

From: [Kreative Konfections](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#); [CED AMCO REGS \(CED sponsored\)](#)
Subject: Fwd: Industrial Hemp Program regs not in line with AMCO's for edible products
Date: Wednesday, June 29, 2022 11:44:42 AM
Attachments: [11 AAC Ch40-Industrial Hemp Regulations.pdf](#)

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Hello AMCO Board!

I thought I had sent you the resolution to this last month, but I can't find it in my emails. Apologies if this is a duplicate.

The Industrial Hemp Board, after much review, decided that their regulation had not been written as clearly as it should have been and was being enforced in a way that was not consistent with the original intent. They intended the reg to apply to THC that is derived from Hemp, NOT THC that is derived from Marijuana.

Results: My company (and any other) that is under the AMCO program, should have any imported hemp-derived CB additives approved, but we do not need to have our end edible/topical products containing marijuana-derived THC approved by them as that is not their purview.

So we are now all appropriately-approved and licensed with the Industrial Hemp Board. And they are in the process of fixing their regulation language so this is not a problem/source of confusion in the future.

Thank you,
Jenny Koenig
Co-Owner / Manager
Kreative Konfections

----- Forwarded message -----

From: **Kreative Konfections** <kreativekonfectionsak@gmail.com>
Date: Mon, Apr 18, 2022 at 2:11 PM
Subject: Industrial Hemp Program regs not in line with AMCO's for edible products
To: CED AMCO REGS (CED sponsored) <amco.regs@alaska.gov>, <marijuana@alaska.gov>

I just found this out today. I wanted you to be aware that this was an issue and see if you have some further contacts that may be helpful.

The Issue:

The Industrial Hemp program has a regulation limiting products which use Industrial Hemp-derived CBD to a **Delta-9 THC limit of 50mg**. Essentially, they added a redundant regulation back in 2020 and have not yet changed it to keep up with AMCO's regulations. As far as I'm aware, most of us that use CBD in our edible products are using industrial hemp since it is

much easier and cheaper than to get it from regular marijuana plants. Also, there are simply not enough of the high-cbd marijuana plants being grown in the State of Alaska to keep up with the demand for 1:1 products.

I've attached the copy of their regs that they provided to me. Unfortunately, they are not in a searchable PDF format. The relevant reg is on page 36.

Cutting down the string, here was the original statement from the industrial hemp people as I am trying to renew my hemp endorsement :

We do have a hemp product sizing of 50 milligrams of delta-9-THC per individual product. We are aware that AMCO increased their THC limit to 100 mg and are currently in the process of a regulation update. As regulations are currently written we cannot accept the labels with 100mg THC because this violates our threshold limitation of 50mg as set out in **11 AAC 40.415. Hemp product sizing.**

My comment to them in black & their reply to me in red:

As far as the AMCO limits go - The AMCO board approved the change back last year with an effective date in Sept 2021. The Lt. Gov signed off on it. We were not allowed to put our changes into effect until the Lt. Gov. signed off. I'm really not sure why the Hemp board has not followed suit. Could you please enlighten me as to the problem? **We understand the language of "3 AAC 306.560. Potency limits per serving and transaction for edible marijuana products". This is focused on products derived from cannabis grown and processed under AMCO. Products derived from industrial hemp, or that include a CBD ingredient (or other cannabinoids) in your case, would then be subject to the industrial hemp regulations that became effective April 4, 2020. Please see page 36 of the attached IH regulations for hemp product sizing. As written our regulations do not allow us to deviate to the 100mg Total THC. As stated, we are in the process of a regulation update and will look closely at the THC limits and how it aligns with AMCO regulations.**

I've just sent them this:

So what are my options in the meantime now that I know there is a problem? You have effectively strangled my business by not keeping up with AMCO. I've gotten literally hundreds of comments from stores and customers about how much they like the 1:1 THC:CBD products.

This change happened 8 months ago. How long does it take to make a simple wording fix to bring your regs in line with AMCO's? I would also argue that my products are first and foremost regulated by AMCO and they have not been so short-sighted as to place any CBD restrictions as they recognize that the Industrial Hemp Board is responsible for the CBD portion.

Why the Hemp board has a redundant delta-9 regulation is odd in the first place, since the regulation of delta-9 THC for the adult-use marijuana market is supposed to be regulated by AMCO. Since you felt you needed to have the redundancy in your regs, why your regs were not written to be tied to theirs with a simple reference to their edible limit reg without double-stating the wording of it, is also odd.

Depending on their answer, I may have to cease production of 1:1 THC:CBD edibles until (if)

they finally get their reg updated to match AMCO's. In which case, I will also be printing up informational placards to put up at all the retail stores explaining why and asking people to call/email/write the Industrial Hemp Program and AMCO about this issue. I can't find information about if they have a board or who their higher-ups are other than the listing of the "Plant Materials Center Staff". I also have been calling it the "Industrial Hemp Board" instead of the "Industrial Hemp Program", that was my error.

Do you have any contact information for the decision makers at the Industrial Hemp Program?

Thank you,

Jenny Koenig
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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Mary Kay Ryckman
Department of Natural Resources

FROM: April Simpson, Office of the Lieutenant Governor 465.4081 

DATE: March 5, 2020

RE: Filed Permanent Regulations: Department of Natural Resources

Department of Natural Resources regulations re: growing, harvest, processing, endorsement, and retail sale of industrial hemp and industrial hemp and industrial help products (11 AAC 40)

Attorney General File:	2019200330
Regulation Filed:	3/5/2020
Effective Date:	4/4/2020
Print:	234, July 2020

cc with enclosures: Harry Hale, Department of Law
Judy Herndon, LexisNexis

ORDER ADOPTING CHANGES TO REGULATIONS
OF THE DEPARTMENT OF NATURAL RESOURCES

The attached 72 pages of regulations, dealing with industrial hemp, are adopted and certified to be a correct copy of the regulation changes that the Department of Natural Resources adopts under the authority of AS 03.05 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

In considering public comments, the Department of Natural Resources paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes adopted under this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: 2/20/20


Corri A. Feige, Commissioner

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on MARCH 5th, 2020, at 1:36 P.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.


Kevin Meyer, Lieutenant Governor

Effective: April 4, 2020.

Register: 234, July 2020.

11 AAC is amended by adding a new chapter to Part 4 to read:

Chapter 40. Industrial Hemp.

Article

1. Purpose; Registration; Application; Procedures for Approval; Denials; Modification; Fees
(11 AAC 40.010 - 11 AAC 40.100)
2. Grower Registration (11 AAC 40.200 - 11 AAC 40.295)
3. Processor Registration (11 AAC 40.300 - 11 AAC 40.335)
4. Hemp Product Endorsement and Labeling (11 AAC 40.400 - 11 AAC 40.420)
5. Retailer Registration (11 AAC 40.500 - 11 AAC 40.530)
6. Sampling, Testing, Quarantines, and Destruction (11 AAC 40.600 - 11 AAC 40.665)
7. Requirements Common to All Registrations (11 AAC 40.700 - 11 AAC 40.710)
8. Enforcement; Appeals (11 AAC 40.800 - 11 AAC 40.830)
9. General Provisions (11 AAC 40.910)

**Article 1. Purpose; Registration; Application; Procedures for Approval; Denials;
Modification; Fees.**

Section

10. Purpose
20. Registration required
30. Registration restrictions
40. Original registration term, renewals, and submission dates
50. Application for new registration

- 60. Application for renewal of registration
- 70. Procedure for action on applications and endorsements
- 80. Denial of registration application and renewal application
- 90. Modification of registration
- 100. Fee schedule

11 AAC 40.010. Purpose. (a) Industrial hemp, including a product derived from industrial hemp, is an agricultural crop subject to regulation by the division.

(b) The purposes of this chapter are to

(1) promote the research of and study methods for the growth, cultivation, and marketing of industrial hemp; and

(2) regulate the production of industrial hemp and industrial hemp products consistent with public health and safety. (Eff. 4 / 4 / 2020, Register 234)

Authority:	AS 03.05.010	AS 03.05.050	AS 03.05.077
	AS 03.05.030	AS 03.05.076	AS 03.05.100

11 AAC 40.020. Registration required. (a) A person may not produce industrial hemp in the state unless the person has obtained an industrial hemp registration from the division to participate in the Alaska Industrial Hemp Pilot Program. The division will issue the following classes of industrial hemp registrations for participation in the program under this chapter:

- (1) an industrial hemp grower registration;
- (2) an industrial hemp processor registration; and

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(3) an industrial hemp retailer registration.

(b) A person may hold a single registration or any combination of classes of registrations. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.077 AS 03.05.078
AS 03.05.076

11 AAC 40.030. Registration restrictions. A registration may be held by an individual at least 18 years of age or a business entity that is in good standing within the state and other jurisdictions, as applicable. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.090
AS 03.05.030 AS 03.05.077

11 AAC 40.040. Original registration term, renewals, and submission dates. (a) Except as set out in 11 AAC 40.060, an industrial hemp registration is valid from the date it is issued until January 1 of the following year.

(b) An industrial hemp registration may be renewed for unlimited, additional one-year terms. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.077

11 AAC 40.050. Application for new registration. (a) An applicant for registration in the Alaska Industrial Hemp Pilot Program must file an application on a form that the division prescribes.

(b) An application for a new industrial hemp registration must include

(1) the full legal name of the applicant; if the applicant is a business entity, the application must contain

(A) the name of the business entity, including its designation as corporation, partnership, association, limited liability company, or other permissible business formation;

(B) the names of its officers, members, and partners, as applicable;

(C) proof that the business entity is authorized by and in good standing with the state, and other jurisdictions, as applicable; and

(D) documentation validating the authority of the signatory to bind the entity;

(2) the business name the applicant will use for its industrial hemp operations, along with any applicable business licenses issued under AS 43.70;

(3) the physical address of the applicant;

(4) the mailing address and an electronic mailing address of the applicant; and

(5) the address, GPS coordinates, and a map of the area to be used to produce, process, or offer, with or without compensation, to a consumer industrial hemp.

(c) An application for registration in the Alaska Industrial Hemp Pilot Program must be signed by

(1) the applicant, if the applicant is an individual; or

(2) an authorized representative of a business entity, if the applicant is a business entity.

(d) Each signatory to an application for an industrial hemp registration must declare under penalty of unsworn falsification that

- (1) the application is true, correct, and complete;
- (2) the signatory has authority to bind the applicant; and
- (3) the applicant has read and is familiar with AS 03.05.010,

03.05.076 - 03.05.100, and this chapter.

(e) The completed application and fees may be filed electronically, mailed, or hand-delivered to the division.

(f) All fees, including non-refundable application fees, registration fees, and, if applicable, industrial hemp product endorsement fees set out in 11 AAC 40.100 must be paid at the time of submittal of an application.

(g) If an applicant applies for more than one class of registration, a separate application and all required fees must be submitted for each class of registration. (Eff. 4/4/2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.077

11 AAC 40.060. Application for renewal of registration. (a) An application for renewal of an industrial hemp registration must be filed on a form that the division prescribes, with the information and documents described in this section. A renewal application for a registration must be postmarked or received by the division not later than December 15 of the calendar year before the registration term.

(b) An industrial hemp renewal application must

- (1) identify the class of registration to be renewed;
- (2) provide detail of any change of information set out in 11 AAC 40.050(b) on the original application; and
- (3) report for each registration held by the applicant any notice of violation that has been issued under this chapter.

(c) Until the division makes a decision on a timely filed renewal application, the prior year registration remains valid after January 1.

(d) Each signatory to a renewal application for an industrial hemp registration must declare under penalty of unsworn falsification that

- (1) the renewal application is true, correct, and complete;
- (2) the signatory has authority to bind the applicant; and
- (3) the applicant has read and is familiar with AS 03.05.010, 03.05.076 - 03.05.100, and this chapter.

(e) All fees, including non-refundable application fees, registration fees, and, if applicable, industrial hemp product endorsement fees set out in 11 AAC 40.100 must be paid at the time of submittal of a renewal application.

(f) If an applicant applies for renewal of more than one class of registration, a separate application and all required fees must be submitted for each class of registration. (Eff.

4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.077

11 AAC 40.070. Procedure for action on applications and endorsements. (a) The

division will make a determination as to the completeness of the original or renewal application and will notify each applicant in writing that the application is complete, or of any additional information or submittals necessary to complete the application.

(b) Not later than 30 days after receipt of the request, an applicant must submit any additional information requested by the division.

(c) Upon a determination of the receipt of all requested additional information, the division will notify each applicant in writing that the application is complete.

(d) The division will grant or deny an application for registration or endorsement subject to 11 AAC 40.400 - 11 AAC 40.420 not later than 60 business days after sending an applicant written notice that the application is complete. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.077

11 AAC 40.080. Denial of registration application and renewal application. (a) The division will deny an application for a new registration if the division finds that the signatory is not authorized to sign the application or is ineligible to participate in the program under 11 AAC 40.030.

(b) The division may deny an application for a renewal registration if the division finds that

(1) an applicant is not responsive to a request for additional information;

(2) a renewal application for a registration is not postmarked or received by the division not later than December 15 of the calendar year before the registration term as required under 11 AAC 40.060(a);

(3) a registration has been suspended or revoked under 11 AAC 40.830; or

(4) any action taken under 11 AAC 40.800 prohibits renewal of the registration.

(c) If the division denies an application, the division will furnish a written statement to the applicant, explaining the reasons for the denial.

(d) The aggrieved applicant may appeal the denial in compliance with 11 AAC 40.830.

(Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.077 AS 03.05.090

AS 03.05.076 AS 03.05.079

11 AAC 40.090. Modification of registration. (a) To request a modification to a registration, a registrant must submit a modification request on a form prescribed by the division and pay the required fee set out at 11 AAC 40.100.

(b) In the event of a registrant's death, incapacity, or dissolution, the registration may be modified to transfer the registration to an authorized transferee. The applicant for a modification must provide information required under 11 AAC 40.050(b)(1) - (4) and make the declarations required under 11 AAC 40.050(d). Modification requests under this subsection shall be filed with the division not later than 60 calendar days after the death, incapacity, or dissolution of the original registrant.

(c) If the request is to change the site of operations, the registrant must file a modification request that provides the information for the replacement sites specified in 11 AAC 40.050(b)(5). Site modifications for new locations must comply with all land use restrictions established in 11 AAC 40.240.

(d) Any registrant may submit multiple registration modification requests, but separate fees are required for each requested modification.

(e) Each registrant shall comply with the all terms of the original registration, until the division approves the modification request in writing. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.077

11 AAC 40.100. Fee schedule. The division will charge fees as follows:

- (1) non-refundable application fee for a registration: \$100;
- (2) non-refundable application fee for a renewal registration: \$50;
- (3) annual registration fee for a grower: \$200;
- (4) annual registration fee for a processor that creates a product not intended for human or animal consumption: \$250;
- (5) annual registration fee for a processor that creates a product intended for human or animal consumption: \$750;
- (6) annual registration fee for a retailer: \$300;
- (7) endorsement fee for each industrial hemp product subject to 11 AAC 40.400 - 11 AAC 40.420: \$100;
- (8) transportation permit issued under 11 AAC 40.710: \$50;
- (9) modification of product endorsement: \$100;
- (10) modification of registration: \$50;
- (11) sampling fee under 11 AAC 40.275(e) and 11 AAC 40.290(b) for the division or the division's representative to collect samples from harvest of industrial hemp: \$200;

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(12) testing of seeds of wild, landrace, or unknown origin under 11 AAC 40.220:

\$1,200. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010

AS 03.05.076

AS 03.05.077

Article 2. Grower Registration.

Section

- 200. Grower registration required
- 205. Grower registration, privileges, and prohibited acts
- 210. Authorized seed and propagules
- 215. Compliance with plant health and quarantine regulations
- 220. Seeds or propagules of wild, landrace, or unknown origin
- 225. Industrial hemp propagules
- 230. Documentation of seed and propagule source and distribution
- 235. Grow areas
- 240. Land use restrictions
- 245. Signage
- 250. Planting reports
- 255. Pesticides
- 260. Testing
- 265. Initial pre-harvest report
- 270. Division response
- 275. Pre-harvest testing

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- 280. Post-harvest testing
- 285. Sampling and harvesting of industrial hemp within delta-9-THC limitations
- 290. Sample results in excess of delta-9-THC limitations
- 295. Post-harvest reports

11 AAC 40.200. Grower registration required. A person may not grow industrial hemp unless the person has obtained a grower registration from the division in compliance with this chapter or is operating under a registration subject to 11 AAC 40.200 - 11 AAC 40.295. (Eff.

4/4/2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.077

11 AAC 40.205. Grower registration, privileges, and prohibited acts. (a) A registered grower is authorized to do the following, in compliance with this chapter:

- (1) grow industrial hemp;
- (2) store industrial hemp, hemp seed, and propagules;
- (3) receive compensation for raw industrial hemp from a registered processor or other registered grower, if the hemp has been sampled and tested by the division to prove that the raw hemp contains less than 0.3 percent delta-9-THC;
- (4) receive compensation for raw industrial hemp from persons who are not required to be registered by this chapter, including consumers in the state, if the hemp will not be further processed and the lot of industrial hemp from which it is sourced has been sampled and tested by the division to prove that the raw hemp contains less than 0.3 percent delta-9-THC;

(5) provide samples of industrial hemp to the division or testing facility authorized by the division;

(6) conduct in-house testing;

(7) store industrial hemp at the locations identified in the application for registration; and

(8) transport industrial hemp in compliance with 11 AAC 40.710.

(b) A registered grower may not

(1) purposefully grow any cannabis that is not industrial hemp unless the grower also holds a marijuana cultivation facility license issued under 3 AAC 306;

(2) grow industrial hemp in a structure used primarily for a residential purpose;

(3) store or handle leaf or floral materials from industrial hemp in any structure that is primarily used for residential purpose;

(4) process industrial hemp without a processor registration;

(5) receive compensation for processed industrial hemp or industrial hemp products without an industrial hemp retailer registration. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.077 AS 03.05.090

AS 03.05.076 AS 03.05.079

11 AAC 40.210. Authorized seed and propagules. (a) The division will publish and update on an annual basis a list of accepted and prohibited varieties of industrial hemp seed or propagules.

(b) In addition to seeds and propagules received as an approved variety, a registered

grower may

(1) grow approved varieties of industrial hemp seeds or propagules received from registered growers in the Alaska Industrial Hemp Pilot Program, without written approval from the division;

(2) grow varieties of industrial hemp seeds or propagules received from out-of-state sources, after the division approves the use in writing; in order to approve the out-of-state sources, the division will use the same analyses and testing used for inclusion on the qualified list;

(3) acquire, but may not grow wild, landrace, or seeds of unknown origin until the division has grown and sampled the seeds in accordance with 11 AAC 40.220 and the division concludes the seed is not a prohibited variety.

(c) A registered grower may not acquire or grow industrial hemp seeds or propagules that are on the division's prohibited varieties list. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.077

11 AAC 40.215. Compliance with plant health and quarantine regulations. (a)

Industrial hemp seed varieties from approved sources under this section that are offered for sale or acquisition in quantities of one pound or more must comply with the provisions of 11 AAC 34.

(b) Industrial hemp seed varieties from approved sources under this section that are offered for sale or acquisition in quantities less than one pound are exempt from the provisions of 11 AAC 34, but are sold or acquired at the purchaser's risk. (Eff. 4 / 4 / 2020, Register 234)

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Authority: AS 03.05.010 AS 03.05.040 AS 03.05.076
AS 03.05.027 AS 03.05.050 AS 03.05.077
AS 03.05.030

11 AAC 40.220. Seeds or propagules of wild, landrace, or unknown origin. (a) A registrant may not grow or replicate industrial hemp seeds or propagules of wild, landrace, or unknown origin without first obtaining written permission from the division and complying with this section.

