

From: Schmalz, Tim [Tim.Schmalz@vermont.gov]
Sent: Thursday, November 03, 2016 8:27 AM
To: Schwartz, Thea
CC: Ross, Chuck; Pepper, James
Subject: hemp updates

Hi Thea,

I spoke with Chuck yesterday, and the hemp MOU came up.

I explained our conversation regarding the DPS position regarding the unnecessary-ness of an MOU in order to provide protection from prosecution for our employees handling hemp, but that I was also interested in establishing protocols for dealing with THC-rich material after analyses, and what DPS would like AAFM to do about reporting higher THC results.

I think it would benefit all parties if we had a protocol in place with DPS regarding this likely outcome prior to finding ourselves in that spot.

Also, In the absence of an MOU or other formal arrangement, I assume AAFM personnel would be afforded the same protections under state law as DPS and DOH personnel handling controlled substances available at 18 VSA § 4203. Likewise, that appears to be the position of AAG Treadwell.

However, I have only had verbal confirmation of that so far – have you received anything in writing from either authority supporting that assumption?

I am going to proceed with assembling the details of a sampling and analytical program, and should have that available for internal review soon. I don't know now if that will also need legal oversight/review, and understand your schedule is full, so my plan is to get it all together and see what it looks like before asking anyway.

Thank you Thea for all your help with DPS, DOH and AG.

Tim

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