Giguere, Cary <Cary.Giguere@vermont.gov>
Subject: FW: Industrial Hemp Program

Hey Cary – here is the dial in with the PA folks re: hemp. The call is at noon if you're still up for it.

From: Derrick, Jacob [<mailto:jaderrick@pa.gov>]
Sent: Tuesday, September 06, 2016 8:37 AM
To: Pepper, James <James.Pepper@vermont.gov>
Subject: RE: Industrial Hemp Program

Could you call in to (717) 612-4733 Access Code: 501933? It is our Policy Office conference line and will allow for my colleague at the PA Department of Agriculture join.

Hope you had a great weekend!

Jake

From: Pepper, James [<mailto:James.Pepper@vermont.gov>]
Sent: Friday, September 02, 2016 1:52 PM

To: Derrick, Jacob <jaderrick@pa.gov>
Subject: RE: Industrial Hemp Program

That works...do you want to call me then?

From: Derrick, Jacob [<mailto:jaderrick@pa.gov>]
Sent: Friday, September 02, 2016 1:24 PM
To: Pepper, James <James.Pepper@vermont.gov>
Subject: RE: Industrial Hemp Program

Hi James,

No worries and hope you're having safe travels. My schedule is open at noon on Tuesday. Would that time work for you?

Best,

Jake

From: Pepper, James [<mailto:James.Pepper@vermont.gov>]
Sent: Friday, September 02, 2016 11:27 AM
To: Derrick, Jacob <jaderrick@pa.gov>
Subject: Re: Industrial Hemp Program

Hi Jake -

Sorry for the delay. I was traveling and am only now digging through me inbox. I'd be happy to chat with you about this. Do you want to talk on Tuesday?

My office and cell are below. Feel free to give me a ring when you have some time.

Thanks,

James Pepper
Director of Intergovernmental Affairs
802-279-1086 (c)
802-828-6403 (o)

On Aug 30, 2016, at 10:54 AM, Derrick, Jacob <jaderrick@pa.gov> wrote:

Hi James,

I'm a policy analyst in Pennsylvania Governor Tom Wolf's Policy Office. Pennsylvania is currently in the process of rolling out both an industrial hemp pilot program and a medical cannabis program. We are running into questions about how the two programs will interact, if at all. Specifically, some potential hemp research pilots have expressed interest in producing oils that would compete with the medical cannabis industry. In an

effort to better understand the implications, I was hoping to speak with you about Vermont's experience as another state with both an industrial hemp and a medical cannabis program.

Thank you for the consideration.

Kind regards,

Jake

Jake Derrick | Policy Analyst
Office of the Governor
(717) 265-8913
601 Main Capitol Building
Harrisburg, PA 17120

Adult Use - Proposed Marijuana Regulatory Infrastructure				
	DPS	AAFM	VTRANS	VDH
License/register facilities and growers				
• Maintain databases of sites, and personnel (completed background checks, training, pesticide application status)	✓	✓		
• Collect fees for sites and personnel	✓	✓		
• Establish facility selection criteria	✓			
• Certify number of facilities determined by Board	✓			
• Recordkeeping	✓	✓		
• Inspect facilities	✓	✓		
• Inspect retail locations	✓	✓		
Establish site security requirements				
• Security plan / on-site inspection	✓			
• Availability and registration of pesticide products		✓		
• Integrated pest management		✓		
• Worker Protection Program for pesticide usage		✓		
• Training requirements	✓	✓		
• Establish product standards	✓	✓		
• Nutrient management		✓		
• Waste management		✓		
Seeds				
• Seed certification		✓		
• Registration of varieties		✓		
Consumer Protection/Safety				
• Weights & measures (facilities, retail)		✓		
• Condemn adulterated products		✓		
• Assess products (THC, cannabinoids, pesticides, inorganics, pathogens)		✓		
Overarching Analytical Programs Recreational, Medicinal, Hemp				
Commercial laboratories certification				
• Establish QA/QC standards		✓		
• Establish performance testing program		✓		
• Establish auditing programs		✓		
• Establish reporting requirements		✓		
State Laboratory Functions				
• Pesticide Analysis		✓		
• Adulterated Product Analysis		✓		
• Cannabinoid Analysis		✓		
• Saliva analysis validation	✓			
• Blood THC content	✓			

Enforcement program components				
	DPS	AAFM	VTRANS	VDH
Enforcement of Marijuana laws				
• Illegal sales and distribution (minors)	✓			
• Possession of more than one ounce	✓			
• Unlicensed commercial Grows	✓			
Intoxicated Driving				
• Roadside	✓		✓	
• Barracks or Hospital (Blood test)	✓			
• Testimony	✓		✓	
Outreach and Education				
• Intoxicated driving deterrent programs	✓		✓	✓
• Develop outreach material	✓		✓	✓
Drug Recognition Experts				
• Training DRE	✓		✓	
• Statewide DRE Coverage	✓		✓	
• Testimony	✓		✓	
Misuse and Abuse Prevention				
Outreach and Education program components				
• Community Grants	✓			✓
• Family education material development	✓			✓
• Youth Risk Survey	✓			✓
• At risk youth outreach material development	✓			✓
• School-based Grants for substance abuse prevention	✓			✓
• Screening, Brief Intervention and Referral to Treatment (SBIRT) for youth	✓			✓
• Screening, Brief Intervention and Referral to Treatment (SBIRT) for pediatric practices	✓			✓
• Counter Marketing Campaign	✓			✓

Vermont Agency of Agriculture, Food & Market's Proposal for a Comprehensive Approach to Cannabis Cultivation and Certification

The Agency of Agriculture, Food & Markets (the Agency) proposes to create and administer a comprehensive regulatory program for the cultivation of hemp and medicinal and recreational cannabis.