(b) Before a registrant receives written permission from the division, industrial hemp seeds or propagules subject to this section must first be grown and tested by the division after the registrant pays the fee established under 11 AAC 40.100(12). A registrant must coordinate with the division for the division's receipt of the seeds or propagules and arrange for replication and testing of mature plants grown from those seeds or propagules.

(c) Following replication and testing of mature plants from industrial hemp seeds or propagules subject to this section, the division will notify the registrant whether the matured plants have passed required testing described in 11 AAC 40.600 - 11 AAC 40.665 and will approve or deny in writing the registrant's further use of the seeds or propagules, based on the results of testing. (Eff. 4/4/2020, Register 234)

Authority: AS 03.05.010 AS 03.05.040 AS 03.05.076
AS 03.05.027 AS 03.05.050 AS 03.05.077
AS 03.05.030

11 AAC 40.225. Industrial hemp propagules. (a) A registered grower importing industrial hemp propagules from outside the state and in compliance with 11 AAC 40.210 must ship the propagules to the division for inspection at the registered grower's expense.

(b) The division will test the imported industrial hemp propagules for compliance with 11 AAC 34. Any propagule received by the division that fails to comply with all applicable regulations will be destroyed by the division with written notice to the registrant.

(c) The division will arrange for pickup of or ship the industrial hemp propagules that passed division inspection to the registered grower at the registrant's expense. (Eff.

4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.040 AS 03.05.076
AS 03.05.027 AS 03.05.050 AS 03.05.077
AS 03.05.030

11 AAC 40.230. Documentation of seed and propagule source and distribution. (a) A registered grower must document all sources of industrial hemp seeds and propagules and the registrant's distribution of those seeds and propagules.

(b) The documentation must contain

(1) the name of the person from whom the seeds or propagules were acquired;

(2) proof that the person identified in (1) of this subsection is either

(A) a registered grower with the Alaska Industrial Hemp Pilot Program;

(B) a source registered or licensed with a different industrial hemp pilot

program operating in accordance with 7 U.S.C. 5940 (sec. 7606 of the Agricultural

Improvement Act of 2014) or a United States Department of Agriculture approved industrial hemp program authorized under 7 U.S.C. 1639p (sec. 10113 of the Agricultural Improvement Act of 2018); or

(C) a lawful international source authorized in writing by the division;

(3) the date of acquisition;

(4) if applicable, identification of any trademark, patent, or other proof of intellectual property for the seeds or propagules; and

(5) identification of all registered growers or other persons to whom the registrant distributed the seeds or propagules.

(b) A registered grower shall keep and maintain records required by this section for a period of three years from the date of acquisition or distribution of the seed or propagule.

(c) A registered grower must provide documents required by this section to the division upon request. (Eff. 4 / 4 / 2020, Register 234)

Authority:	AS 03.05.010	AS 03.05.040	AS 03.05.076
	AS 03.05.027	AS 03.05.050	AS 03.05.077
	AS 03.05.030		

11 AAC 40.235. Grow areas. A registered grower may not grow industrial hemp outside the authorized grow area identified by GPS coordinates and identified on the approved application. The registrant must destroy any industrial hemp that grows outside the authorized grow area. (Eff. 4 / 4 / 2020, Register 234)

Authority:	AS 03.05.010	AS 03.05.076	AS 03.05.077
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11 AAC 40.240. Land use restrictions. (a) The isolation distance between two or more varieties of the plant Cannabis for the purpose of keeping all seed pure is 3,230 feet (1,000 meters).

(b) In addition to an isolation distance, planted hemp shall also be separated from other planted forms of cannabis by a barrier that plainly distinguishes hemp from another form of cannabis.

(c) Hemp may not be grown in a grow area smaller than one-quarter acre and no fewer than 200 plants may be planted in a grow area, unless approved in writing by the division.

(d) Hemp may not be grown on property owned by or leased from a person who is ineligible to participate in the Alaska Industrial Hemp Pilot Program under 11 AAC 40.030 or whose registration is suspended or revoked. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.077

11 AAC 40.245. Signage. If a grow area is one acre or less, the registered grower shall post readable signage no smaller than a total area of 144 square inches at the grow area and visible to the public that includes the following information:

- (1) the title, "Alaska Industrial Hemp Pilot Program";
- (2) the registration holder's registration number; and
- (3) contact information for the Alaska Industrial Hemp Pilot Program in the

Division of Agriculture. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.077

11 AAC 40.250. Planting reports. (a) Not later than 20 days after seeding, direct sowing, or replanting of hemp seeds and propagules, a registered grower must submit to the division, by mail or electronic mail, a planting report on a form prescribed by the division.

(b) If the planting is outdoors, the planting report must contain

- (1) the name of the variety, strain, or cultivar of seed or propagule planted;
- (2) the field location by cross streets and GPS coordinates;
- (3) a statement of intended use of crop harvested for each planting;
- (4) the date of planting;
- (5) the total amount of seed or propagules planted; and
- (6) the total number of acres or square feet planted.

(c) If the planting is indoors, the planting report must contain

- (1) the name of the variety, strain, or cultivar of seed or propagule planted;
- (2) the indoor production location by street address and GPS coordinates;
- (3) a statement of intended use of crop harvested for each planting;
- (4) the date of planting; and
- (5) the total amount of seed or propagules planted.

(d) If no planting has occurred before July 31 of a registered year, a registered grower shall withdraw the grower's registration or submit a planting report that designates the dates the registered grower intends to plant industrial hemp during the registered year.

(e) The registrant shall maintain a planting report for a period of three years from each date of planting. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.077

11 AAC 40.255. Pesticides. (a) Only a pesticide applicator certified under AS 46.03.320 and 18 AAC 90 may apply pesticides to industrial hemp.

(b) Before planting any hemp, a registered grower shall comply with the longest pre-planting interval listed on the pesticide product label. (Eff. 4 / 4 / 2020 Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.077

11 AAC 40.260. Testing. A registered grower may not harvest industrial hemp until the division, or an authorized representative of the division has

(1) collected and tested one or more samples from the harvest in compliance with 11 AAC 40.285 or 11 AAC 40.290(b), and also in compliance with 11 AAC 40.600 - 11 AAC 40.665, and provided a written statement that the crop is eligible to be moved to market; or

(2) provided written permission to harvest the lot before sampling or testing; the harvest lot must be stored on the registered premises of the grower and may not be transferred to another person until the division completes post-harvest sampling and testing and provides a written statement that the crop is eligible to be moved to market. (Eff. 4 / 4 / 2020 Register 234)

Authority: AS 03.05.010 AS 03.05.077 AS 03.05.090
AS 03.05.076 AS 03.05.079

11 AAC 40.265. Initial pre-harvest report. A registered grower shall inform the division by mail or electronic mail of a projected harvest date for an industrial hemp crop at least 30 calendar days before the projected harvest. (Eff. 4 / 4 / 2020 Register 234)

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Authority: AS 03.05.010

AS 03.05.076

AS 03.05.077

11 AAC 40.270. Division response. The division will collect and test samples from the harvest lot before the projected harvest date or will inform the registered grower in writing that the division is unable to collect the samples for testing before the projected harvest date. (Eff.

4 / 4 / 2020, Register 234)

Authority: AS 03.05.010

AS 03.05.076

AS 03.05.077

11 AAC 40.275. Pre-harvest testing. (a) The division will schedule with the registered grower a time for the division or an authorized representative of the division to conduct pre-harvest sample collections.

(b) The registrant or the registrant's agent shall be present at the grow site during sample collection by the division or may waive in writing the right to be present. The registrant shall provide to the division complete access to all industrial hemp, whether growing or stored, and all structures and locations listed on the registrant's application.

(c) Based upon the availability of division personnel the division or representatives of the division will sample grow areas identified in a registrant's pre-harvest report and may sample other portions of the grow areas randomly.

(d) The division or representatives of the division collecting or transporting the samples from a harvest lot or random sampling area have the legal right to possess and retain the sample and to transport it to a laboratory for analysis.

(e) The registrant shall be responsible for the cost of sampling, as set out in 11 AAC

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40.100(11), and for the cost of testing. Any sample taken by the division for testing is property of the division. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.077
AS 03.05.040

11 AAC 40.280. Post-harvest testing. (a) If the registered grower is informed in writing that the registrant may harvest industrial hemp from a harvest lot before division sampling and testing, the registrant may proceed with the harvest.

(b) The division will schedule with the registrant a time for the division or an authorized representative of the division to conduct post-harvest sample collections.

(c) The registrant or the registrant's agent shall be present during sample collection by the division or may waive in writing the right to be present. The registrant shall provide to the division complete access to all industrial hemp, whether growing or stored, and all structures and locations listed on the registrant's application. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.077

11 AAC 40.285. Sampling and harvesting of industrial hemp within delta-9-THC limitations. (a) If pre-harvest testing confirms delta-9-THC levels in the harvest lot of not more than 0.3 percent, the registered grower may harvest each tested lot from which the sample was derived and further store or transport the industrial hemp for compensation or processing in compliance with 11 AAC 40.710. A harvest is subject to the following requirements:

(1) a registered grower shall harvest a tested lot not later than 15 days after the

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division's sample collection date;

(2) if conditions do not allow the registrant to harvest not later than 15 days after the sample collection, the division may order additional testing of the lot or provide written authorization to harvest the crop by a specific date, with or without further testing being required.

(b) If post-harvest sampling and testing confirms delta-9-THC levels in the harvest lot of not more than 0.3 percent, the registrant is authorized to receive compensation for the raw industrial hemp from the harvest lot in compliance with 11 AAC 40.205. (Eff. 4/4/2020, Register 234)

Authority: AS 03.05.010 AS 03.05.077 AS 03.05.079

AS 03.05.076

11 AAC 40.290. Sample results in excess of delta-9-THC limitations. (a) If a pre- or post-harvest sample tests greater than 0.3 percent delta-9-THC, the tested lot must be destroyed, unless reconditioning is permitted under (b) of this section.

(b) If a sample tests greater than 0.3 percent delta-9-THC but not greater than 1.0 percent delta-9-THC, the division will issue a notice of violation. The registered grower may elect to recondition the failing lot with another lot within testing levels in an attempt reduce the delta-9-THC of the reconditioned lots to not more than 0.3 percent. The registrant is responsible for sampling costs, set out in 11 AAC 40.100(11), and testing costs of the reconditioned lots. If the reconditioned lots still exceed the 0.3 delta-9-THC or if the registrant chooses not to recondition the lot, the registrant shall destroy the hemp in compliance with 11 AAC 40.665.

(c) If a pre- or post-harvest sample tests in excess of 1.0 percent delta-9-THC levels, the division will issue a notice of violation, order the destruction of the harvest lot in compliance with 11 AAC 40.665, and notify the Department of Public Safety and the Marijuana Control Board of the notice of violation. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.077 AS 03.05.090
AS 03.05.076 AS 03.05.079

11 AAC 40.295. Post-harvest reports. (a) A registered grower must submit to the division, by mail or electronic mail, a post-harvest report on a form prescribed by the division, not later than 60 days after receiving sampling results from the division.

(b) The report must include the following information:

- (1) identification of the lot and grow area harvested by cross streets and GPS coordinates, as applicable;
- (2) the quantity of the industrial hemp harvested or destroyed;
- (3) the testing results for the sample of the harvest lot;
- (4) the disposition of the harvest lot, including if the lot is being stored on site;

and

(5) documentation of all persons who provided compensation for the harvested lot, of all persons who were offered the harvested lot free of charge, or of each registered processor to whom the harvested lot was provided.

(c) For lots stored on site, the disposition information described in (b)(4) and (5) of this section must be submitted not later than 60 days after disposition. (Eff. 4 / 4 / 2020, Register

Authority: AS 03.05.010

AS 03.05.076

AS 03.05.077

Article 3. Processor Registration.

Section

- 300. Processor registration required
- 305. Processor registration; privileges and prohibited acts
- 310. Processor registration application
- 315. Extraction methods
- 320. Testing
- 325. Test results
- 330. Records
- 335. Production reports

11 AAC 40.300. Processor registration required. A person may not process industrial hemp from its raw form into any other form, unless the person has obtained a processor registration from the division in compliance with this chapter or is operating under a registration subject to 11 AAC 40.300 - 11 AAC 40.335. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010

AS 03.05.076

AS 03.05.077

11 AAC 40.305. Processor registration; privileges and prohibited acts. (a) A registered processor is authorized to do the following, in compliance with this chapter:

- (1) purchase and store raw industrial hemp for processing at the locations identified in the processor registration;
- (2) process industrial hemp;
- (3) receive compensation for raw industrial hemp as permitted for registered growers under 11 AAC 40.205(a)(4);
- (4) provide samples of processed industrial hemp or industrial hemp products to the division for sampling and testing;
- (5) conduct in-house testing for the processor's own use;
- (6) store processed hemp or hemp products at the locations identified in the processor registration;
- (7) transport industrial hemp or industrial hemp products in compliance with 11 AAC 40.710; and
- (8) receive compensation for processed industrial hemp or industrial hemp products from a processor or retailer registered under 11 AAC 40.300 - 11 AAC 40.335 or 11 AAC 40.500 - 11 AAC 40.530.

(b) A registered processor must

- (1) comply with all applicable occupational health and safety standards;
- (2) use registered scales in compliance with AS 45.75.080 and 17 AAC 90.920 - 17 AAC 90.935;
- (3) permit inspection by the division or division's representatives in compliance with AS 03.05.040 or 03.05.076(e);
- (4) permit inspection by local safety officials, including local fire departments,

building inspectors, or regulatory code enforcement officers as required by other law; and

(5) upon request of the division and not later than three business days after notice of the request, provide a copy of the registration and inspection reports of the registered scales to the division.

(c) A registered processor may not

(1) receive compensation for processed industrial hemp or industrial hemp products from consumers without an industrial hemp retailer registration;

(2) process or store industrial hemp in a structure that is primarily used for residential purposes;

(3) purchase for processing any industrial hemp or industrial hemp product from a person who is not

(A) registered with the division;

(B) registered or licensed by other states or qualifying entities that have implemented an industrial hemp pilot program in accordance with 7 U.S.C. 5940 (sec. 7606 of the Agricultural Improvement Act of 2014), or a United States Department of Agriculture approved industrial hemp program, authorized under 7 U.S.C. 1639p (sec. 10113 of the Agricultural Improvement Act of 2018); or

(C) a lawful international source authorized in writing by the division.

(Eff. 4 / 4 / 2020, Register 234)

Authority:	AS 03.05.010	AS 03.05.050	AS 03.05.077
	AS 03.05.040	AS 03.05.076	

11 AAC 40.310. Processor registration application. In addition to the information set out under 11 AAC 40.050, an applicant for a processor registration must submit the following:

- (1) a physical description of the processing facility;
- (2) a depiction on the map required under 11 AAC 40.050(b)(5) of where industrial hemp will be stored or processed;
- (3) if available at the time of application, a list of sources of raw industrial hemp;
- (4) for applicants who intend to extract cannabinoids and terpenoids from hemp, a description of the proposed extraction processes and of safety measures provided to protect employees, agents, and the public from the dangers associated with the extraction process; and
- (5) a statement of the intended end use or of the disposal of the hemp plant or plant parts not used for processing. (Eff. 4/4/2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.077

11 AAC 40.315. Extraction methods. (a) A registered processor may only create hemp-based extracts utilizing the following methods:

- (1) the following non-hydrocarbon extractions:
 - (A) cold or hot potable water filtration;
 - (B) isopropanol;
 - (C) ethanol;
 - (D) carbon dioxide;
 - (E) dry ice;
 - (F) dry shifting or sieve; or

(G) another method, only when preapproved in writing by the division; or

(2) the following hydrocarbon extractions:

(A) n-butane;

(B) isobutane;

(C) propane;

(D) heptane; or

(E) another method, only when preapproved in writing by the division.

(b) A registered processor shall only use solvents in the extraction process that are food grade or at minimum 99 percent or greater in purity. Solvent-based extractions must be completed in a commercial, professional grade, closed-loop system capable of recovering the solvent used for extraction.

(c) Each individual batch of processed hemp must meet or exceed the testing requirements set out in 11 AAC 40.600 - 11 AAC 40.665 before the processed industrial hemp or industrial hemp product may be offered with or without compensation to a person or transported from the processing sites. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.050 AS 03.05.077

AS 03.05.040 AS 03.05.076

11 AAC 40.320. Testing. (a) For any processed hemp product intended for human or animal consumption, each batch of product shall be tested in accordance with 11 AAC 40.600 - 11 AAC 40.665, for

(1) cannabinoid concentration and profile;

- (2) residual solvents;
- (3) microbials;
- (4) pesticides; and
- (5) heavy metal concentrations.

(b) The testing under (a) of this section must be completed by the division or by a testing facility authorized by the division at the expense of the registered processor before packaging, transporting, or making the hemp product available for sale.

(c) The division or authorized representatives of the division may also conduct random sampling and testing of industrial hemp products or sampling of suspected materials unannounced, at any time during the normal business hours of the registered processor. Any sample taken by the division under this section is the property of the division. At the time of inspection, the division or the division's authorized representative will have complete and unrestricted access to all industrial hemp, industrial hemp materials, and industrial hemp products and all land, buildings, and structures listed on the application or registration used to process or store hemp or hemp products. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.050 AS 03.05.077
AS 03.05.030 AS 03.05.076 AS 03.05.079
AS 03.05.040

11 AAC 40.325. Test results. (a) The division will notify the registered processor in writing of test results.

(b) For products with test results greater than 0.3 percent delta-9-THC but not greater

than 1.0 percent delta-9-THC, the division will issue a notice of violation. The registered processor may elect to recondition the failing batch with another batch within testing levels or re-extract the failing batch in an attempt reduce the delta-9-THC of the reconditioned batches to not more than 0.3 percent. The registered processor is responsible for sampling and testing costs of the reconditioned or re-extracted batch. If the reconditioned or re-extracted batch still exceeds the 0.3 delta-9-THC or if the registered processor chooses not to recondition the batch, the registered processor shall destroy the batch in compliance with 11 AAC 40.665.

(c) If the sample taken from a batch is greater than 1.0 percent delta-9-THC, the division will issue a notice of violation, order the destruction of the batch and products derived from the batch, and notify the Department of Public Safety and the Marijuana Control Board of the notice of violation.

(d) The division will notify the registrant of any solvents, heavy metals, microbials, or pesticides found during testing. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.079
AS 03.05.040 AS 03.05.077 AS 03.05.090
AS 03.05.050

11 AAC 40.330. Records. (a) A registered processor shall keep records of all industrial hemp obtained for the purpose of processing for each registered year, including

- (1) the date the industrial hemp was received;
- (2) the quantity received;
- (3) an identifying harvest lot number;

(4) the name, telephone number, mailing address, and electronic mail address of the seller or supplier of the hemp; and

(5) the cross streets, if applicable, and GPS coordinates of the grow site for the supplied hemp.

(b) A registered processor shall keep all records for each batch of processed industrial hemp, including

(1) the date of processing;

(2) the lot number coordinated with each batch of processed hemp;

(3) the total amount processed;

(4) the type and method of processing; and

(5) any tests or test results conducted on the hemp in original or processed form, identified by lot and batch number of the tested hemp.

(c) All reports and records identified in this section must be maintained for a minimum of three years and shall be made available for review by the division or authorized representatives of the division not later than three business days after the division's request. (Eff.

