

Good morning Honorable Clifford Joseph Sr. and other Members of the thirty-sixth Legislature. Thank you for having us the members of the Hemp Commission to appear before you today to testify on Bill 36-0105-An amendment to Title 7VIC that will prohibit the possession, sale or manufacturing of tetrahyrcannabinoloic acid, delta-6 THC, Delta THC and Delta 10 THC Products in the Virgin Islands and for other related purposes.

I am Riise Richards, Deputy Commissioner for the Department of Agriculture and I serve as the Chairman of the Hemp Commission. I thank the members of the Commission for their confidence in my ability. It is an honor to present to you, the members of the Commission. I must also add that this cadre of members are very committed to developing this industry within the territory that would unlock significant economic benefits to the territory. The Honorable Justa Encarnacion, Commissioner of Health; Dr. Janis Valmond, Deputy Commissioner-Dept. Of Health; The Honorable Nathalie Hodge-Commissioner of Licensing and Consumer Affairs; Mr. Horace Graham Jr.-Asst. Commissioner- Department of licensing and Consumer Affairs; Attorney; Mr. Ian Clement Esq. Chief Deputy Attorney General; The Honorable Mario Brooks, Commissioner of Virgin Islands Police Department. The Commission has included the Director of the Porty Authority, Mr. Carlton Dowe, who is represented by Mr. Jerome Sheridan, Airport Manager. Dr. Usman Adamu represents Dr. Safiya George, president of the University of the Virgin Islands. I represent the Commissioner of Agriculture, Dr. Louis Petersen Jr. Present with me from the Department of Agriculture is Mr. Clifford Joseph Jr., Director of the Hemp Program.

It should be noted that Hemp, known as Cannabis Sativa L is one of the oldest cultivated crops known to mankind. Hemp is not suitable for recreational use and is better suited for industrial use. Eg. Making rope, textiles, paper, animal feed and even being a food source, the 2018 Farm Bill legalized the cultivation and sale of hemp and Hemp derive products that contain less than 0.3 % THC. It is for this reason that we are here to fully support this proposed bill offered by Senator Clifford Joseph, Sr., According to the bill summary the purpose of the bill is to ban compounds like Delta8etc., Section 1 removes intoxicating derivatives of cannabis from the definition of hemp, which is good. However, what is also needed is a clear definition of hemp or industrial hemp. It should be noted that when these compounds are removed from the definition of hemp or industrial hemp, they may fall under the purview of the Office of Cannabis's and the Cannabis Act. This Bill falls predominantly under Title 7 Section 200 et seq, but the intoxicating cannabis

products fall under Title 19, Section 775et. Seq. There does not appear to be any reference to the Cannabis Use Act or OCR.

There is a concern that if Delta-8 is completely banned, retailers will not apply for permits from the Commission. The retailers would not be inclined to want to sell non-intoxicating hemp. There also exists the possibility they may import products with packaging that outwardly complies with this Bill.

As a body, the Commission supports the fact that the legislation would offer clarity by formally excluding psychoactive cannabinoids such as Deltas6-8 and 10 THC from the Hemp classification. The drawback however is the possible proliferation of products coming in through the retail market that are untested and could contain Delta 6-8 and 10 THC that are often derived synthetically. This does pose a very serious health and regulatory problem. Equally important should be the ban on products that are packaged to mimic brands that are children's snacks, beverages and candies. The consumption of these products by children and vulnerable populations is an important public health issue.

We can, however, ban products wholesale based on the counterfeit packaging itself under 12 V. I. C. 101, 102(a) as a deceptive trade practice.

The omission does want Delta8, etc. to be banned, however, it lacks an enforcement arm and a budget for enforcement. Under V.I. R. & Reg. 77-5, the OCR is required to collaborate with the Commission and the V. I. Police Department on enforcement. The process of referring violations to the Department of Licensing and Consumer Affairs requires enforcement. An officer must go into a convenience store, seize the offending products and issue a summons. This summons would be for an administrative hearing on the possible violation. The bill would have to provide for notice and an opportunity for the offender to be heard and it should also state who would have to conduct the hearing and issue the fine.

The Commission has great and broad local government representation, we have Health, Justice, Police, the Port Authority, Agriculture and the University of the Virgin Islands. All of these agencies collectively create the structure that the Commission does not have by statute. The Department of Agriculture does not have staff specifically assigned to perform administrative tasks, nor do we possess enforcement officers. Mr. Joseph and I do the administrative tasks, and we would rely on the Departments of Police and Licensing and Consumer Affairs for enforcement.

As we contemplate the reality of banning Delta6, 8, and 10 THC, without having a laboratory or access to one, it is chilling. As I stated previously, we can anticipate that our territory could be inundated with products with the Delta 6, 8, and 10 products and that would be problematic. We have had complaints about persons

purchasing these products, ingesting them and having adverse reactions to the products. The Commission does not want this problem to become the norm within our communities.

It is imperative that we address the issue of laboratories and testing of products. I mentioned earlier that we can also hold retailers accountable through deceptive trade practices. We urge that the legislation make accommodations for this course of action, and the Office of the Attorney General can provide information on the legal process for this action.

This group of people on this Commission are all committed to ensuring that the Commission functions effectively and efficiently to safeguard our community and towards building a viable Hemp industry. All members of this Commission or their designees have attended all the official meetings of the Commission. Thank you, members of the Commission, for your diligence and commitment.

In conclusion, thank you Senator Joseph for your work on this legislation. Thank you for allowing me to make this presentation and for my colleagues also making their presentations. I will ask the rest of you Senators to please support this legislation with some amendments as it has great potential to generate revenues for the territory. Thank you and we are ready to answer your questions.