As Vermont has the ability to become the first state in the nation to legalize recreational cannabis through the legislative process, there presents an opportunity to create a model for a comprehensive cultivation and product certification process. By employing an all-encompassing approach and developing regulatory infrastructure, Vermont will set itself apart from other states who have legalized recreational cannabis use through popular vote. The Agency's regulatory program would draft, establish, and implement rules for the certification of cultivation sites, growers, and retail locations; establish acceptable cultivation and recordkeeping practices; and ensure consumer protection by conducting site inspections, certifying commercial laboratories, and testing products for adulterants and chemical constituents.

The proposed regulatory structure is the same as other Agency-regulated commodities. The Agency's experience and areas of overlap would provide the opportunity for an economy of scale and efficiency in the regulatory program. Components already in place in the Agency include information technology infrastructure for site and grower certifications, programmatic experience in seed and product certifications, pest management, pesticide usage and disposal, consumer protection-related items such as weights and measures, and evaluating products for compliance with Vermont standards. Additional programs in the Agency, such as the Working Lands Enterprise Board, have developed collaborative, transparent, interagency processes to evaluate competitive bid applications.

Most of the concerns and processes outlined for regulating the recreational cannabis cultivation mirror programs already active at the Agency. The delineation in regulatory authority would be for the Agency to regulate product cultivation, certify sites and growers, and establish Vermont brand standards, and for the Department of Public Safety to enforce on illegal product usage, illegal sales, distribution, and offenses such as drugged driving. The Department of Health would maintain the education and prevention outreach programs highlighted in the current bill.

Draft regulatory program components at the Vermont Agency of Agriculture, Food & Markets

Recreational	Medicinal	Hemp
<p>License/register facilities and growers</p> <ul style="list-style-type: none"> • Maintain databases of sites, and personnel (completed background checks, training, pesticide application status) • Collect fees for sites and personnel • Establish facility selection criteria • Certify number of facilities determined by Board • Recordkeeping • Inspect facilities • Inspect retail locations 	<p>License/register facilities and growers</p> <ul style="list-style-type: none"> • Maintain databases of sites, and personnel (completed background checks, training, pesticide application status) • Collect fees for sites and personnel • Recordkeeping • Inspect facilities 	<p>License/register fields and growers</p> <ul style="list-style-type: none"> • Establish criteria for sites • Maintain databases of sites, and personnel (completed background checks, training, pesticide application status) • Issue permits • Maintain databases of sites and producers • Collect fees • Recordkeeping • Inspect
<p>Establish site security requirements based on DPS</p> <ul style="list-style-type: none"> • Security plan • On-site inspection 	<p>Establish site security requirements based on DPS</p> <ul style="list-style-type: none"> • Security plan • On-site inspection 	<p>Establish site security requirements</p> <ul style="list-style-type: none"> • Security plan • On-site inspection
<p>Establish & Implement Accepted Cultivation Practices</p> <ul style="list-style-type: none"> • Availability and registration of pesticide products • Integrated pest management • Worker Protection Program for pesticide usage • Training requirements • Establish product standards • Nutrient management • Waste management 	<p>Establish & Implement Accepted Cultivation Practices</p> <ul style="list-style-type: none"> • Availability and registration of pesticide products • Integrated pest management • Worker Protection Program for pesticide usage • Training requirements • Establish product standards • Nutrient management • Waste management 	<p>Establish & Implement Accepted Cultivation Practices</p> <ul style="list-style-type: none"> • Pesticide use • Integrated pest management • Worker Protection Program for pesticide usage • Training requirements • Nutrient management
<p>Seeds</p> <ul style="list-style-type: none"> • Seed certification • Registration of varieties 	<p>Seeds</p> <ul style="list-style-type: none"> • Seed certification • Registration of varieties 	<p>Seeds</p> <ul style="list-style-type: none"> • Implement practices to prevent genetic drift • Seed certification
<p>Consumer Protection/Safety</p> <ul style="list-style-type: none"> • Weights & measures (facilities, retail) • Condemn adulterated products • Assess products (THC, cannabinoids, pesticides, inorganics, pathogens) 	<p>Consumer Protection/Safety</p> <ul style="list-style-type: none"> • Weights & measures • Assess products (THC, cannabinoids, pesticides, inorganics, pathogens) • Flower adulteration • Condemn adulterated products 	<p>Consumer Protection/Safety</p> <ul style="list-style-type: none"> • Assess products (THC, cannabinoids, pesticides, inorganics, pathogens) • Condemn adulterated products
<p>Overarching Analytical Programs Recreational, Medicinal, Hemp</p>		
<p>Commercial laboratories certification</p> <p><i>Ensure 3rd party laboratories are compliant</i></p> <ul style="list-style-type: none"> • Establish QA/QC standards • Establish performance testing program • Establish auditing programs • Establish reporting requirements 	<p>State (Auditing & Consumer Protection)</p> <p><i>Ensure product meets Vermont standards</i></p> <ul style="list-style-type: none"> • Assess product content (cannabinoid content) • Pesticide residues • Inorganics • Pathogens • Drift 	