4 / 4 / 2020, Register 234)

Authority: AS 03.05.010

AS 03.05.076

AS 03.05.077

11 AAC 40.335. Production reports. (a) A registered processor shall submit a completed production report for each registration term on or before March 1 of the following registration year.

(b) The report must contain

(1) the quantity of the industrial hemp processed;

(2) the type and quantity of products produced;

(3) identification of the lot and batch numbers processed;

(4) the disposition of all raw and processed industrial hemp; and

(5) documentation of all persons who acquired raw industrial hemp or processed industrial hemp or industrial hemp products, either with or without compensation, from the registrant. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.077

Article 4. Hemp Product Endorsement and Labeling.

Section

- 400. Endorsement
- 405. Application for endorsement
- 410. Testing standards
- 415. Hemp product sizing.
- 420. Labeling

11 AAC 40.400. Endorsement. (a) Before being transported in the state or offered with or without compensation to a consumer, any industrial hemp product processed beyond its raw form and intended for human or animal consumption must be endorsed by the division.

(b) Endorsements for each hemp product or product line subject to 11 AAC 40.400 - 11 AAC 40.420 are valid and will not expire if

- (1) the registrant holds a valid registration;
- (2) the product process has been approved and then renewed annually;
- (3) each product batch meets the approved product process standards;
- (4) each product batch passes all testing requirements; and
- (5) an approved label is affixed on each product.

(c) The division will provide a written endorsement for each approved product or product line. (Eff. 4 / 4 / 2020 Register 234)

Authority:	AS 03.05.010	AS 03.05.076	AS 03.05.090
	AS 03.05.030	AS 03.05.077	AS 03.05.100

11 AAC 40.405. Application for endorsement. (a) An application for endorsement of an introductory hemp product intended for human or animal consumption must be on a form prescribed by the division and must include

- (1) a color copy of the product's proposed label;
- (2) a copy of the laboratory test results, if applicable, of each product or batch of product;

- (3) a copy of

(A) the processor's registration under this chapter;

(B) proof that the hemp product was grown under an industrial hemp pilot program operating under 7 U.S.C. 5940 (sec. 7606 of the Agricultural Improvement Act of 2014) or under a United States Department of Agriculture approved industrial hemp program, authorized under 7 U.S.C. 1639p (sec. 10113 of the Agricultural Improvement

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Act of 2018); or

(C) a lawful international source's written authorization from the division;

(4) a copy of the terpene analysis if required under 11 AAC 40.630(c); and

(5) submission of the endorsement fee set out in 11 AAC 40.100(7).

(b) A written request for modification of the endorsement and the fee set out in 11 AAC 40.100(9) is required for any change to the labeling requirements of 11 AAC 40.420. (Eff.

4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.077

11 AAC 40.410. Testing standards. (a) Processed industrial hemp products intended for human or animal consumption must meet or exceed the requirements of 11 AAC 40.600 - 11 AAC 40.665.

(b) Processed industrial hemp products intended for human or animal consumption may not be offered with or without compensation to a consumer if failing any requirement in 11 AAC 40.600 - 11 AAC 40.665. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.077

AS 03.05.050

11 AAC 40.415. Hemp product sizing. A processed industrial hemp product intended for human or animal consumption may not contain more than 50 milligrams of delta-9-THC per individual product. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.077 AS 03.05.100

11 AAC 40.420. Labeling. (a) Processed industrial hemp products intended for human or animal consumption must be labeled with the following:

- (1) the product name;
- (2) a batch number for the product;
- (3) an expiration date;
- (4) the total quantity of the product by weight or volume;
- (5) the serving size or recommended dose;
- (6) a list of all ingredients;
- (7) the industrial hemp pilot program or authorized international industrial hemp source from which the industrial hemp originated; and
- (8) if the product contains any delta-9-THC, the statement "warning: contains THC".

(b) Processed industrial hemp products intended for human or animal consumption may not contain health or medical claims on the label, packaging, advertisement, or any other marketing material. (Eff. 4 / 4 / 2020, Register 234)

Authority:	AS 03.05.010	AS 03.05.076	AS 03.05.079
	AS 03.05.030	AS 03.05.077	AS 03.05.100

Article 5. Retailer Registration.

Section

- 500. Retailer registration required
- 505. Retailer registration; privileges and prohibited acts
- 510. Retailer registration application
- 515. Incorporation of a processed hemp product into a non-hemp product intended for human or animal consumption
- 520. Inspection and testing
- 525. Records
- 530. Retailer reports

11 AAC 40.500. Retailer registration required. A person may not receive compensation for processed industrial hemp or processed industrial hemp products from a consumer in the state, unless the person has obtained a retailer registration from the division in compliance with this chapter or is operating under a registration subject to 11 AAC 40.500 - 11 AAC 40.530. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.077

11 AAC 40.505. Retailer registration; privileges and prohibited acts. (a) A registered retailer is authorized to do the following, in compliance with this chapter:

- (1) import processed industrial hemp or industrial hemp products;
- (2) receive compensation for processed industrial hemp or industrial hemp

products;

(3) store processed industrial hemp or industrial hemp products for the purposes of receiving compensation at the retail locations identified in the registration;

(4) conduct in-house testing for the registrant's own use; and

(5) transport processed industrial hemp or industrial hemp products in compliance with this chapter.

(b) A registered retailer shall

(1) ensure that industrial hemp products intended for human or animal consumption and offered for compensation are free from prohibited substances and appropriately labeled in compliance with applicable law;

(2) display, in an area visible in or outside each retailer location, the official Alaska Industrial Hemp Pilot Program placard provided by the division;

(3) not later than three business days after a request, provide to the division a list of the processors of any processed industrial hemp or industrial hemp product offered for compensation; and

(4) permit inspection of the retail locations identified in the application for registration and of the processed industrial hemp or industrial hemp product by the division or division's representatives in compliance with AS 03.05.040 or 03.05.076(e).

(c) A registered retailer may submit an endorsement application for an industrial hemp product intended for human or animal consumption, in the absence of a processor having done so, but shall identify the processor who did not apply for an endorsement for the product in compliance with this chapter.

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(d) Unless a registered retailer is also a registered grower, the registrant may not transfer or receive compensation for live industrial hemp plants, viable industrial hemp plants, or viable seed. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.050 AS 03.05.077
AS 03.05.040 AS 03.05.076

11 AAC 40.510. Retailer registration application. In addition to the information set out under 11 AAC 40.050, an applicant for a retailer registration must submit the following:

- (1) a description of the type of store or operations of the retailer;
- (2) a location or list of locations of the retailer where industrial hemp will be offered for retail sales; and
- (3) a list of industrial hemp product types intended to be sold by the retailer. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.077

11 AAC 40.515. Incorporation of a processed hemp product into a non-hemp product intended for human or animal consumption. (a) A registered retailer who adds, mixes, or incorporates a processed industrial hemp product intended for human or animal consumption into non-hemp products shall use only processed hemp products endorsed under 11 AAC 40.400 - 11 AAC 40.420.

(b) A registered retailer who adds, mixes, or incorporates a processed industrial hemp product intended for human or animal consumption into a non-hemp product shall use registered

scales or other instruments that are in compliance with AS 45.75.080 and 17 AAC 90.920 - 17 AAC 90.935 to determine the appropriate serving size of the hemp product and shall maintain current registration and inspection reports for the scales or other instruments as required under AS 45.75.080 and 17 AAC 90.920 - 17 AAC 90.935.

(c) Not later than three business days after the division's request, copies of registration and inspection reports required under (b) of this section shall be provided to the division. (Eff.

4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.050 AS 03.05.077
AS 03.05.030 AS 03.05.076

11 AAC 40.520. Inspection and testing. (a) The division or an authorized representative of the division shall be granted access to all industrial hemp products available at any retail location during normal business hours in order to inspect, test, and sample any hemp products available for sale.

(b) The division may issue a notice of violation and a stop order for any processed hemp product intended for human or animal consumption from a registered retailer if the hemp product

(1) does not hold a current endorsement from the division issued in compliance with 11 AAC 40.400 - 11 AAC 40.420;

(2) is not packaged as required by 11 AAC 40.415 or labeled as required by 11 AAC 40.420;

(3) contains greater than 0.3 percent delta-9-THC; or

(4) has failed the permissible level of contaminants as provided in 11 AAC

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40.640. (Eff. 4 / 4 / 2020, Register 234)

Authority:	AS 03.05.010	AS 03.05.050	AS 03.05.079
	AS 03.05.030	AS 03.05.076	AS 03.05.090
	AS 03.05.040	AS 03.05.077	

11 AAC 40.525. Records. (a) A registered retailer shall keep records of processed industrial hemp or processed industrial hemp products obtained for the purpose of retail for each registered year, including

(1) the date the processed industrial hemp or processed industrial hemp products were received;

(2) the quantity received;

(3) identifying lot and batch numbers for processed industrial hemp or processed industrial hemp products; and

(4) identification of the supplier of processed industrial hemp or processed industrial hemp products.

(b) All reports and records identified in this section shall be maintained for a minimum of three years and shall be made available for review by the division or the division's representative not later than three business days after the division's request. (Eff. 4 / 4 / 2020, Register 234)

Authority:	AS 03.05.010	AS 03.05.076	AS 03.05.077
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11 AAC 40.530. Retailer reports. (a) A registered retailer shall submit a retailer report

on a form prescribed by the division not later than March 1 of the year following the registration year.

(b) The report must include the following information:

(1) identification of the processed industrial hemp or industrial hemp products offered for compensation during the registration term;

(2) the quantity of processed industrial hemp or industrial hemp products for which the registrant received compensation;

(3) the percentage of processed industrial hemp or processed industrial hemp products offered for retail that is intended for human or animal consumption; and

(4) documentation of consumer complaints. (Eff. 4/4/2020, Register 234)

Authority: AS 03.05.010

AS 03.05.076

AS 03.05.077

Article 6. Sampling, Testing, Quarantines, and Destruction.

Section

600. Compliance with 11 AAC 40.600 - 11 AAC 40.665

605. Laboratory testing of hemp and hemp products

610. Sampling required

615. Sample size for a processed hemp batch

620. Samples for test batches of pre-packaged hemp products

625. Test batch, standards for authorized testing facilities

630. Cannabinoid and terpene potency

635. Methodology for testing delta-9-THC levels in raw industrial hemp

- 640. Contaminants
- 645. Exceeding contaminant testing levels
- 650. Failed test results for hemp products
- 655. Retests
- 660. Quarantine
- 665. Waste disposal, including hemp destruction

11 AAC 40.600. Compliance with 11 AAC 40.600 - 11 AAC 40.665. (a) A registered hemp grower may not sell, give, distribute, transfer, or offer to sell, give, distribute, or transfer any raw industrial hemp until the requirements of 11 AAC 40.270 - 11 AAC 40.295 have been completed and the division has issued a written statement that the crop is eligible to be moved to market.

(b) A registered industrial hemp processor may not sell, give, distribute, transfer, or offer to sell, give, distribute, or transfer any processed industrial hemp until each batch of processed hemp product has satisfied the requirements of 11 AAC 40.600 - 11 AAC 40.665.

(c) A registered hemp retailer may not sell, give, distribute, transfer, or offer to sell, any industrial hemp product unless the product has satisfied the requirements of 11 AAC 40.600 - 11 AAC 40.665. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.077 AS 03.05.078
AS 03.05.076

11 AAC 40.605. Laboratory testing of hemp and hemp products. (a) The division or

a testing facility authorized by the division shall test industrial hemp and industrial hemp products to verify compliance with this chapter, perform investigations, compile data for the Industrial Hemp Pilot Program, and address public health and safety concerns.

(b) The division may require industrial hemp or industrial hemp products to undergo a second independent third-party review to verify that the industrial hemp or industrial hemp products do not pose a threat to public health and safety, when the division has reason to believe and finds, upon investigating, one or more of the following:

(1) the industrial hemp or industrial hemp product being distributed contains one or more contaminants at levels known to cause harm; or

(2) the industrial hemp or industrial hemp product contains one or more contaminants that could be toxic as consumed or applied in accordance with the intended use as stated on the product label.

(c) The division may quarantine industrial hemp or industrial hemp products as set out under 11 AAC 40.660. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.077 AS 03.05.078
AS 03.05.076

11 AAC 40.610. Sampling required. (a) Any industrial hemp or industrial hemp product, before being offered for compensation or offered without charge, must have samples drawn from the entire harvest lot or processing batch, as applicable, and submitted to the division or an authorized testing facility as one test sample.

(b) To comply with (a) of this section, a registrant shall permit samples submitted for

testing to be collected by the division or a representative of the division.

(c) A registrant may not

(1) attempt to influence the samples selected by the division or an authorized representative of the division;

(2) adulterate, alter, or attempt to adulterate or alter, any samples taken from the production batch for the purpose of circumventing contaminant testing limits or potency testing requirements. (Eff. 4/4/2020, Register 234)

Authority: AS 03.05.010

AS 03.05.077

AS 03.05.078

AS 03.05.076

11 AAC 40.615. Sample size for a processed hemp batch. The division or the division's representative shall collect a minimum number of representative samples per processed batch for testing in the following amounts:

(1) for processed batches weighing up to one pound, a minimum of eight separate 0.50-gram samples must be combined into a four-gram sample and submitted as one test sample;

(2) for processed batches weighing more than one pound and less than two pounds, a minimum of 12 separate 0.50-gram samples must be combined into one six-gram sample and submitted as one test sample;

(3) for processed batches weighing two pounds or more but less than three pounds, a minimum of 15 separate 0.50-gram samples must be combined into one 7.5-gram sample and submitted as one test sample;

(4) for processed batches weighing three pounds or more but less than four

pounds, a minimum of 18 separate 0.5-gram samples must be combined into one nine-gram sample and submitted as one test sample;

(5) for processed batches weighing four pounds or more but less than 10 pounds, a minimum of 23 separate 0.50-gram samples must be combined into one 11.5-gram sample and submitted as one test sample; or

(6) for processed batches weighing 10 pounds or more, a minimum of 29 separate 0.50-gram samples must be combined into one 14.5-gram sample and submitted as one test sample. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.077 AS 03.05.078
AS 03.05.076

11 AAC 40.620. Samples for test batches of pre-packaged hemp products. (a) If not tested and approved by the division under a processing registration, a sample of a product of processed hemp or hemp products must be submitted to the division or as directed by the division to an authorized testing facility. Each sample shall be submitted in its packaged form.

(b) The number of samples required for testing is as follows:

- (1) for up to 100 units, a minimum of two separate samples must be submitted;
- (2) for up to 500 units, a minimum of five separate samples must be submitted;
- (3) for up to 1,000 units, a minimum of 10 separate samples must be submitted;
- (4) for up to 5,000 units, a minimum of 50 separate samples must be submitted;
- (5) for up to 10,000 units, a minimum of 100 samples must be submitted; or
- (6) for more than 10,000 units, a minimum of one percent of samples must be

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submitted. (Eff. 4/4/2020, Register 234)

Authority: AS 03.05.010 AS 03.05.077 AS 03.05.078

AS 03.05.076

11 AAC 40.625. Test batch, standards for authorized testing facilities. (a) The division will establish a minimum weight or volume of processed industrial hemp or industrial hemp products and direct the designated testing facilities to apply those standards for every type of test conducted.

(b) The division will also establish a standard number of samples required to be included in each batch of processed hemp or hemp products for every type of test conducted in compliance with 11 AAC 40.630 - 11 AAC 40.640.

(c) An authorized testing facility may not accept a sample that is smaller than the standard minimum amount, unless the sample was collected by the division, an authorized representative of the division, or a registrant under division direction. (Eff. 4/4/2020, Register 234)

Authority: AS 03.05.010 AS 03.05.077 AS 03.05.078

AS 03.05.076

11 AAC 40.630. Cannabinoid and terpene potency. (a) All industrial hemp grown, processed, or made available for retail sales will be tested by the division or an authorized testing facility for delta-9-THC, and must test at or below 0.3 percent.

(b) All processed industrial hemp products intended for human or animal consumption

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must also undergo a cannabinoid potency test that must at least determine the concentration of tetrahydrocannabinol, cannabidiol, cannabichomene, cannabigerol, cannabichromene, and cannabidivarin, including acid forms.

(c) Terpene analysis is not required for any industrial hemp or industrial hemp product unless terpene content is listed on the label, the packaging, or an advertisement. In those cases, a terpene analysis must be performed and submitted to the division. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.078
AS 03.05.030 AS 03.05.077

11 AAC 40.635. Methodology for testing delta-9-THC levels in raw industrial hemp.

Raw industrial hemp collected by the division or an authorized representative of the division for sampling will be tested for a quantitative determination of delta-9-THC by a method to be approved in writing by the division. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.078
AS 03.05.030 AS 03.05.077

11 AAC 40.640. Contaminants. (a) Industrial hemp products intended for human or animal consumption shall be tested or screened for the contaminants listed and may not exceed the following permissible levels:

(1) residual solvents:

Solvent	Parts Per Million (ppm)	Product to be tested
Acetone	< 500	Extracted concentrates
Benzene	0	
Butanes	< 500	
Chloroform	< 1	
Cyclohexane	< 500	
Heptane	< 500	
Hexane	0	
Isopropanol	< 500	
Methanol	< 500	
Pentanes	< 500	
Propane	< 500	
Toluene	0	
Xylenes (m, p, o-xylenes)	< 217	

(2) microbials (bacterial, fungus):

Substance	Acceptable limits per gram	Product to be tested
Shiga Toxin Escherichia coli (STEC) – bacteria	Less than 1 colony forming unit (CFU/g)	Hemp or hemp products intended for human consumption; water and food-based concentrates
Total Yeast and Mold Count (TYMC)	Less than 10,000 colony forming unit (CFU/g)	
Salmonella species – bacteria	Less than 1 colony forming unit (CFU/g)	
Aspergillus fumigatus, Aspergillus flavus, Aspergillus niger-fungus, Aspergillus terreus	Less than 1 colony forming unit (CFU/g)	

(3) mycotoxins:

Substance	Acceptable limits per gram	Product to be tested
Total Aflatoxin B1, B2, G1, G2	< 20 parts per billion (PPB)	Hemp or hemp products intended for human consumption; water and food-based concentrates
Ochratoxin A	< 20 parts per billion (PPB)	

(4) pesticides:

Substance	Detection Limits (Parts Per Million, PPM)	Product to be tested
Abamectin	< 0.07	Hemp or hemp products intended for human consumption; water and food-based concentrates
Azoxystrobin	< 0.02	
Bifenazate	< 0.02	
Etoxazole	< 0.01	
Imazalil	< 0.04	
Imidacloprid	< 0.02	
Malathion	< 0.05	
Myclobutanil	< 0.04	
Permethrin	< 0.04	
Spinosad	< 0.06	

Spiromesifen	< 0.03	
Tebuconazole	< 0.01	

(5) metals:

Substance	Acceptable Limits Per Gram Based on Intended Use	Product to be tested
Metals (Cadmium, Arsenic, Lead, Mercury)	Inhaled or Audited Product: smoke hemp flowers or vape concentrates Lead – Max Limit: < 0.5 ppm Arsenic – Max Limit: < 0.02 ppm Cadmium – Max Limit: ,0.02 ppm Mercury – Max Limit: <0.1 ppm)	Hemp or hemp products intended for human consumption; water and food-based concentrates

	Topical and/or Transdermal Lead – Max Limit: < 10 ppm Arsenic – Max Limit: < 3 ppm Cadmium – Max Limit < 3 ppm Mercury – Max Limit < 1 ppm	
	Oral Consumption or Audited Product: rectal or vaginal administration Lead- Max Limit: < 1 ppm Arsenic – Max Limit: < 1.5 ppm Cadmium – Max Limit: < 0.5 ppm	

	Mercury – Max Limit: < 1.5 ppm	
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(b) Notwithstanding the permissible levels established in (a) of this section, the division may conclude, upon good cause and reasonable grounds, that an industrial hemp product meeting these levels still presents a risk to the public health or safety and therefore will be considered to have failed a contaminant test. (Eff. 4/4/2020, Register 234)

Authority: AS 03.05.010 AS 03.05.050 AS 03.05.077
AS 03.05.030 AS 03.05.076 AS 03.05.078

11 AAC 40.645. Exceeding contaminant testing levels. (a) If industrial hemp or an industrial hemp product is found to have a contaminant in levels exceeding those established as permissible under 11 AAC 40.640, the industrial hemp or industrial hemp product has failed contaminant testing.

