

# THE UNITED STATES VIRGIN ISLANDS DEPARTMENT OF AGRICULTURE



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## TESTIMONY OF COMMISSIONER DESIGNEE CARLOS ROBLES OF THE VI DEPARTMENT OF AGRICULTURE

### 31<sup>ST</sup> LEGISLATURE – COMMITTEE ON ECONOMIC DEVELOPMENT, AGRICULTURE, and PLANNING

Good afternoon to the Honorable Jeanette Millin-Young, Chairperson of Committee on Economic Development, Agriculture, and Planning, other committee members and non-committee members present, and to the viewing and listening audience.

I bring you greetings from the hard working men and women of the Virgin Islands Department of Agriculture (VIDOA). I want to thank you for the opportunity to present my brief testimony on bill number 31-0100, an act amending title 7 Virgin Islands Code, chapter 1, to allow for the cultivation of Hemp and other related purposes.

My team and I having had a short time to review the bill would like to provide the following commentary.

The VIDOA commends Senator Nelson, the sponsor of bill 31-0100 for endeavoring to provide existing and new farmers with another potential opportunity to earn additional income through the production and processing of hemp. The diversification of any business provides some level of stability especially during hard economic times.

The bill in it's current form and the additional amends to be introduced today however, presents some challenges for the department.

1. The VIDOA lacks the personnel, lab space, or infrastructure to do conduct the type of testing and monitoring of THC levels in plants.
2. The bill makes no mention of environmental impacts from processing the plant.
3. With the exception of the \$75,000 for the Industrial Hemp Commission included in the proposed amendment, this bill makes no mention of funding sources related to the duties mandated for the VIDOA and other entities involved. At the present time the VIDOA doesn't have the capacity to enforce many of the provisions of this bill.

4. The VIDOA is primarily a service agency and not a regulatory agency. Licensing duties fall under Department of Licensing Consumer Affairs (DLCA). We use DLCA software to input information on our clients. It is my opinion that all background information, criminal history etc. should be kept with DLCA not VIDOA.

The bill also speaks of an Executive Director of the Governor's Office of Agricultural Policy. I am not aware of who that individual is and where that office is located.

My major concern with this bill however, lies in whether this bill as proposed can be effected if it becomes law since it is illegal to grow hemp in the US and by extension it's territories.

In the reviewers notes at the end of this bill it states and I quote "Because of illegality of certain provisions of the bill under the federal Controlled Substance Act, this bill cannot be approved for legal sufficiency. Moreover the Farm Bill did not authorize states to issue licenses for the commercial production of industrial hemp. The sponsor may wish to consider incorporating into the bill an effective date provision contingent upon future enactment by congress or a contingency clause as did the Maine legislature." It goes on to cite the state of Maine's legislation on this matter.

There is an ongoing debate throughout our country and within halls of congress regarding the issue of legalizing of hemp for industrial production. This raises the question as to whether it would be prudent for the VIDOA support this bill in its current form. Therefore at this stage of the process, the VIDOA will withhold an endorsement of this legislation until and at such time the issue of legalization of hemp production in the territory is resolved.

This ends my testimony and I look forward to your questions.