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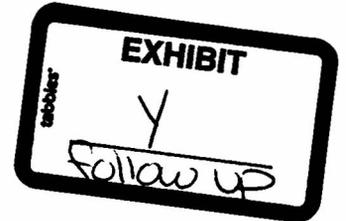
DEPT OF CONSUMER PROTECTION
OFFICE OF THE COMMISSIONER

Public Comment for:

Department of Consumer Protection
Proposed Regulation
Concerning
the Palliative Use of Marijuana

Testimony of:

Megan Sanders
CEO, Gaia Plant-Based Medicine
April 26, 2013



Dispensary-
Inspection of Flower by Patients

Dispensaries should be allowed to have loose marijuana flowers available for inspection and selection. It is important to patients. That marijuana should not be for sale and should be returned to the producer for tracking and destruction after a period of time.

There is an existing market that we will need to work with so as not to drive them back to dealers. They are accustomed to inspecting the medicine prior to purchasing. We believe that once we earn their trust, the industry can move away from this, but until that time we need to consider operating in the existing business model. There is also a correlation between specific efficacy and the patients olfactory response to medicine. Similarly to flavors that are added to medicine so that patients take it, the flavor and smell of the flower is important to make sure the patient has a pleasant experience, therefore more likely to use the medicine.

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Testimony of:

**Megan Sanders
CEO, Gaia Plant-Based Medicine April 26, 2013**

Testing
DCP Commissioner Discretion

I am extremely pleased to see the implementation of brand naming in these regulations as I think it will lead to a better educated consumer and protect the hard genetic work that is going on with very little legal protections. However, the limitations of 97% to 103% for key ingredients such as THC, THCA, CBD, and CBDA are overly restrictive and those deviations could occur within the same plant and certainly from batch to batch. As long as the THC, THCA, CBD and CBDA are listed from a batch sample and the patient knows the characteristics of a registered brand, the spirit of what I believe are the goals of this provision would be protected. Certifications from the producers that the genetics used are the same as those that were registered should be relied upon with as much certainty as any other certification from the producer to the DCP.

One other suggestion on the testing is to make sure the DCP and the Commissioner have significant discretion on the testing rules so that if there is not a laboratory that is able to demonstrate the ability to test the product at the levels described in the rules or if a lab is not able to handle the volume of testing, the Commissioner can act to make sure product is getting to market. I would also suggest that the Testing Rules are reevaluated within a three month time frame to make sure that the goals of the testing are being met and quality product is getting to market efficiently.

Suggested language:

(NEW) Sec.21a-408-57. Laboratory approval
Add Sub. (b) Should the commissioner or the commissioner's authorized representative determine there is insufficient laboratory capacity or facilities to ensure all testing can take place, as defined in 21a-408-58, in a timely manner, the commissioner or the commissioner's authorized representative may use their discretion to ensure medical marijuana is available for purchase by patients.

(NEW) Sec.21a-408-58. Laboratory approval
Add Sub. (i) Should the commissioner or the commissioner's authorized representative determine the testing criteria are overly burdensome to the laboratories or producers or that certain testing cannot be reliably done, as defined in 21a-408-58, the commissioner or the commissioner's authorized representative may use their discretion to ensure medical marijuana is available for purchase by patients.