(b) If industrial hemp or an industrial hemp product has failed a contaminant test, the testing facility must immediately notify in writing the division and the retailer or processor that submitted the test batch for testing of the failure. (Eff. 4/4/2020, Register 234)

Authority: AS 03.05.010 AS 03.05.050 AS 03.05.077
AS 03.05.030 AS 03.05.076 AS 03.05.078

11 AAC 40.650. Failed test results for hemp products. (a) Any registrant that is

notified by the division or the division's representative that a test batch failed a contaminant or potency test shall immediately discontinue offering for sale any industrial hemp products associated with the failed test batch.

(b) Any industrial hemp products that have failed a contaminant or potency test must be physically separated from all other hemp inventory, may not be transported, and may not be further processed or added to a non-hemp product. (Eff. 4 / 4 / 2020, Register 234)

Authority:	AS 03.05.010	AS 03.05.050	AS 03.05.077
	AS 03.05.030	AS 03.05.076	AS 03.05.078

11 AAC 40.655. Retests. (a) A registrant whose industrial hemp product has failed initial testing under 11 AAC 40.630 or 11 AAC 40.640 may submit a written request, on a form provided by the division, for a retest of the industrial hemp product. The division will authorize a request for a retest, but the registrant requesting the retest shall pay all costs of testing and validation.

(b) If electing to retest, a registrant must either

(1) submit new test samples complying with 11 AAC 40.600 - 11 AAC 40.665 from the same failing batch to the division or authorized testing facility that performed the original test; or

(2) submit the new test samples complying with 11 AAC 40.600 - 11 AAC 40.665 from the same failing batch to a different testing facility approved by the division and available to conduct the retest.

(c) If the sample passes the potency or a required contaminant testing under (b) of this

section, the division may elect to submit the industrial hemp product for a third testing at the division's expense. If the division does not elect a third testing, the lot or batch from which the sample came must have the identifying number modified with the addition of the letter "X" at the end or the previous identifier. Afterwards, the hemp or hemp products associated with each test batch may be transferred or further processed in compliance with this chapter.

(d) In the event the division has elected to test the industrial hemp product a third time, two passing results means the product passes and the product may continue to be offered for retail, subject the addition of the letter "X" to the identifying number, as described in (c) of this section. Two failing results means the product fails and must be destroyed in accordance with (e) of this section.

(e) If the sample fails and is not retested, or is retested and fails under (c) or (d) of this section, the division may direct the registrant to destroy all industrial hemp products affiliated with the failed test and require proof of destruction, or seize and destroy the hemp products as permitted under AS 03.05.010(a)(7) and 03.05.076(d)(4). (Eff. 4 / 4 / 2020, Register 234)

Authority:	AS 03.05.010	AS 03.05.050	AS 03.05.077
	AS 03.05.030	AS 03.05.076	AS 03.05.078

11 AAC 40.660. Quarantine. (a) In addition to other remedies provided under 11 AAC 40.800, the division may also elect to immediately quarantine industrial hemp or an industrial hemp product in the following circumstances:

(1) the division or an authorized representative of the division finds after investigation that a registered processor or retailer has violated this chapter;

(2) the industrial hemp or industrial hemp product was processed by a person who is not

(A) registered with the Alaska Industrial Hemp Pilot Program under this chapter;

(B) registered or licensed by other states or qualifying entities that have implemented an industrial hemp pilot program in accordance with 7 U.S.C. 5940 (sec. 7606 of the Agricultural Improvement Act of 2014), or a United States Department of Agriculture approved industrial hemp program, authorized under 7 U.S.C. 1639p (sec. 10113 of the Agricultural Improvement Act of 2018); or

(C) a lawful international source authorized in writing by the division.

(3) the industrial hemp or industrial hemp product presents a potential threat to public health or safety;

(4) the division has received reports of an adverse event related to the use of industrial hemp or an industrial hemp product.

(b) Any industrial hemp or industrial hemp product quarantined may be returned to the registrant if the division finds there is no potential threat to public health or safety and the person whose industrial hemp was quarantined is otherwise in compliance with this chapter. The division will destroy quarantined industrial hemp or an industrial hemp product if an allegation identified in (a) of this section is substantiated.

(c) In this section, "adverse event" includes any unfavorable or unintended physical symptom or disease, hospitalization, emergency room visits, doctor's visits, abnormal laboratory findings, or any other negative medical consequence associated with the use of industrial hemp

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or an industrial hemp product. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.077
AS 03.05.050

11 AAC 40.665. Waste disposal, including hemp destruction. (a) A registrant shall store, manage, and dispose of any solid or liquid waste, including wastewater generated during industrial hemp or industrial hemp product production, processing, testing, or retail sales, in compliance with applicable federal, state, and local statutes, ordinances, regulations, and other law.

(b) Industrial hemp waste or industrial hemp product waste must be made unusable for any purpose for which it was grown or produced and must be made unrecognizable before leaving the registered premises. Industrial hemp waste or industrial hemp product waste includes

- (1) industrial hemp plant waste, including stalks, leaves, stem, and flowers that have not been processed with solvent;
- (2) industrial hemp or industrial hemp products that has been found unfit for sale or consumption;
- (3) expired industrial hemp or industrial hemp products; or
- (4) industrial hemp or industrial hemp products that failed testing under 11 AAC 40.600 - 11 AAC 40.665.

(c) Industrial hemp, industrial hemp product waste, and failed industrial hemp processing batches may be made unusable and unrecognizable through mowing, grinding, or compacting the hemp or hemp product and incorporating the industrial hemp or industrial hemp product with at

least an equal amount of other compostable or non-compostable materials listed as follows, such that the resulting mixture cannot be easily separated and sorted:

- (1) food waste;
- (2) yard waste
- (3) vegetable-based grease or oils;
- (4) paper waste;
- (5) cardboard waste;
- (6) plastic waste;
- (7) oil;
- (8) soil; or
- (9) other wastes approved by the division or a representative of the division that

will render the industrial hemp or industrial hemp products unusable and unrecognizable.

(d) A registrant shall give notice to the division, on a form prescribed by the division, of the disposal of the industrial hemp or industrial hemp products not later than 10 business days after disposal.

(e) If industrial hemp or industrial hemp products are found by or surrendered to a peace officer, the officer may dispose of the industrial hemp or industrial hemp products as set out in this section or by any method allowed under any applicable local ordinance.

(f) Notwithstanding (b) of this section, a registrant may request written authorization from the division to utilize industrial hemp waste, such as spent floral material, for another purpose. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010

AS 03.05.076

AS 03.05.077

Article 7. Requirements Common to All Registrations.

Section

700. Notification

705. Hemp storage

710. Transportation

11 AAC 40.700. Notification. (a) The division will submit a list of registrants and information about approved grower, processor, and retail registrants to the Marijuana Control Board and the Department of Public Safety on at least an annual basis and to any peace officer upon request.

(b) The division will submit all notices of violation specific to industrial hemp or industrial hemp products in excess of 1.0 percent of delta-9-THC to the Marijuana Control Board and the Department of Public Safety. (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.077

11 AAC 40.705. Hemp storage. (a) Under any registration issued under this chapter, a registrant may store industrial hemp or industrial hemp products on the same property and at the same address or GPS coordinates listed on the registrant's application and registration.

(b) A registrant under 11 AAC 40.200 - 11 AAC 40.295 may store seeds, hemp, and hemp parts in raw form or industrial hemp in a processed form, but to sell industrial hemp in a

processed from the registered grower must also hold a retailer registration.

(c) Industrial hemp and industrial hemp products shall be stored securely with reasonable physical containment and security measures.

(d) The division may inspect stored industrial hemp or industrial hemp products as set out in 11 AAC 40.275(b), 11 AAC 40.320(c), or 11 AAC 40.520(a). (Eff. 4 / 4 / 2020, Register 234)

Authority: AS 03.05.010 AS 03.05.076 AS 03.05.077

AS 03.05.040

11 AAC 40.710. Transportation. (a) Except as described in (b) of this section, a person subject to or registered under this chapter may not transport industrial hemp or industrial hemp products without a transportation permit issued by the division. A transportation permit only authorizes industrial hemp to be transported from one registrant to another registrant or from one property of a registrant to another property of a registrant.

(b) A transportation permit is not required

(1) for a registrant under 11 AAC 40.200 - 11 AAC 40.295 to transport industrial hemp on property listed on its registration for storage, drying, or testing in advance of a pre-harvest report;

(2) to transport industrial hemp seed or propagules to a registered grower; or

(3) to transport an industrial hemp product holding a valid endorsement under 11 AAC 40.400 - 11 AAC 40.420 to or from a registered retail location.

(c) A transportation permit will be issued to a registered grower or registered processor

only after sampling has validated that that hemp is no more than 0.3 percent delta-9-THC.

(d) A registrant shall apply to the division for a transportation permit and pay the required fee under 11 AAC 40.100.

(e) The division will process the application for a transportation permit not later than five business days from the date of receipt of the application. A single transportation permit may be approved by the division for multiple days or methods of transportation, if determined practicable or necessary by the division.

(f) A transportation permit will contain

(1) the name of the permittee;

(2) the address and the GPS coordinates from where the industrial hemp will depart;

(3) the name of the registrant to whom the industrial hemp will be transported;

(4) the address and the GPS coordinates at which the industrial hemp will be delivered;

(5) the amount of industrial hemp being transported;

(6) a physical description of the vehicle transporting the industrial hemp, including the registration plate number; and

(7) the name of the person operating the vehicle transporting the industrial hemp.

(g) A registrant shall maintain all transportation permits for three years and make them available to the division for inspection not later than three business days after the division's request.

(h) The operator of the vehicle transporting industrial hemp shall have a copy of the

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applicable registration and the transportation permit in the operator's immediate possession at all times while transporting industrial hemp. When transporting industrial hemp, a person shall present a copy of the registration and permit upon demand to a peace officer, the division, or the division's representative. (Eff. 4/4/2020, Register 234)

Authority: AS 03.05.010 AS 03.05.077 AS 03.05.078
AS 03.05.076

Article 8. Enforcement; Appeals.

Section

- 800. Enforcement authority
- 810. Suspension
- 820. Revocation
- 830. Appeals

11 AAC 40.800. Enforcement authority. To carry out the provisions of this chapter, the division may

- (1) sample and test industrial hemp, cannabis, industrial hemp products, and cannabis products for the presence of delta-9-THC, prohibited contaminants, or pesticide residue and for proper labeling and distribution;
- (2) control, seize, quarantine, embargo, or direct destruction of industrial hemp or industrial hemp products not in compliance with this chapter;
- (3) during the usual hours of a business, or at any time if the division determines

that there is an immediate threat to the health or safety of the general public, enter and inspect premises where industrial hemp or industrial hemp products are produced, handled, or transported;

(4) with three days' notice to the registrant, inspect records documenting the sale or transfer of industrial hemp or industrial hemp products;

(5) declare as a public nuisance injurious to the public interest

(A) any industrial hemp or industrial hemp product found to violate a provision of this chapter; or

(B) any cannabis or cannabis product with delta-9-THC over 0.3 percent, subject to this chapter, and found to violate a condition of this chapter;

(6) direct the movement, reconditioning, or destruction of any industrial hemp, industrial hemp product, or cannabis or cannabis products with delta-9-THC over 0.3 percent declared to be a public nuisance as permitted by AS 03.05.050 or 03.05.076;

(7) issue notices of violations and civil fines, or issue stop orders for violations of this chapter, including to persons who are not registered or permitted to participate in the Alaska Industrial Hemp Pilot Program;

(8) as permitted under AS 03.05.090, refer violations of this chapter to a peace officer for criminal prosecution;

(9) suspend, revoke, or deny registrations, endorsements, or permits issued under this chapter;

(10) cooperate and communicate with the Marijuana Control Board, the Department of Public Safety, or any other peace officers; and

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(11) undertake any other action not listed here, but permitted under AS 03.05.

(Eff. 4/4/2020, Register 234)

Authority:	AS 03.05.010	AS 03.05.076	AS 03.05.079
	AS 03.05.040	AS 03.05.077	AS 03.05.090
	AS 03.05.050	AS 03.05.078	AS 03.05.100

11 AAC 40.810. Suspension. The division may temporarily suspend, for up to 60 days, a registration, endorsement, or permit issued under this chapter if the registrant is alleged to have

- (1) violated any provision of AS 03.05.010, 03.05.076 - 03.05.079, or this chapter;
- (2) made any false statement to the division or the division's representatives;
- (3) failed to comply with any agreement signed by the registrant or permittee at the time the registration or permit was issued;
- (4) failed to comply with any orders of the division to enforce this chapter; or
- (5) failed to pay any fines issued in connection with notices of violation. (Eff.

4/4/2020, Register 234)

Authority:	AS 03.05.010	AS 03.05.076	AS 03.05.077
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11 AAC 40.820. Revocation. In addition to temporary suspension, the division may revoke a registration, permit, or endorsement and prohibit participation in the Alaska Industrial Hemp Pilot Program for a period of up to five years if the registrant

- (1) has planted, grown, cultivated, or replicated industrial hemp seeds or

propagules from a hemp plant of wild, landrace, or unknown origin without advance written approval from the division;

(2) has harvested industrial hemp without a harvest report and pre-harvest sample taken by the division, without advance written approval of the division;

(3) failed to destroy, as ordered, a harvest lot the sample of which has tested at greater than 1.0 percent delta-9-THC;

(4) processes industrial hemp that is greater than 1.0 percent delta-9-THC;

(5) utilizes an extraction method under 11 AAC 40.310 determined by the division to pose a risk to human or animal health or safety;

(6) fails to submit any report required under this chapter; or

(7) violates this chapter on three separate occasions in a one-year period. (Eff.

4 / 4 / 2020, Register 234)

Authority: AS 03.05.010

AS 03.05.076

AS 03.05.077

11 AAC 40.830. Appeals. (a) Except as described in (b) of this section, appeals of decisions of the division under this chapter must be in accordance with 11 AAC 02.040 - 11 AAC 02.900.

(b) The automatic stay provisions of 11 AAC 02.060 do not apply to permit any industrial hemp or industrial hemp product testing in violation of 11 AAC 40.630 or 11 AAC 40.640 to be sold or transferred to another registrant or a consumer. Hemp or a hemp product violating those standards are subject to quarantine under 11 AAC 40.660. The quarantine may only be lifted if the commissioner reverses on appeal the decision of the division. (Eff.

Article 9. General Provisions

910. Definitions

11 AAC 40.910. Definitions. In this chapter,

(1) "Alaska Industrial Hemp Pilot Program" means the pilot program operated by the division to study the growth, cultivation, or marketing of industrial hemp as permitted under AS 03.05.077;

(2) "applicant" means a person who submits an application to participate as a registrant in the Alaska Industrial Hemp Pilot Program;

(3) "batch" means

(A) a quantity of hemp or hemp parts from a harvest lot; or

(B) a quantity of hemp extract from a process lot;

(4) "business day" means a day other than Saturday, Sunday, or a state holiday;

(5) "business entity" means a not-for-profit or for-profit corporation, partnership, limited liability company, or other business association that is not a natural person;

(6) "calendar day" means a day, including Saturday, Sunday, or a state holiday;

(7) "cannabinoid" means any of the chemical compounds that are the active constituents of the cannabis plant;

(8) "cannabis" means all parts of the cannabis plant, whether growing or not,

including its seeds, resin, compounds, salts, derivatives, and extracts;

(9) "CBD" means cannabidiol;

(10) "commissioner" means the commissioner of natural resources;

(11) "compensation" means money, bartered objects or services, or anything else of value, whether given as a payment or voluntarily as a donation, when accepted by a person who gives, distributes, or delivers industrial hemp to another;

(12) "consumer" has the meaning given in AS 45.50.561, but excludes registrants or persons who should be registered, but are not, in the Alaska Industrial Hemp Pilot Program;

(13) "consumption" means any method of ingestion of or application to the body, including eating, drinking, inhaling, absorbing, or injecting;

(14) "delta-9-THC" means delta-9-tetrahydrocannabinol concentration, the primary intoxication component of cannabis;

(15) "delta-9-THC content of not more than 0.3 percent" means delta-9-tetrahydrocannabinol concentration or not more than 3,000 parts per million on a dry weight basis;

(16) "department" means the Department of Natural Resources;

(17) "destroy" means to make incapable of being

(A) harvested;

(B) processed; or

(C) offered, with or without compensation, to a consumer;

(18) "division" means the division of agriculture within the department;

(19) "extraction" means the act of using a solvent or mechanical means to process

raw hemp plant parts by means of hydrocarbon, non-hydrocarbon, or mechanical extraction;

(20) "fibrous waste" means any roots, stalks, stems or flowers from hemp, not used or intended for use in making a product;

(21) "GPS" means global positioning system;

(22) "grow" means to plant, propagate, cultivate, or harvest industrial hemp;

(23) "grow area" means a contiguous area where industrial hemp is grown or is intended to be grown, that may consist of field, greenhouses, or other buildings, and that is described from a single GPS coordinate within the grow area;

(24) "grower registration" means a document authorizing the person to grow, handle, and store hemp at one or more specified locations in the state;

(25) "harvest" means to remove industrial hemp plants, plant parts, grain, or seeds from a grow area;

(26) "harvest lot"

(A) means a quantity of industrial hemp that is

(i) harvested in a distinct timeframe; and

(ii) grown in one contiguous production area within a grow area, or grown in one or more portions of one contiguous production area within a grow area;

(B) does not include a quantity of industrial hemp grown in noncontiguous production areas;

(27) "hemp seed" means cannabis seed

(A) that is sold to or intended to be sold to registered growers for

planting; or

(B) that remains in unprocessed or partially processed condition that is capable of germination;

(28) "individual" means a natural person;

(29) "industrial hemp" or "hemp" has the meaning given in AS 03.05.100, whether the plant is growing or not;

(30) "industrial hemp product" or "hemp product" means an item derived from all parts and varieties of the plant *Cannabis sativa* L. containing not more than 0.3 percent delta-9-THC;

(31) "isolation distance" has the meaning given in AS 03.05.010(a)(7)(D);

(32) "label" means the display of all written, printed, or graphic matter upon the immediate container or statement accompanying an industrial hemp product;

(33) "landrace" means not systematically selected and marketed and not developed by plant breeders;

(34) "marketing" includes

(A) promoting or selling a product within the state, in another state, or outside of the United States; and

(B) efforts to advertise and gather information about the needs or preferences of potential consumers or suppliers;

(35) "peace officer" has the meaning given in AS 01.10.060;

(36) "person" has the meaning given in AS 01.10.060;

(37) "plant part" or "part" includes

- (A) whole or partial unprocessed plants, including stalk, leaf, seed, floral, root materials, oils, resin, or wax;
 - (B) raw roots;
 - (C) fresh, unprocessed, dried, or ground leaves or floral material;
 - (D) rooted plants, cuttings, propagules, or clones; or
 - (E) any other portion of an industrial hemp plant;
- (38) "ppm" means parts per million;
- (39) "processing" means all means of converting, extracting, refining, altering, manufacturing, or turning industrial hemp into finished industrial hemp or an industrial hemp product ready for market;
- (40) "process lot" means any amount of hemp, hemp concentrate, or extract of the same type that is processed at the same time using the same extraction methods, standard operating procedures, and batches from the same or a different harvest lot;
- (41) "produce industrial hemp," as set out in AS 03.05.076(b)(1),
- (A) includes growing, harvesting, possessing, transporting, processing, selling or buying industrial hemp or an industrial hemp product;
 - (B) does not include a consumer's provision of compensation to a registrant for industrial hemp or an industrial hemp product;
- (42) "prohibited variety" means a variety or strain of cannabis excluded from the Alaska Industrial Hemp Pilot Program;
- (43) "propagation" means the reproduction of hemp plants by seed, cutting, grafting, or in vitro;

(44) "propagule" means a plant or plant part that can be utilized to grow a new plant;

(45) "quarantine" means, at the election of the division, either

(A) keeping industrial hemp or an industrial hemp product segregated, but in place and in the custody of the registrant; or

(B) removing industrial hemp or an industrial hemp product to a location designated by the division and in the division's custody;

(46) "registered grower" means a person in the state authorized by the division to cultivate, plant, grow, handle, harvest, condition, store, distribute, or transport industrial hemp, plants, plant parts, grain, or seed in the state;

(47) "registered processor" means a person in the state authorized by the division to process, handle, store, or process industrial hemp plants, plant parts, or grain and take part in any aspect of turning raw, harvested industrial hemp into an industrial hemp product in the state;

(48) "registered retailer" means a person in the state authorized by the division to receive compensation for, or offer for free, industrial hemp or an industrial hemp product after registration, and, if applicable, a product endorsement, to a consumer;

(49) "registrant" means a person possessing one or more industrial hemp registrations issued by the division under the authority of this chapter and AS 03.05.077;

(50) "registration" means an instrument permitting an applicant to participate in the Alaska Industrial Hemp Pilot Program subject to its terms and the provisions of this chapter;

(51) "sample" means an amount of industrial hemp or industrial hemp product selected for testing;

(52) "seed" means an industrial hemp plant's unit of sexual reproduction intended to be planted for germination;

(53) "solvent" means a substance that is capable of dissolving or dispersing one or more other substances;

(54) "signing authority" means the permissibility for an adult individual or an officer or agent of a legal entity to validly enter a binding agreement;

(55) "test batch" means a group of samples submitted collectively for testing;

(56) "THC" means total composite tetrahydrocannabinol, including delta-9-tetrahydrocannabinol and tetrahydrocannabinolic acid;

(57) "variety" means a subdivision of a species that is

(A) uniform, in the sense that the variations in essential and distinctive characteristics are describable;

(B) stable, in the sense that the variety will remain unchanged in its essential and distinctive characteristics and its uniformity if reproduced or reconstituted as required by the different categories of varieties; and

(C) distinct, in the sense that the variety can be differentiated by one or more identifiable morphological, physiological, other characteristics from all other publicly known varieties, or other characteristics from all other publicly known varieties;

(58) "wild" means growing in the natural environment, not domesticated or cultivated. (Eff. 4 / 4 / 2020, Register 234)

Authority:	AS 03.05.010	AS 03.05.050	AS 03.05.077
	AS 03.05.030	AS 03.05.076	AS 03.05.100

From: [Lacy Wilcox](#)
To: [Hull, Angela \(GOV\)](#)
Cc: [Feige, Corri A \(DNR\)](#); [Sande, Julie A \(CED\)](#); [Wilson, Joan M \(CED\)](#); [Marijuana, CED ABC \(CED sponsored\)](#); [Ryan Tunseth](#); [Carter, Robert T \(DNR\)](#); [Schade, David W \(DNR\)](#); [Gialopsos, Vasilios \(GOV\)](#)
Subject: Letter to Governor - Urgent issue around intoxicating THC being sold under Hemp Program
Date: Wednesday, June 29, 2022 2:09:34 PM
Attachments: [AMIA to Dunleavy 6.29.22 on Delta 9 THC.pdf](#)

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Mrs. Hull,

Attached is a letter for the Governor on this urgent issue that was raised by the cannabis industry today in public comment at the MCB meeting.

Ryan Tunseth the AMIA President is available for questions should they arise. He can be reached via email (cc'd herein) or by calling 907-398-1233

Thank you,

Lacy Wilcox
Legislative Liaison, AMIA

June 29, 2022

The Honorable Michael Dunleavy, Governor
State of Alaska
Alaska State Capitol Building, Third Floor
Juneau, AK 99801



Via email: angela.hull@alaska.gov

Dear Governor Dunleavy:

The Alaska Marijuana Industry Association (AMIA) needs to bring to your attention an emergent public policy situation with regards to the State of Alaska Department of Agriculture - Industrial Hemp Pilot Program. Specifically, our concern is with the Industrial Hemp Program's approval of intoxicating hemp-derived products that are being endorsed without age restrictions and outside the scope of the State of Alaska Statute AS 17.38

To understand the gravity of this, we thought it would be useful to provide some basics on the plant we call Cannabis Sativa L. as follows. There is only one plant from which all cannabis products come from. The terms "Marijuana" and "Hemp" were actually created by law to separate Cannabis Sativa L plants that test either above or below 0.3% delta-9-tetrahydrocannabinol or Delta-9-THC. If the plant tests above 0.3% Delta-9-THC, it is "marijuana" and if it tests below, it is "hemp"

"Rope not Dope"

Delta 9 -THC is one of the approximately 160 known cannabinoids found in the plant, however; most notably it is the main psychoactive cannabinoid, or in other words, the one that gets you high. It is what we in the marijuana industry strive to produce and track and test for. It is what you limit in our edibles to consumers and it is why our product is tracked through METRC through its production lifecycle, until it is sold in licensed stores to consumers over 21.

The 2018 Farm Bill purported to de-schedule and legalize "hemp" and its derivatives. Clearly, Mitch McConnell, the driver of the bill, did not intend to permit intoxicating products to be legalized. Rather, the bill was meant to address issues with the nation's hemp farmers, who were making products for industrial use and certain non-intoxicating cannabinoids like CBD. Unfortunately, the drafters did not understand the science behind the plant, and did not specifically address the extraction process, leaving inventive and aggressive players to turn the rope into dope so to speak.

Currently in Alaska, products with Delta 9 – THC and other intoxicating cannabinoids derived from hemp are proliferating into the unregulated market due to the Farm Bill's misunderstood metric for differentiating "hemp" from "marijuana". Specifically, the bill requires growers to test their crop for Delta9-THC levels within 15 days of harvest. If the plants register Delta 9 -THC levels in excess of 0.3%, the plant is "marijuana", and if below, "hemp."

Notably, this test is only required on a dry weight basis. In order for cannabis to be considered hemp it must contain less than 0.3% Delta 9 -THC on a dry weight basis. Unregulated hemp manufacturers are interpreting this to be applied to extracts and end-products, like gummies, which, on a percentage dry weight basis, contain a host of other additives, like gelatin, sugar, oils and in some cases unsafe materials. This creates a situation where 0.3% dry weight of a plant does not equate to 0.3% of the total weight of a gummy.

In short, consumers are being sold loosely regulated cannabis products that are highly intoxicating due to levels of Delta 9 -THC and other intoxicating cannabinoids, like Delta 8, 10 and 6 -THC because of this error in testing standard.

We understand that the industrial hemp program in Alaska has some quality requirements in place. However, these requirements are not nearly as rigorous or regulated as Alaska's marijuana program. Importantly, what is not accomplished, perhaps because statute didn't allow the express consideration, is age restrictions to purchase, safe child resistant packaging, and product design that ensures consumption by minors is not encouraged. This is an immediate public safety concern.

The other missing piece to the industrial hemp program is taxation, while we are taxed and burdened with regulations, this obvious unfairness leaves many of us in the recreational market wondering what the validity of our current regulatory environment really is.

Also noteworthy, it should be considered that if this continues, the Division of Agriculture will have also sanctioned onsite consumption of intoxicants pretty much anywhere: the sidewalk, the playground, the park, near sensitive use areas, and obviously in the places where it is sold. Imagine that the local gas station becomes the after school hangout where kids are getting high off of 50mg delta 9 gummies. This is a reality that could happen.

We can't amend the Farm Bill but we can protect our citizens. A similar movement has taken place across the country with over 20 states prohibiting the manufacture and sale of intoxicating hemp derived cannabinoids outside of the regulated marijuana program.

We are counting on you to do the right thing for Alaska and its citizens, including its children. We are counting on you to immediately advise the Commissioner of DNR and the Commissioner of DCCED together with Director Wilson and Director Schade and Mr. Carter to meet and discuss immediate resolution in the form of emergency regulations at DNR or guidance such as a cease and desist directive through executive power that, until this is sorted out, can get these candies out of the hands of children.

At a minimum the Department of Law can issue a "Consumer protection Advisory" to warn Alaskans about this intoxicating and largely unregulated product in our market.

We are understanding and sympathetic that the Plant Materials Center is severely under-resourced. We believe that AMCO and the Dept. of Agriculture can and should work together. The Dept. of Agriculture has elements of their program that we really envy, things like pesticide and heavy metals testing. They can reflect cannabis's therapeutic value, something we are prohibited from doing. And, they have access to financial services, loans, and agricultural scholarships. They are also familiar with the development and application of standards for grading agricultural products. All of these things are items we need in our industry and we very much respect.

It is unfortunate that this type of communication clouds the overall realization that; we have the same plant being regulated by two different entities. THC content is fundamental to understanding why we have two different entities regulating the same plant, and where the line should be very clearly drawn.

And to simplify what we could foresee being the long term solution, AMCO's Marijuana Board should regulate all aspects of intoxicating Cannabis Sativa.

Thank you,

A stylized, handwritten signature in black ink that reads "Ryan Tunseth". The signature is written in a cursive, slightly slanted font.

Ryan Tunseth, President
On behalf of
AMIA Board of Directors

cc: Commissioner Corri Feige, DNR
Commissioner Julie Sande, DCCED
Members, Marijuana Control Board, AMCO, DCCED
Director Joan Wilson, AMCO, DCCED
Director David Shade, Division of Agriculture, DNR
Rob Carter, Agronomist, Division of Agriculture, DNR

Attachments & Links:

SCREENSHOT OF DEPT. OF AGRICULTURE PRODUCT APPROVAL

DEPT. OF AGRICULTURE APPROVED PRODUCTS AS OF 5/24/22

<https://plants.alaska.gov/hemp/pdf/resources/Alaska%20Industrial%20Hemp%20Endorsed%20Product%20List.pdf>

EXAMPLE OF DEPT. OF AGRICULTURE APPROVED PRODUCT

<https://acrobat.adobe.com/link/track?uri=urn:aaid:scds:US:4174ba36-8b5e-3724-aaad-11903e01ddff>

DC Circuit Court Ruling on Enforcement of “hot” hemp.

https://www.duanemorris.com/alerts/hot_hemp_remains_hot_topic_still_within_deas_enforcement_discretion_0622.html



Product-Line Endorsement Approval Notice

Applicant Name	GWM Distribution (Liquid Gummies)
Physical Address	320 Robinson Avenue Newburgh, New York 12550
AIH Registration Number	E_10122
Product-Line Endorsed	Gummies
Date of issuance	3/21/2022

The Alaska Division of Agriculture does hereby grant the registration for these industrial hemp products. They shall be officially registered through the expiration date listed below, unless cancelled for due cause prior to that.

INDUSTRIAL HEMP PRODUCT LINE REGISTRATION

No.	Product Name	Type (Edibles, topicals, ingestible)	Certificate of analysis	Expires
1.	Liquid Gummies Delta-9 Sample Pack Gummies 45mg- 3ct.	Edible (gummy)	QR Code	03/21/2023
2.	Liquid Gummies Delta-9 Sativa Sample Pack Gummies 45mg- 3ct.	Edible (gummy)	QR Code	



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From: [Craig, Carrie D \(CED\)](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: FW: FROM DAVID EVANS THE CONNECTION BETWEEN MARIJUANA AND VIOLENCE
Date: Thursday, June 30, 2022 1:49:20 PM
Attachments: [MARIJUANA.LETTER.DOCUMENTS.pdf](#)

For MCB Board email

Carrie Craig

Records and Licensing Supervisor
Alcohol and Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
907-269-0350

From: Alcohol Licensing, CED ABC (CED sponsored)
Sent: Thursday, June 30, 2022 10:40 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: Craig, Carrie D (CED) <carrie.craig@alaska.gov>
Subject: FW: FROM DAVID EVANS THE CONNECTION BETWEEN MARIJUANA AND VIOLENCE

From: thinkon908@aol.com <thinkon908@aol.com>
Sent: Thursday, June 30, 2022 10:36 AM
To: abra@dc.gov; adh.medicalmarijuana@arkansas.gov; Agr.adultuse@illinois.gov; Alcohol Licensing, CED ABC (CED sponsored) <alcohol.licensing@alaska.gov>; alytton@utah.gov
Subject: FROM DAVID EVANS THE CONNECTION BETWEEN MARIJUANA AND VIOLENCE

You don't often get email from thinkon908@aol.com. [Learn why this is important](#)

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David G. Evans, Esq.
Senior Counsel
Cannabis Industry Victims Educating Litigators (CIVEL)
203 Main St. Suite 149
Flemington, NJ 08822
908-963-0254
www.civel.org

July 1, 2022

Dear State Marijuana Regulatory Agency

We thought you should have this information about the connection between marijuana use and violence.

VIOLENCE AGAINST WOMEN

Marijuana use is associated with intimate partner violence perpetration among men arrested for domestic violence. Marijuana use is positively and significantly associated with psychological, physical, and sexual interpersonal violence perpetration, even after controlling for alcohol use and problems, antisocial personality symptoms, and relationship satisfaction. See the enclosed articles.

MARIJUANA AND MASS VIOLENCE

There are many factors that increase violence and gun deaths, but marijuana is one of the most significant factors in crime and violence. Enclosed are 65 reports of marijuana involved mass violence - representing thousands of deaths and injuries. We are sure there are many more. Each incident has an informational link to the relevant reports of how marijuana is involved with the perpetrator's behavior. The perpetrators of mass killings are often marijuana users or used marijuana heavily in adolescence. The Secret Service has reported on this marijuana connection in their enclosed report.

RECENT TELEVISION REPORTS

See Laura Ingraham's story on June 1 about pot psychosis and denial.

<https://video.foxnews.com/v/6307173357112/#sp=show-clips>

See Laura Ingraham's story May 31 on marijuana and mass killings.

<https://www.mediamatters.org/fox-news/laura-ingraham-blames-marijuana-mass-shootings>

Here is the information about the Uvalde killer and his marijuana use from the below article:

<https://www.dailymail.co.uk/news/article-10857101/Texas-school-shooting-cops-restrained-parents-trying-save-kids.html>

"Jocelyn Rodriguez, 19, a Wendy's employee, told The New York Times that when she heard Ramos was the shooter, she was initially shocked, but then less surprised. She knew him to have a bad temper and to snap at people. He said he had a tendency to pick fights with co-workers, and would often talk about how much he hated his mother and grandmother, whom he told her did not let him smoke weed or do what he wanted."

Here is the video of FOX News Dan Bongino's recent interview with Dr. Daniel Amen a Child Psychiatrist. Dr. Amen mentions the brain damage caused by marijuana.

<https://twitter.com/UnfilteredOnFox/status/1530723097086763009?fbclid=IwAR0E6FGW17sB66IHnoBDzwcY-NNli-OSxp2Ld-zb1266DKpHPfS7aBaOIIE>

Alex Berenson who has appeared on Tucker Carlson numerous times about COVID has written a book that documents that marijuana causes psychosis and violence. He has discussed this on Tucker's show.

<https://video.foxnews.com/v/6078145753001#sp=show-clips>

RECENT NEWS ARTICLES

Read the enclosed May 31 article in AMAC by Bobby Charles "Chronic Marijuana Use and Violence – Linked?"

Read the enclosed article by Ron Kessler in Newsmax. "Blame Legalized Marijuana for Increased Mass Shootings."

Also is an article from the Wall Street Journal. "Cannabis and the Violent Crime Surge."

Sincerely yours,

David G. Evans

Find a Therapist (City or Zip)



Wendy L. Patrick, J.D., Ph.D.

Why Bad Looks Good

DOMESTIC VIOLENCE

Seeing Green? Cannabis Use Associated With Domestic Violence

New research adds marijuana use as a risk factor.

Posted October 8, 2018



Domestic Violence Awareness Month highlights the epidemic of domestic abuse, a crime that often flies under the radar.

Having prosecuted countless crimes of domestic abuse in my over 20 years as a prosecutor, my experience is consistent with research findings regarding the fact that physical abuse is often precipitated by observable risk factors.

In an attempt to reduce the likelihood of interpersonal violence, there has traditionally been an emphasis placed on precursors such as anger management, history of violent behavior, and alcohol abuse. But marijuana? Because it is a drug that enjoys a more peaceful reputation than many other illicit substances, the finding that it is linked to interpersonal violence requires us to re-examine the complicated

Rolling Out the Green Carpet

As an increasing number of states continue to legalize marijuana for both medical and recreational use, research continues to focus on potential consequences of using the substance. There is a strong focus on marijuana's potential impact on driving, operating machinery, performing cognitive tasks, caring for children, and other activities that require mental alertness and good judgment.

Physiologically, marijuana can create relaxation, decrease reaction time, stimulate appetite, and promote sedation. But can it make someone violent?

Marijuana Use and Interpersonal Violence

A study by Ryan C. Shorey et al. (2018) linked marijuana use and Interpersonal violence (IPV).^[1] The authors began by reporting that marijuana use is commonly reported among men arrested for domestic violence, a report that is concerning given the fact that past research has established a link between marijuana use and IPV.

Acknowledging IPV as a serious public health problem, the authors set out to discover whether marijuana was linked to IPV on its own, versus in combination with other factors. Accordingly, their research examined the link between marijuana use and IPV perpetration after controlling for three known risk factors for IPV: alcohol use and related problems, antisocial personality symptoms, and relationship satisfaction.

psychological, and sexual) even after controlling for all three risk factors. They also found that the link between marijuana use and sexual IPV was stronger when combined with high levels of alcohol consumption and related problems, as compared to low levels. The authors note this finding is consistent with past research, which suggests that polysubstance users report more frequent IPV episodes than their non-polysubstance using counterparts.

The association between marijuana and domestic violence may be better understood within the context of how other risk factors lead to domestic abuse.

Other Domestic Violence Risk Factors

Megan J. Brem et al. (2018) found other factors to be linked to IPV in men arrested for domestic violence.[ii] The title of their article, “Antisocial Traits, Distress Tolerance, and Alcohol Problems as Predictors of Intimate Partner Violence in Men Arrested for Domestic Violence,” described the scope of their research.

THE BASICS

What Is Domestic Violence?

Find a therapist to heal from domestic violence

The authors adopt a research-based definition of distress tolerance as “an ability to withstand aversive internal and external states elicited by a stressor.” They note that people

strategize long-term solutions. Two such impulsive behaviors are IPV and alcohol use.

ARTICLE CONTINUES AFTER ADVERTISEMENT

In their study, they found that traits of antisocial personality disorder (ASPD) were linked to psychological aggression perpetration both directly and indirectly, through distress tolerance and problematic use of alcohol. They also found that ASPD traits were linked to elevated problems with alcohol, which was linked to psychological aggression perpetration.

DOMESTIC VIOLENCE ESSENTIAL READS

Domestic Violence Affects Pets, Too



Domestic Violence and Divorce: Common Questions and Answers

problems with alcohol explained the relationship between traits related to ASPD traits and physical assault. They opine, “It is plausible that alcohol problems increased participants’ susceptibility to involvement in antisocial activities, including IPV perpetration, thereby reducing the likelihood that distress tolerance would account for the relationship.”

Future research will no doubt examine whether substances other than alcohol may increase susceptibility to IPV perpetration in the same fashion. Also note that in correlational studies, it’s always possible that hidden variables (such as personality traits or psychopathology) could explain the association between the variables under examination.

Targeting All Forms of Domestic Abuse

Ideally, the goal is to prevent all forms of domestic abuse. Some abusers use psychological aggression to control their victims with domination, intimidation, and humiliation. Other toxic relationships include physical abuse, which can progress incrementally over a time—often culminating in significant physical harm.

In all cases, however, a familiarity with risk factors is helpful for both potential victims and abusers, with an eye toward intervention, treatment, and ultimately eradication of this often-deadly societal epidemic.

References

is Associated With Intimate Partner Violence Perpetration Among Men Arrested for Domestic Violence,” *Translational Issues in Psychological Science* 4, no. 1, 2018, 108–118.

[ii] Megan J. Brem, Autumn Rae Florimbio, JoAnna Elmquist, Ryan C. Shorey, and Gregory L. Stuart, “Antisocial Traits, Distress Tolerance, and Alcohol Problems as Predictors of Intimate Partner Violence in Men Arrested for Domestic Violence,” *Psychology of Violence* 8, no. 1, 2018, 132–139.



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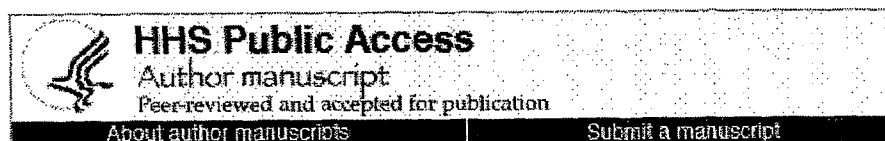
About the Author



Wendy L. Patrick, J.D., Ph.D., is a career trial attorney, behavioral analyst, author of *Red Flags*, and co-author of *Reading People*.

Online: wendypatrickphd.com, [Facebook](#), [LinkedIn](#), [Twitter](#)

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Marijuana use is associated with intimate partner violence perpetration among men arrested for domestic violence

Ryan C. Shorey,¹ Ellen Haynes,¹ Meagan Brem,² Autumn Rae Florimbio,² Hannah Grigorian,² and Gregory L. Stuart²

Abstract

Intimate partner violence (IPV) is a serious public health problem. Substance use, particularly alcohol, is a robust risk factor for IPV. There is a small but growing body of research demonstrating that marijuana use is positively associated with IPV perpetration. However, research on marijuana use and IPV has failed to control for other known predictors of IPV that may account for the positive association between marijuana use and IPV perpetration. Therefore, the current study examined whether marijuana use was associated with IPV perpetration after controlling for alcohol use and problems, antisocial personality symptoms, and relationship satisfaction, all known risk factors for IPV. Participants were men arrested for domestic violence and court-referred to batterer intervention programs ($N = 269$). Findings demonstrated that marijuana use was positively and significantly associated with psychological, physical, and sexual IPV perpetration, even after controlling for alcohol use and problems, antisocial personality symptoms, and relationship satisfaction. Moreover, marijuana use and alcohol use and problems interacted to predict sexual IPV, such that marijuana use was associated with sexual IPV at high, but not low, levels of alcohol use and problems. These findings lend additional support to the body of research demonstrating that marijuana use is positively associated with IPV perpetration in a variety of samples. Results suggest that additional, rigorous research is needed to further explore why and under what conditions marijuana is associated with IPV perpetration.

Keywords: Marijuana, intimate partner violence, substance use, domestic violence

Intimate partner violence (IPV) is a difficult to treat and prevalent public health problem. IPV includes psychological, physical, and sexual aggression (Straus, Hamby, Boney-McCoy, & Sugarman, 1996). In the general population, annual prevalence rates of IPV are approximately 80% for psychological IPV, 25% for physical IPV, and 20% for sexual IPV (Archer, 2000; Shorey, Cornelius, & Bell, 2008). Not surprisingly, victims of IPV experience numerous negative consequences, including depression

(Devries et al., 2013), anxiety (Nathanson, Shorey, Tirone, & Rhatigan, 2012), increased substance use (Devries et al., 2014), physical injuries (Archer, 2000; Campbell, 2002), suicidal ideation (Devries et al., 2013), and in the most severe cases, death (Davis, 2010). Unfortunately, psychosocial intervention efforts aimed at reducing IPV perpetration among men arrested for domestic violence have been largely unsuccessful. Meta-analyses on the effectiveness of batterer intervention programs (BIPs), programs individuals who are arrested for domestic violence are court-mandated to attend, demonstrate small effect sizes (Babcock, Green, & Robie, 2004) or no effect at all (Feder & Wilson, 2005). Thus, there is considerable room for improving these programs.

Researchers have argued that interventions for IPV should include a focus on reducing substance use (Stuart, Temple, & Moore, 2007), as substance use, particularly alcohol, is known to be a robust risk factor for IPV perpetration across populations (Foran & O'Leary, 2008; Shorey, Stuart, & Cornelius, 2011). Indeed, preliminary evidence suggested that BIPs have better short-term outcomes (i.e., reduced IPV) when adjunctive alcohol interventions are included; however, the positive effects of this brief alcohol intervention fade over time (Stuart et al., 2013). This may be due, in part, to extensive drug use among men arrested for domestic violence (e.g., Stuart et al., 2004), which may have compromised IPV treatment outcomes. Thus, researchers have recently advocated for additional research on substances other than alcohol to determine their relations to IPV (Shorey, Haynes, Strauss, Temple, & Stuart, 2017; Testa & Brown, 2015) since these substances may impact intervention outcomes. Specifically, researchers have advocated for studies on the association between marijuana and IPV, as well as the effects of combined alcohol and marijuana use on IPV (Shorey et al., 2017; Testa & Brown, 2015).

Marijuana use is prevalent among men arrested for domestic violence and some research suggests it is positively associated with IPV perpetration (Moore et al., 2008; Moore & Stuart, 2004; Moore & Stuart, 2005; Testa & Brown, 2015). This research is particularly important for a number of reasons, especially with the increasing legalization of marijuana for both medical and recreational purposes in many US states, as it is imperative that public health officials and policy makers have a clear understanding of how marijuana use intersects with other important public health problems, such as IPV. Thus, the purpose of the present study was to examine the association between marijuana use and IPV perpetration among men arrested for domestic violence and court-referred to BIPs, controlling for known IPV risk factors of alcohol use and problems, antisocial personality symptoms, and relationship satisfaction.

Marijuana and IPV

The theoretical relationship between marijuana and IPV has received scant attention. Although still underdeveloped, it has been theoretically postulated that, for some individuals, marijuana may lead to increased negative effects (e.g., irritability, anxiety), which may then lead to negative couple-related outcomes, such as IPV (Testa & Brown, 2015). A meta-analysis on the association between marijuana and IPV perpetration demonstrated that, across 14 studies, there was a positive association between marijuana use and physical ($d = .21$) and psychological ($d = .35$), but not sexual, IPV (Moore et al., 2008). Since this meta-analysis, a review of 30 studies concluded that marijuana use distally (e.g., frequency of use in the past year) demonstrated modest, but positive, associations with distal reports of IPV (e.g., frequency of IPV perpetration in past year; Testa & Brown, 2015). In addition, Moore and Stuart (2004) reported that 53% of their sample of men arrested for domestic violence reported past year marijuana use. However, the majority of prior studies examining marijuana and IPV failed to control for known risk factors for IPV that may account for this relationship. Specifically, it has been postulated that the relationship between marijuana and IPV may be due to third variables such as

alcohol use, antisocial personality, and relationship satisfaction (Moore & Stuart, 2005; Moore et al., 2008; Shorey et al., 2017). Thus, it will be important for marijuana and IPV research to account for these well-established IPV risk factors.

In addition to controlling for IPV risk factors, researchers have called for investigations on the interaction between marijuana and alcohol use in predicting IPV perpetration (Shorey et al., 2017). Research on simultaneous marijuana and alcohol use shows that it is associated with a number of negative consequences, including more frequent use of either substance, increased quantity of alcohol use, driving while under the influence, social conflicts (e.g., arguments; conflict with spouse), unprotected sex, arrests, and personal consequences (e.g., health, finances; Metrik, Caswell, Magill, Monti, & Kahler, 2016; Subbaraman & Kerr, 2015; Terry-McElrath, O'Malley, & Johnston, 2013). Not surprisingly, simultaneous use of these substances produces greater impairment, disinhibition, and risk-taking relative to either substance when used alone (Subbaraman & Kerr, 2015). From a theoretical standpoint, the disinhibition caused by using alcohol and marijuana together may increase the risk for IPV, as disinhibition, according to the alcohol myopia model (AMM; Steele & Josephs, 1990) is a proposed mechanism for the relationship between alcohol and IPV (Giancola, 2002). Thus, marijuana may further decrease disinhibition when alcohol is consumed, further increasing the risk for IPV.

We are aware of only one study to date that has examined the impact of concurrent marijuana and alcohol use on IPV. A recent cross-sectional study demonstrated that young adult men who were marijuana and alcohol users were more likely to perpetrate sexual IPV than men who only used alcohol (Low et al., 2017). Thus, continued research is needed to examine whether marijuana and alcohol interact to increase the risk for IPV perpetration. In all, knowledge of whether marijuana use is associated with IPV among men arrested for domestic violence, or whether marijuana and alcohol use interact to predict IPV, may provide important clinical information for the development of more effective BIPs. That is, it is currently unknown whether marijuana use would be an important treatment target in BIPs, and thus research in this area would provide initial information on whether these programs should focus attention on reducing marijuana use.

Based on previous findings and theory regarding the role of marijuana use with IPV, we examined whether marijuana use was associated with psychological, physical, and sexual IPV perpetration in a sample of men arrested for domestic violence and court-referred to BIPs. After controlling for alcohol use and problems, antisocial personality symptoms, and relationship satisfaction, we expected marijuana use to be positively associated with IPV perpetration. Antisocial personality symptoms and relationship satisfaction were chosen as covariates due to prior research demonstrating their consistent associations with IPV perpetration (Brem, Florimbio, Elmquist, Shorey, & Stuart, 2017; Stith, Green, Smith, & Ward, 2008) and speculation that the association between marijuana and IPV may reflect the influence of these confounding variables (e.g., Moore et al., 2008). Based on the combined disinhibiting effects of marijuana and alcohol use, we also expected the strength of the association between marijuana use and IPV perpetration to be stronger for men high in alcohol use and problems, relative to men low in alcohol use and problems.

Method

Participants

Participants included men who were arrested for domestic violence and were court-referred to BIPs ($N = 269$). These participants are a subsample of men reported on elsewhere (Brem, Florimbio, Elmquist, Shorey, & Stuart, *in press*), and were chosen for inclusion in the current study based on having completed all measures of interest. Participants reported a mean age of 32.39 years ($SD = 11.26$). The

majority of the sample identified as White (63.2%). Participants also identified as Hispanic or Latino (12.3%), Black (8.6%), American Indian or Alaska Native (4.1%), or other (6.3%); 5.6% of the sample did not report a race. In regards to relationship status, most participants reported being in a current intimate relationship (68.1%). In the entire sample, 27.9% reported being in a dating relationship, 26.4% of participants reported living with a partner but not being married, and 13.8% reported being married. The average length of relationship reported by participants was 4.63 years ($SD = 7.07$).

Procedure

Participants were recruited for study participation at BIP locations. Study investigators obtained informed consent from individuals interested in participating in the study. Questionnaires were completed in paper and pencil format in a group setting during participants' regularly scheduled BIP sessions. All study participation was voluntary and all information was kept confidential from the BIP group facilitators and courts. No compensation for participating was provided. All procedures were approved by the Institutional Review Board where the study took place. At the time of study participation, the mean number of BIP sessions attended by participants was 11.28 ($SD = 7.61$).

Measures

Marijuana Use Marijuana use was measured using a single marijuana use item from the Drug Use Disorders Identification Test (DUDIT; [Stuart et al., 2003a,b](#); [Stuart et al., 2004](#)), a measure that captures a variety of different substances (e.g., marijuana, cocaine, opiates). The marijuana item asked participants "How often do you use cannabis?", with instructions for participants to think of the year prior to entering their BIP. This is the only item on the DUDIT that is specific to marijuana use. Participants were asked to rate their marijuana use on a 7-point scale (0 = Never, 1 = less than monthly, 2 = monthly, 3 = 2–3 times a month, 4 = weekly, 5 = 2–3 times a week, 6 = 4 or more times a week). Higher scores correspond with more frequent marijuana use. The DUDIT has demonstrated good psychometric properties in prior research ([Stuart et al., 2003a,b](#)).

IPV Perpetration Psychological, physical, and sexual IPV perpetration were measured using the Revised Conflict Tactics Scales (CTS2; [Straus et al., 1996](#)), a 78-item self-report measure that assesses the amount of negotiation, psychological aggression, physical assault, sexual coercion, and injury within an intimate relationship. The psychological aggression, physical assault, and sexual coercion perpetration subscales were included in the present study. Participants are asked to rate the frequency of each item's occurrence in the year prior to entry into the BIP on a 7-point scale (0=Never; 6=more than 20 times). The psychological perpetration subscale includes 8 questions, the physical perpetration subscale includes 12 questions, and the sexual perpetration subscale includes 7 questions. Total scores for each subscale are obtained by summing the midpoints for each item (e.g., 3–5 times is recoded into 4; [Straus, Hamby, & Warren, 2003](#)). Higher scores correspond to more frequent IPV perpetration. Past research with the CTS2 has demonstrated good reliability ([Straus, 2004](#)) and good construct and discriminant validity ([Straus et al., 1996](#)). For the present study, the internal consistency for the physical perpetration subscale was good ($\alpha = .88$), the psychological perpetration subscale was good ($\alpha = .83$), and the sexual subscale was acceptable ($\alpha = .63$).

Alcohol Use and Problems The 10-item Alcohol Use Disorders Identification Test (AUDIT; [Saunders, Asaland, Babor, de la Fuente, & Grant, 1993](#)) was used to measure alcohol use and problems in the year prior to entry into the BIP. Participants rated their agreement with the first seven items on a 5-point scale, and the final three items on a 3-point scale. Possible scores range from 0–40 and were

calculated by summing all items. Higher scores correspond to more alcohol use and related problems. In past research the AUDIT demonstrated high internal consistency (average α 's = .81–.93; Saunders, et al., 1993). Internal consistency in the current sample was good (α = .87).

Antisocial Personality Symptoms The Antisocial Personality Disorder (ASPD) subscale of the Personality Diagnostic Questionnaire-4 (PDQ4; Hyer et al. 1988) was used to measure antisocial personality symptoms. The PDQ4 is a brief screening instrument used to assess possible personality disorders, and contains a subscale for symptoms of ASPD (e.g., “Lying comes easily to me and I often do it”). Individuals were asked to rate each item as true or false about their personality, and scores can range from 0–11. Higher scores on the ASPD subscale indicate higher endorsement of symptoms associated with ASPD. In past research, the PDQ4 has demonstrated good test re-test reliability (Trull, 1993), high internal consistency (Hyer et al., 1989), and high sensitivity and specificity for detecting ASPD (Hyer et al., 1989). Internal consistency in the present study was excellent (α = .90).

Relationship Satisfaction Relationship satisfaction was measured using the Relationship Assessment Scale (RAS; Hendrick, 1988). Participants indicated their agreement with 7 questions about their current intimate relationship (or most recent intimate relationship if not currently in a relationship) on a 5-point scale (e.g. “How well does your partner meet your needs?”). Possible scores range from 7–35. Higher scores correspond to higher levels of relationship satisfaction. Participants completed the RAS in reference to the same partner they rated on the CTS2. In past research, the RAS has demonstrated good convergent validity with other relationship satisfaction measures and high internal consistency (Hendrick, Dicke, & Hendrick, 1998). In the present study, internal consistency of the RAS was excellent (α = .90).

Data Analytic Strategy

We examined the relationship between marijuana and IPV perpetration utilizing SPSS version 23.0. Prior to analyses, we log-transformed all IPV variables due to positive skew and kurtosis, consistent with prior IPV research (e.g., Mattson, O’Farrell, Lofgreen, Cunningham, & Murphy, 2012; Shorey, Brasfield, Febres, & Stuart, 2011). First, we examined bivariate correlations among study variables. Second, three separate regression analyses, one for each type of IPV, were conducted to determine whether the relationship between marijuana use and IPV was present after controlling for alcohol use and problems, antisocial personality symptoms, and relationship satisfaction. Finally, after main effect analyses, we examined the interactive effects of alcohol use and problems and marijuana use on IPV following recommendations for testing interactions by Aiken and West (1991). That is, we mean centered independent variables to reduce multicollinearity and then formed an interaction term between alcohol use and problems and marijuana use, which was entered into the regression equations. Significant interactions were probed at high (+1 *SD*) and low (–1 *SD*) levels of alcohol use and problems.

Results

Means, standard deviations, and correlations among study variables are presented in Table 1. As displayed, psychological, physical, and sexual IPV perpetration were positively and significantly associated with marijuana use. All three forms of IPV were positively and significantly associated with alcohol use and problems and antisocial personality symptoms. Psychological and physical IPV were negatively and significantly related to relationship satisfaction. Marijuana use and alcohol use and problems positively and significantly related to antisocial personality symptoms. Number of BIP sessions completed negatively related to relationship satisfaction. Regarding marijuana use in the year prior to BIP entry, 40.5% of the sample reported no marijuana use, 11.5% reported less than monthly

use, 3% reported monthly use, 5.6% reported use 2 to 3 times a month, 4.1% reported weekly use, 5.9% reported use 2 to 3 times a week, and 29.4% reported use 4 or more times a week. Thus, 59.5% of the entire sample reported marijuana use in the previous year and 39.4% of the entire sample reported at least weekly marijuana use.

Table 1

Means, standard deviations, and bivariate correlations among study variables

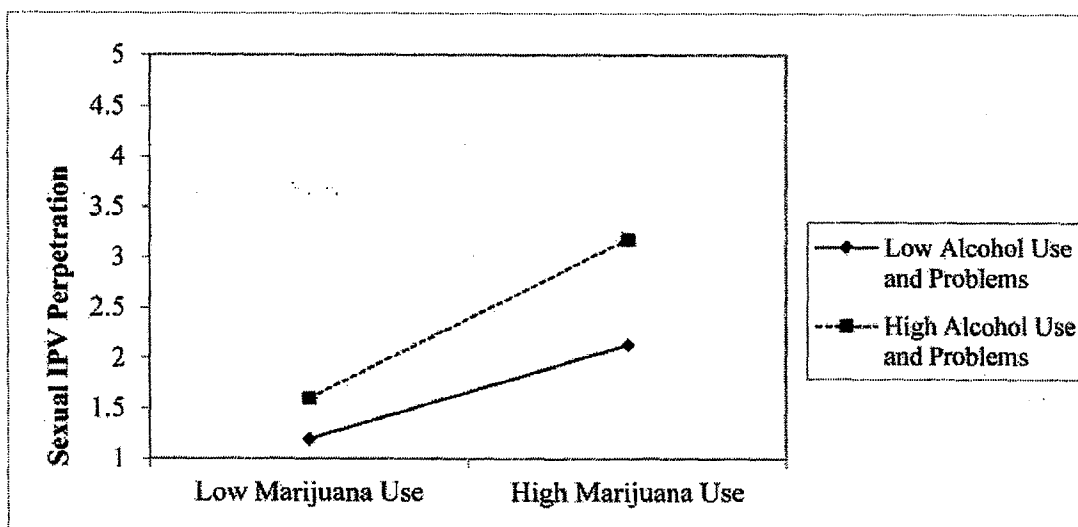
	1	2	3	4	5	6	7	8
1. Psychological IPV Perpetration	-							
2. Physical IPV Perpetration	.55**	-						
3. Sexual IPV Perpetration	.28**	.43**	-					
4. Marijuana Use	.17**	.17**	.28**	-				
5. Alcohol Use and Problems	.27**	.23**	.22**	.06	-			
6. Antisocial Symptoms	.18**	.28**	.28**	.22**	.34**	-		
7. Relationship Satisfaction	-.37**	-.27**	-.11	.07	-.02	-.07	-	
8. Number of BIP Sessions	.08	.09	.16**	.00	.10	-.07	-.17**	-
Mean	37.46	10.81	6.36	2.57	9.11	3.16	22.96	11.28
Standard Deviation	38.10	26.06	15.50	2.63	8.65	2.23	7.49	7.61

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Note. Psychological, physical, and sexual IPV mean scores reflect raw values; log-transformed scores were used for correlation analyses.

** $p < .01$.

Table 2 presents results of the regression analyses for each form of IPV perpetration. Semi-partial (sr) correlations between marijuana and IPV perpetration, derived from the regression analyses, are presented below. As displayed in Table 2, marijuana use frequency remained positively associated with the psychological ($sr = .17, p < .01$), physical ($sr = .14, p < .05$), and sexual IPV ($sr = .23, p < .001$) perpetration frequency after accounting for alcohol use and problems, antisocial personality symptoms, and relationship satisfaction. The main effect of marijuana use on sexual IPV was qualified by a significant interaction between alcohol use and problems and marijuana use. Specifically, marijuana use was positively associated with IPV perpetration at high ($\beta = .36, p < .001$), but not low ($\beta = .12, p > .05$), levels of alcohol use and problems (see Figure 1).



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Figure 1

Interaction between Marijuana Use and Alcohol Use and Problems predicting Sexual IPV Perpetration.

Table 2

Regression analyses predicting IPV perpetration

	Psychological	Physical	Sexual
Model 1	F = 19.96; R ² = .24	F = 14.64; R ² = .18	F = 12.81; R ² = .16
Alcohol Use and Problems	.24 (.01)***	.16 (.01)**	.14 (.01)*
Antisocial Personality	.04 (.04)	.17 (.04)**	.17 (.04)**
Relationship Satisfaction	-.37 (.01)***	-.27 (.01)***	-.13 (.01)*
Marijuana Use	.17 (.03)**	.16 (.03)**	.24 (.03)***
Model 2	F = 16.34; R ² = .24	F = 12.21; R ² = .18	F = 11.17; R ² = .17
Alcohol Use and Problems	.23 (.01)***	.17 (.01)**	.16 (.01)**
Antisocial Personality	.04 (.04)	.17 (.04)**	.17 (.04)**
Relationship Satisfaction	-.37 (.01)***	-.26 (.01)***	-.11 (.01)*
Marijuana Use	.17 (.03)**	.14 (.03)**	.24 (.03)***
Marijuana X Alcohol	-.07 (.00)	.08 (.00)	.11 (.00)*

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Note: Standardized betas are reported. Standard errors are in parentheses.

* $p < .05$,
 ** $p < .01$,
 *** $p < .001$

Discussion

Recent research indicated that marijuana use positively associated with IPV perpetration among men arrested for domestic violence, but did not examine this association in the presence of other known risk factors for IPV. Therefore, we examined the association between marijuana use and IPV perpetration while controlling for alcohol use and problems, antisocial personality symptoms, and relationship satisfaction in a sample of men arrested for domestic violence and court-referred to attend BIPs. After accounting for these risk factors, our findings demonstrated marijuana use positively associated with all forms of IPV (psychological, physical, and sexual). Moreover, the main effect of marijuana use on sexual IPV was qualified by an interaction between marijuana use and alcohol use and problems, such that marijuana use was associated with IPV at high, but not low, levels of alcohol use and problems among men arrested for domestic violence.

That marijuana use positively related to all three forms of IPV in the present study is noteworthy given previous meta-analytic findings indicating that marijuana use did not relate to sexual IPV (Moore et al., 2008). However, this meta-analysis only included one study that assessed the association between

marijuana use and sexual IPV. Other studies show that marijuana use is associated with increased odds for problematic sexual behavior, such as condomless sex ([Metrik et al., 2016](#)). Our findings provide preliminary evidence that this association may also extend to sexual IPV perpetration. Importantly, the present findings demonstrated that the association between marijuana use and sexual IPV was stronger for individuals with high levels of alcohol use and problems relative to those with low alcohol use and problems. This finding is consistent with prior research which suggests that polysubstance users report more frequent IPV than non-polysubstance users (e.g., [Low et al., 2017](#)), suggesting polysubstance use is an indicator for increased IPV risk. Although our study did not assess the acute effects of marijuana and alcohol use, this finding may also suggest that co-ingestion of marijuana and alcohol could create a high-risk situation for sexual IPV, as simultaneous use of these two substances creates greater disinhibition and impairment than either substance alone ([Subbaraman & Kerr, 2015](#)). However, until future research examines these relationships utilizing event-level data (e.g., daily diary studies), firm conclusions about co-ingestion of these two substances on risk for IPV is limited to speculation. Moreover, caution should be used when interpreting this interaction finding due to the small percentage of variance accounted for in sexual IPV by the interaction between marijuana use and alcohol.

Our findings provide important information for future research to build upon, since increasing evidence suggests that marijuana use is positively associated with IPV perpetration. However, the reasons for this association (i.e., mechanisms) remain unknown. In order to understand this association, we believe that future research examining marijuana use at the event-level is needed. Indeed, researchers previously advocated for daily diary studies or ecological momentary assessment designs to explore the temporal association between marijuana use and IPV perpetration ([Testa & Brown, 2015](#); [Shorey et al., 2017](#)). This design will allow for the examination of the events that immediately precede IPV, such as marijuana use, and potential mechanisms underlying marijuana-related IPV. This design would also allow for the examination of concordance of marijuana use between partners. Theory (e.g., [Testa & Brown, 2015](#)) and prior research (e.g., [Homish et al., 2009](#)) suggests discordant marijuana use among intimate partners may increase the risk for negative couple outcomes, such as IPV, to a greater degree than concordant marijuana use, as concordant substance use may reflect shared behaviors and closeness among intimate partners.

The alcohol myopia model (AMM; [Steele & Josephs, 1990](#)), which provides theoretical support for the relationship between alcohol use and IPV, may offer insight into the association between marijuana use and IPV. According to the AMM, alcohol use causes individuals to focus on the most salient aspects in their environment ([Steele & Joseph, 1990](#)). When the most salient environmental cue is negative (e.g., negative affect), alcohol will intensify this myopic effect, which may increase the risk for IPV ([Giancola, 2002](#)). A similar process may take place for marijuana-related IPV. Indeed, research suggested that marijuana use may increase allocation of attentional resources to negative stimuli ([Metrik et al., 2015](#)). Moreover, negative affect may precede, and be increased by, marijuana use ([Shadur, Hussong, & Haroon, 2015](#); [Shrier, Ross, & Blood, 2014](#); [Trull, Wycoff, Lane, Carpenter, & Brown, 2016](#)). Preliminary daily diary research with drinking college women demonstrated that marijuana use was positively associated with psychological IPV perpetration at high, but not low, levels of negative affect ([Shorey, Stuart, Moore, & McNulty, 2014](#)). Thus, it is plausible that proximal negative affect may impact risk for marijuana-related IPV among men arrested for domestic violence. Future research incorporating event-level research methods should explore this theoretical supposition.

An additional area for future practitioners and researchers is to consider is whether marijuana use negatively impacts intervention outcomes for IPV. As previously mentioned, alcohol interventions for men in BIPs result in improved short-term outcomes relative to BIPs alone although the positive effects of the alcohol intervention fade over time ([Stuart et al., 2013](#)). Given the high prevalence of marijuana

use among men in BIPs identified in the present study, and our preliminary finding that marijuana and alcohol use and problems interact to predict sexual IPV, it is plausible that marijuana use could negatively impact BIP outcomes. Indeed, individuals who are in alcohol treatment have poorer outcomes when they are using marijuana during treatment relative to individuals who do not use marijuana during treatment (Subbaraman, Metrik, Patterson, & Swift, 2017). Therefore, BIPs should consider targeting marijuana use in their programs in order to determine whether marijuana use treatment impacts BIP outcomes.

There are several limitations to consider when interpreting the findings of the present study. First, the sample was comprised of men arrested for domestic violence perpetration, limiting the generalizability of these findings to men who may perpetrate less frequent or less severe forms of IPV. In addition, the measure of marijuana use consisted of a single item and assessed only the frequency of marijuana use. Utilizing an in-depth measure that extends beyond one item and assesses for other characteristics of marijuana use (e.g., quantity, problems associated with marijuana use) would allow for a more comprehensive understanding of the relation between marijuana use and IPV. The cross-sectional nature of the study design precludes making causal inferences about the study variables. Future studies should employ a longitudinal design to further elucidate the relationship between marijuana use and IPV, while also controlling for identified risk factors for IPV perpetration. Event-level data (e.g., daily diary designs) would also provide information on the acute effects of marijuana, and the combined effects of marijuana and alcohol, on IPV, and future research should utilize these types of designs. The generalizability of the findings is limited given the sample was comprised of primarily non-Hispanic White men. Future studies should include a more ethnically diverse sample, as well as include women. We also did not collect information on the number of men who declined to participate in the current study and whether they may have differed from men who agreed to participate. Finally, it should be noted that because the sample consisted of men arrested and court-mandated to BIPs, social desirability may have impacted study findings.

In summary, findings demonstrated marijuana use positively associated with psychological, physical, and sexual IPV perpetration among men arrested for domestic violence and court-referred to BIPs. These findings were present even after accounting for other known risk factors for IPV perpetration. We believe continued investigation into the associations between marijuana use and IPV is important due to the public health, legal policy, and treatment implications that would result from this line of research. Continued research utilizing rigorous methodological designs, such as daily diary designs, is needed to further understand the association between marijuana and IPV perpetration. Finally, pending replication and extension, findings suggest BIPs may want to target reductions in marijuana use, which may have the concurrent benefit of reducing IPV.

Public Significance Statement

Marijuana use is prevalent among men arrested for domestic violence. Our findings demonstrated that marijuana use was positively associated with intimate partner violence perpetration among men arrested for domestic violence. Treatment of men arrested for domestic violence should consider reducing marijuana.

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SHOOTERS, TERRORISTS AND MASS KILLERS WHO USED MARIJUANA (MONTH/YEAR)

Compiled by Parents Opposed to Pot: <https://poppot.org>

Many people associate a peaceful, “summer of love” mentality with marijuana. Whatever peace comes over people is not long lasting, as many people develop anxiety with much pot use. In the long run, use changes the brains in such a way that people do things they may not have done without the drug’s assault on their brains.

These violent offenders who committed or attempted mass murder were allegedly marijuana users. Some of them had psychosis and had deranged, paranoid thinking which may have been triggered by pot use. Others are not so clear, but they appeared to lack a conscience or empathy. Scientific research tells us that people who have schizophrenia and use marijuana, instead of prescribed medicines, they become more violent and vengeful than they otherwise would be.

12/27/21 - Lakewood, Colorado shooter Lyndon McLeod took out his anger at several massage parlor owners and co-workers, killing 6 people and trying to kill more. A writer who divulged his planning in books, he appears to have been a long-time pot user because a couple who bought a house from him said he had a large marijuana grow in the house.

<https://denver.cbslocal.com/2021/12/29/lyndon-mcleod-couple-home-denver-shooting-spree/#.Yc01SXrLOxo.twitter>

11/26/21 Ethan Crumbley allegedly shot and killed 4 students at a high school Oxford, MI. He had a troubled history with his parents who had purchased the gun for him, but were known to leave him alone for long periods of time when he was young. While no pot links to the shooter have been found, Eli Crumbley, Ethan's older half-brother who had previously worked at the same diner, was once caught with marijuana at the job and "hinted that his father and stepmother had given it to him, the diner's manager told the Daily Mail.

<https://www.dailymail.co.uk/news/article-10281863/Neighbor-Michigan-school-shooter-15-claims-warned-authorities-neglected.html>

11/20/21 Darrell Brooks, Jr, 39, drove through a Christmas parade in Waukesha, WI, killing 6, including a child. He had a long arrest record including several arrests for marijuana. Was clearly psychotic at the time On his social media pages, Brooks describes himself as a “stoner.”

<https://www.nationalreview.com/corner/was-the-waukesha-killer-a-stoner/> "... Brooks' attorney, public defender Anna Kees, argued that Brooks was high during the incident, noting that officers who arrested him noticed he smelled of marijuana and his eyes were red and glassy... But District Attorney Susan Opper countered that all Brooks had to do was stop the vehicle, and that even if he was high on marijuana he still committed multiple crimes..."

https://www.dailymail.co.uk/news/article-10404189/Waukesha-parade-killer-Darrell-Brooks-stand-trial-murder-probable-cause-hearing-rules.html?ito=native_share_article-masthead

3/22/21 - Ahmad Al Aliwi Al-Issa shot and killed 10 in a grocery store and injured 2, in Boulder, CO. He had a history of mental illness according to the family. Although they don't mention marijuana, 80% of Boulder students allegedly use it, and it may have contributed to his mental

illness.

<https://www.independent.co.uk/news/world/americas/boulder-shooter-name-colorado-gunman-b1821207.html>

12/19 – Grafton Thomas, who recently went after several attendees of a Hannakuh dinner at a rabbi's house in New York. "Law enforcement officials said Thomas was arrested before in New York and New Jersey for alleged crimes like menacing and marijuana possession." He fits the pattern of the many who commit hate crimes and use cannabis.

<https://newyork.cbslocal.com/2019/12/29/new-york-monsey-synagogue-stabbing-attack-grafton-thomas-greenwood-lake/>

08/19 Connor Betts gunned down 9 people in Dayton, Ohio. He was a heavy drug user and belonged to a band called Menstrual Munchies. His notebooks and diaries were very disturbing. His hallucinations began when he was in high school. Friend Ethan Kollie said they did hard drugs as well as marijuana and acid 4 or 5 times a week for two years.

<https://www.yahoo.com/news/2-friend-gunman-ohio-mass-184347593.html>

6/19 – Samuel Little the US's most prolific murderer has confessed to killing more than 90 women (and admitted to 5 more in June 2019) over 6 decades has a history of burglary, breaking and entering, assault and battery, assault with the intent to rob, assault with a firearm, armed robbery, assault on a police officer, solicitation of prostitution, DUI, shoplifting, theft, grand theft, possession of marijuana, unlawful flight to avoid prosecution, resisting arrest, battery, false imprisonment, assault with great bodily injury, robbery, rape, and sodomy.

<https://www.thecut.com/2018/12/how-serial-killer-samuel-little-was-caught.html>

5/31/2019 DeWayne Craddock shot and killed 12 employees in Virginia Beach, all co workers in his municipal office. A neighbor who was interviewed said, "Craddock was in front of his apartment with two other people, smoking what smelled like marijuana," but that was the only reference to drugs we found. He was an engineer who kept to himself.

<https://www.cnn.com/2019/06/01/us/virginia-beach-suspect/index.html>

5/7/2019 Devon Erickson, one of the two shooters at the STEM High School in Highlands Ranch, Colorado, which killed 1 and injured 8, was a daily or near daily pot user. "Toxicologist Wanda Guidry said Devon Erickson was severely malnourished because he ingested cocaine, marijuana and cough syrup nearly daily, and he suffered from long-term sleep deprivation and insomnia, The Denver Post reported. 'I believe it created psychiatric symptoms...disruption in mood, behavior and thinking,' Guidry said of the drugs found in Erickson's system hours after the shooting."

2/19/19 Gary Martin was a disgruntled work in Aurora, IL. He was terminated and ended up by shooting 5 people. A neighbor described him as a loner, but said they sometimes smoked weed together, as reported in the Daily Beast. <https://www.thedailybeast.com/eyewitness-to-aurora-shooting-gunman-is-a-co-worker-at-henry-pratt-company>

2/11/19 Camden Nicholson, age 27, allegedly killed 3, his parents and their housekeeper in a gated community of Newport Beach. The best description was in LA Times in February 19,

2019: <https://www.stoppot.org/2019/02/23/orange-county-murders-horriy-friends-and-neighbors/>

1/26/19 Dakota Theriot, a 21-year-old from Louisiana, allegedly killed 4: his parents, his girlfriend and her father and brother. A sheriff called the Dakota Theriot case an “extremely horrific example of failed mental health system.” Five people died, but the violent outbreak follows a pattern of family murders linked to pot use and mental illness. (January 26, 2019) https://www.theadvocate.com/baton_rouge/news/crime_police/article_bef1127c-25c4-11e9-a111-8b4106437e1b.html

1/19/19 – Gregory Gago, 42, killed 4, used an axe to kill his 9-month old baby, his girlfriend, his mother and stepfather in Oregon. He grew marijuana on the family farm. <https://www.dailymail.co.uk/news/article-6613055/Man-kills-parents-girlfriend-nine-month-old-daughter-rural-Oregon-home.html>. The toxicology report showed he had methamphetamine, alcohol and marijuana in his system. <https://www.oregonlive.com/clackamascounty/2019/05/there-is-someone-else-alive-in-this-house-deputies-describe-saving-girl-from-killer-who-wiped-out-family.html/> (January 19, 2019)

12/12/18: Strasbourg, France shooting leaving 3 dead and at least 12 wounded: Suspect, Cherif Chekatt, who was on terror watch list was described by neighbors as smoking too much pot, having “lost his marbles” and had a criminal activity. <https://www.telegraph.co.uk/news/2018/12/12/strasbourg-shooting-christmas-market-terror-suspect-run-killing/>

11/7/18 Ian David Long, 28, was a decorated veteran with PTSD. He killed 13 people at the Borderline Bar and night Club in Thousand Oaks, CA. For a long time we suspected he was a pot user, because his unraveling sounds somewhat similar to others with PTSD who used pot and became crazed. The DA report was recently made public and it showed that marijuana was in his toxicology report. https://www.vcdistrictattorney.com/wp-content/uploads/2020/12/Borderline-Bar-Grill-OIS-Report-12-17-2020.pdf?fbclid=IwAR1BTkfN8PU1SCF2HWNHoQZEfdZ5I4yuaiOhhtYslGTd_uQOcK4D1tjydY

7/18 Faisal Hassan, Canada: Hussain’s family said he suffered from “severe mental health challenges” and struggled with psychosis and depression. Relatives said they tried their best “to seek help for him throughout his life of struggle and pain,” but never imagined the “destructive” path he would choose at the end of his life. Canadian press is quiet about his marijuana use, but we suspect it. His brother died of a drug overdose and a sister died in a car crash. He killed two girls, ages 10, 18, and wounded 13 others. https://www.thestar.com/news/canada/2018/07/24/danforth-gunman-not-on-the-radar-of-national-security-agencies-safety-minister-says.html?utm_source=Twitter&utm_medium=SocialMedia&utm_campaign=930am&utm_campaign_id=Crime&utm_content=DanforthShooterReshare2018

7/18--20-year-old Emanuel Lopes shot and killed two: a policeman and a woman in Weymouth, Massachusetts. A heavy drug user, he posted photos marijuana and a concentrate on his social

media pages. The changes in his personality seem to have come over him at age 15, around the time he began using drugs. <https://www.masslive.com/news/erry-2018/07/1402e009c49628/who-is-emmanuel-lopes-social-m.html>

6/18 Jeremy Webster shot 4 people in Westminster, Colorado, with road rage believed to be the motive. He went after a woman, her two sons and a bystander. He killed the 13 year old. He was licensed to work at medical marijuana dispensary but we don't know much more. <https://heavy.com/news/2018/06/jeremy-john-webster/>

4/22/18 3 a.m. (two days after 4-20 celebrations) Travis Reinking, the man who shot and killed 4 people in a Tennessee Wafflehouse, had mental illness and allegedly suffered from schizophrenia. (It is not clear which came first the pot use or the schizophrenia, but we know that marijuana worsens schizophrenia and compromises the treatment of the disease.) Shortly before the incident, "Reinking wrote in a journal about plans to drive to Colorado, describing a life in which he would hang out with friends, smoke marijuana, hike in the mountains and "repossess" cars and houses so that he would not have to work, a prosecutor said." <https://apnews.com/article/nashville-travis-reinking-6839ec09d4c4a743bc5c31c54b918290>

2/14/18 Nikolas Cruz, the Parkland shooter, had a troubled life and developmental disabilities. Yet he took lots of marijuana and Xanax to quiet the voices in his head. While this doesn't show cause and effect, marijuana didn't help his troubles and most likely exacerbated them. He killed 17 students, injured 17, at Marjory Stoneham Douglas High School Parkland, FL At his trial, he said: "I hate drugs, and I believe this country would do better if everyone would stop smoking marijuana and doing all these drugs and causing racism and violence out in the streets." <https://www.cnn.com/2021/10/20/us/nikolas-cruz-parkland-shooting-guilty/index.html>

11/17 Veteran Shane Kirk who suffered from PTSD, was using marijuana to wean himself from depression medication. Efforts to get him help from the VA failed. He shot and killed 2: his stepfather and wife in front of the three children. He had just returned from Colorado.

11/17 Kevin Neal a pot farmer in Northern Cal shot his wife, neighbors then went on a rampage in Red Bluff, CA shooting and killing 4, hitting a total of 14 people including children at a school. (Had history of psychosis and mental illness. The toxicology reports that only THC was in his blood.

11/17: Devin Patrick Kelley shot 36 people – killing 26 at the First Baptist Church in Sutherland Springs, TX. The toxicology report showed presence of marijuana. He may have had a criminal arrest for marijuana possession in 2013, although the source is not clear. He was court-martialed from Air Force in 2012, following assaulting his spouse and child. <https://www.nbcnews.com/storyline/texas-church-shooting/autopsy-confirms-sutherland-springs-church-gunman-died-suicide-n888051>

10/17 Malik Murphy, aged 20, murdered 2: his brother, Noah, 7 and his sister, Sophia, 5, as the family was sleeping, in Colorado Springs. Murphy and his father Vinnie then got into a fight. As Malik tried to stab his father, another brother called 911. One of the first reports of his erratic behavior: "The parents pinpoint a specific day at school when Malik was 16. Melissa (the mom)

says he found a cell phone and instead of returning it to the lost and found, he destroyed it.
<https://www.kktv.com/content/news/Parents-of-son-who-murdered-his-two-younger-siblings-speak-out-461188133.html>

7/17 Cosmo DiNardo, a 20-year-old man lured four other young men to his farm where he grew pot in Pennsylvania, for the purpose of selling marijuana to them. He killed all 4 of the men, ages 19-22 and buried them on the property. A year earlier he had been in mental health treatment for schizophrenia. <https://www.nytimes.com/2017/07/17/us/bucks-county-pennsylvania-murders-cosmo-dinardo-.html>

6/17 James Hodgkinson went from Illinois to Alexandria, Virginia, to protest. He shot at a baseball practice with Republicans, severely wounding Congressman Steve Scalise and four others. A Bernie Sanders supporter with domestic violence/anger issues, he advocated for the legalization of marijuana (suggests but doesn't prove he was a user) in the Press.
<https://heavy.com/news/2017/06/james-hodgkinson-alexandria-gop-baseball-shooter-shooting-gunman-identified-illinois/>

5/17: Salman Abedi the Manchester England bomber had calls about his erratic behavior made around five years before the bombing to Police after Abedi left school, where he was known to have been a marijuana user mixed with gangs in south Manchester. He killed 22 people.
<https://www.telegraph.co.uk/news/2017/05/26/everything-know-manchester-suicide-bomber-salman-abedi/>

5/17 Jeremy Christian knifed and killed 2 men who were defending the Muslim women he was attacking on public transportation in Portland, Oregon. He had declared his love for cannabis and comic books on Facebook. Christian's behavior was consistent with marijuana-induced psychosis. His psych evaluation showed no consistent ideology but his only goal was to be a cannabis farmer in Brazil.
<https://drive.google.com/file/d/1PfNc0guWsPzGIHYErUUSXQen7A1Iy4c/view>

5/17: Richard Rojas was a troubled man, veteran, with a history of drunken driving bolted from his maroon Honda Accord after his deadly midday rampage in Times Square that left one person dead and 20 others injured. He later told another officer, "I smoked marijuana. I laced the marijuana with PCP," according to the complaint. <https://www.dailymail.co.uk/news/article-4522752/Troubled-history-Times-Square-driver-Richard-Rojas.html>

10/16 Steven Bourgoin, 36-year-old victim of PTSD. He felt he needed marijuana to be calm, but had a psychotic break. One day he sought but couldn't get psychiatric help in Vermont. He was speeding on a highway, going wrong way. He killed 5, and the toxicology report showed large amount of THC in his system. <https://vtdigger.org/2017/11/28/driver-crash-killed-5-teens-elevated-thc-toxicology-report-shows>

9/16: WA Cascades Mall Shooter Arcan Cetin opened fire on random people and killed 5. He blamed cannabis for his behavior. He was only 20, used marijuana and drugs in HS and suffered from PTSD. <https://komonews.com/news/local/accused-mall-shooter-faces-murder-charges-bail-set-at-2-million>

9/16 Nathan Desai opened fire at a Texas mall. He shot and injured 9. He had fallen apart after the collapse of his law firm and neighbors noticed heavy smell of marijuana from his apartment. Fortunately, none of his victims died. <https://ninjapundit.blogspot.com/2016/09/nathan-desai-disgruntled-lawyer-houston.html>

7/16 Mohammed Bouhlel, murdered 86 people on July 14, 2016. He plowed into the crowd with a truck on Bastille Day in Nice, France, on the Promenade des Anglais while people celebrated the national holiday. He used very strong cannabis while in high school and had his first psychotic break at age 19. <https://www.mirror.co.uk/news/world-news/nice-massacre-monster-mohamed-bouhlel-8436103>

7/16 A Japanese man stabbed and killed 19 disabled people at facility in Japan. His name was Satoshi Uematsu https://www.japantimes.co.jp/news/2016/08/08/national/crime-legal/sagamihara-massacre-suspect-tests-positive-marijuana-sources/#.Wy_WEyAnaUk He had been alternately diagnosed with bipolar disorder and marijuana-induced psychosis.

6/16 Omar Mateen Orlando night club shooter admitted to using marijuana and steroids. Clearly his anger and behavior problems went beyond pot use and went back to a very young age, including an incident in second grade when he sang “marijuana, marijuana” in school, instead of “mariposa, mariposa.” He killed 49 people and injured 53. (The two ABC News reports we used for this information is no longer available online.)

11/15: Brahim Abdeslam, leader of the bombings at the Bataclan Night Club in Paris was known marijuana user whose wife said it made him lazy. He and his brother used drugs in his café in Molenbeek Brussels, which was overrun by the smell of marijuana. The attackers killed 130 people, including 90 at the Bataclan theatre. Another 416 people were injured, almost 100 critically. https://www.nzherald.co.nz/world/paris-terror-attacks-ex-wife-of-suicide-bomber-calls-him-a-lazy-poththead/E3HO7P7OV5TJEBN7E35JK5EK4E/?c_id=2&objectid=11547260

11/15: Robert Dear, Planned Parenthood gunman in Colorado moved to CO from North Carolina for marijuana. He shot and killed three people. Forensic psychiatrists declared him unable to stand trial. <https://www.nytimes.com/2015/12/02/us/robert-dear-planned-parenthood-shooting.html>

10/15 Only 3 weeks earlier, another Colorado Springs shooter named Noah Harpham suddenly went psychotic and killed 3. His family was trying to get him into treatment. Marijuana was the only drug in his toxicology report. He suffered from both marijuana and alcohol addiction, and marijuana put him into psychosis <http://www.westword.com/news/noah-harpham-killings-police-explain-10-minute-response-delay-after-first-911-call-7306531>

8/15: Jody Herring, lost custody of her child because she was erratic and tested positive for THC. She said she took THC pills for pain. She shot and killed a Vermont Social worker and 3 others who were her relatives.

7/15: Chattanooga TN shooter Mohammad Abdulazeer killed 4 Marines and a sailor, was a

heavy user of marijuana. He had been diagnosed as bipolar.
https://www.washingtonpost.com/politics/chattanooga-shooter-an-aimless-young-man-who-smoked-dope-and-shot-guns/2015/07/18/c213f6a6-2d7d-11e5-a5ea-cf74396e59ec_story.html?utm_term=.9081f0e035fb

6/15 Tunisian beach shooter Seiffeddine Rezgui, 23, killed 39 tourists on the beach, many of them British. In addition, he injured 36. According to British journalist Peter Hitchens, he was a cannabis user. <https://hitchensblog.mailonsunday.co.uk/2016/07/is-the-latest-mass-murder-really-incomprehensible-.html>

6/15 Dylann Roof who shot and killed 9 members of a church in Charleston, South Carolina, was an early marijuana user at age 12, and did other drugs. He was diagnosed with schizophrenia. <https://www.wlox.com/story/35435134/new-dylann-roof-documents-unsealed-im-just-a-sociopath/>

3/15 Robert Durst arrested – killed 3 or 4 people, including his wife and Susan Berman, a confidant who knew his history. The incidents happened over several years and he always used marijuana. He is a wealthy guy who always evaded police and a true psychopath. <https://nypost.com/2015/03/17/robert-durst-had-pot-38-caliber-revolver-when-he-was-arrested/>

1/15 Charlie Hebdo murderers, the Kouachi, particular Cherif, sat around and smoked pot all the time, according to one of the ex-wives. They killed 12 people and injured 13. <http://www.nydailynews.com/news/world/charlie-hebdo-massacre-suspect-pot-smoking-loser-lawy-article-1.2070082>

1/15 In South Africa, 20-year-old Henri Van Breda murdered his wealthy parents and brother with an axe. His 16-year-old sister survived an attack with brutal head and neck injuries. Initially, Henri, the guilty son, claimed to have been attacked, and that he was not the attacker. Investigations led to the fact that the so[J1]n was high at the time. He's now in prison. <https://www.dailymail.co.uk/news/article-2954720/South-African-student-survived-triple-axe-murder-family-high-drugs-time.html>

10/14 Jaylen Fryberg shot four friends in high school cafeteria and turned on himself. His Twitter account exposed that his girlfriend broke up with him because of his marijuana use which she thought pot made him stupid. He admitted that he would need to smoke a whole lot of weed to get over her breaking up with him. <https://www.nbcnews.com/storyline/marysville-school-shooting/washington-school-shooter-jaylen-fryberg-happy-popular-students-n233506>

10/14 Ottawa terrorist Michael Zehaf-Bibeau shot and killed one security officer before he was killed. He had extensive drug history which included much marijuana, as well as PCP: <http://nationalpost.com/news/canada/alleged-ottawa-shooter-apparently-had-criminal-past-in-quebec-was-repeatedly-brought-in-on-drug-charges>

4/14: Richard Kirk, Colorado father of 3, shot his wife in the head while she is talking to the 911 operator. She explained on the phone that he had eaten a marijuana-laced candy and wanted her to kill him. The defendant was clearly influenced by marijuana-induced psychosis.

<https://www.theguardian.com/society/2016/may/11/family-sues-marijuana-dispensary-murder-colorado>

2/14 Ashton Sachs drove from Seattle to southern California to murder his parents. He tried to murder his brother but left him badly injured. A heavy marijuana user, he had made previous suicide attempts, but blamed his parents for messing up his life. He was supposed to be attending community college in Seattle. Instead of going to class, he smoked pot and played video games. <https://www.dailymail.co.uk/news/article-3842272/Orange-County-man-murdered-wealthy-parents-paralyzed-eight-year-old-brother-shooting-attack-luxury-family-home-sentenced-life-prison.html>

2014, 2013, 2003 Charles Severance, a man who murdered 3 people in Alexandria, Virginia, by showing up at the doors in daylight, was a frequent political candidate and advocate for legalizing marijuana since the 1990s. <http://alexandria.wusa9.com/news/news/1199171-who-charles-severance>. The murders took place between 2003 and 2014. He clearly suffered from mental health issues and psychosis consistent with years of marijuana use. <https://www.nbcwashington.com/news/local/accused-serial-killer-charles-severance/63218/>

1/14: Mall in Columbia (MD) shooter marijuana user Darion Aguilar killed 2 and then himself. https://www.washingtonpost.com/local/crime/2014/01/29/a936f5ca-8932-11e3-a5bd-844629433ba3_story.html?_ddid-6-1641336960

4/13: Boston Marathon bombing, both Tsarnaev brothers were heavy marijuana users. They killed 3 people and injured ~ 264. After the incident, it was discovered that Tamerlan Tsarnaev was probably connected to the murders of two men, former friends who bodies were covered in marijuana. <https://www3.bostonglobe.com//Page/Boston/2011-2020/WebGraphics/Metro/BostonGlobe.com/2013/12/15tsarnaev/tsarnaev.html?arc404=true>

12/12: Jacob T Roberts in Clackamas Town Center OR killed 2 seriously injured 1 and then killed himself a chronic marijuana since age 16. https://www.oregonlive.com/forest-grove/2013/05/clackamas_town_center_shooting.html

7/12: Aurora, Colorado theater shooter, James Holmes, was a heavy marijuana user. As the New York Post reported, a neighbor said that he would see him smoking pot by the garbage bins of apartment complex. <https://nypost.com/2012/07/21/massacre-suspect-trolled-web-for-sex/#ixzz21GIfphdV>. It happened the summer before the vote to legalize, but Coloradans still voted to legalize and didn't seem to notice the connection. He killed 12 and injured 70.

1/11: Tucson Massacre convict Jared Loughner was a habitual pot user. He failed a recruitment in the military because of excessive pot use. He killed 6 people and injured 9, including Rep Gabby Giffords. <http://content.time.com/time/nation/article/0,8599,2041634,00.html>

3/10: Pentagon shooter John Bedell's history of mental illness and marijuana abuse. He was given a medical marijuana card when it was bad advice. http://voices.washingtonpost.com/postpartisan/2010/03/the_pentagon_shooter_and_medic.html

5/06 Michael Kennedy, 18, ambushed a police station in Chantilly, Virginia, shooting several rounds and killing two police officers. His father, was a marijuana user and gun collector who gave his son marijuana. A heavy pot user, the son Michael was very erratic and crazy.
<https://www.washingtonpost.com/wp-dyn/content/article/2007/08/07/AR2007080700885.html>

7/96 Eric Rudolph, the first abortion clinic terrorist was discharged from army for marijuana use. He killed 2 and injured 120 others. <https://www.nytimes.com/2003/06/01/us/suspect-in-96-olympic-bombing-and-3-other-attacks-is-caught.html>

4/96 Timothy McVeigh, the Oklahoma City bomber, killed 168. He was known to be a marijuana user, a vet and man with strong anti-government ideology.

1/93 The Brown's Chicken murders in Palatine, IL killed 8 people. Juan Luna and Jim Degorski smoked marijuana afterwards. "A woman reported that they drove to her Elgin townhouse where she said the trio smoked marijuana and split the money the men said they had taken from Brown's." Another article says they "smoked a couple of bowls" after the murders.
<https://www.chicagotribune.com/news/ct-xpm-2002-06-09-0206090449-story.html>

10/91 George Hennard who drove a pickup into Luby's cafeteria in Killeen, Texas, and then shot people, killing 23 and himself. He had a previous marijuana arrest in 1989 and underwent substance abuse treatment. https://en.wikipedia.org/wiki/Luby%27s_shooting

1984-1985 Richard Ramirez was convicted of murdering 13 in California. He began smoking marijuana at age 10 with an older cousin who filled his mind lurid stories idealizing violence.
https://en.wikipedia.org/wiki/Richard_Ramirez

1984 Suzan and Michael Bear Carson were convicted of 3 bizarre murders on "Murder Mountain" in California. <https://www.thedailybeast.com/witch-killers-family-keep-them-in-jail> Michael was a stay-at-home marijuana dealer in suburban Phoenix with a degree in Chinese philosophy. His daughter said: "No one could have foreseen this." Typically. your Jewish father doesn't convert to Islam, then to radical Islam, and change it to some weird religion where they grow pot and kill gays.

1983 Bruce Blackman, a Canadian, killed 6 family members in 1983 while high on marijuana, and having psychotic break. He was a heavy user for several years possibly triggering his paranoid schizophrenia. According to court testimony Blackman was on an intense stone from eating and smoking marijuana. Bruce Blackman, British Columbia, killed 6 in his family, on an intense marijuana psychosis, 1983
https://www.reddit.com/r/TrueCrime/comments/5ggm3c/bruce_blackman_familicide/

1978 Stephan, the son of Jim Jones, who led 400 to suicide at Jonestown in Guyana, confirmed that Jones used LSD and marijuana. https://simple.wikipedia.org/wiki/Jim_Jones

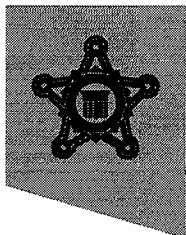
PUBLISHED
**August
2020**



United States Secret Service
NATIONAL THREAT ASSESSMENT CENTER

MASS ATTACKS IN PUBLIC SPACES - 2019

U.S. Department of Homeland Security



United States Secret Service NATIONAL THREAT ASSESSMENT CENTER

EMPLOYMENT HISTORY

Nearly one-third of the attackers ($n = 11$, 30%) were known to be employed at the time of the attack, while approximately the same percentage ($n = 11$, 30%) were unemployed. Those employed held a variety of positions, including two military personnel, two fast food employees, a city engineer, a vocal instructor and delivery driver, a chiropractor, a tech support representative, a defense auditor, a handyman, and a manufacturing assemblyman. The employment status of the remaining 13 (35%) attackers could not be determined because of limited publicly available information.

Recent Job Loss

Seven attackers experienced, or were about to experience, a job loss prior to their attacks. Four of the unemployed attackers experienced a job loss in the year prior to the attack. This included two attackers who quit, one attacker whose contract ended, and one attacker who left active duty military service. Two more attackers were fired minutes or hours prior to initiating their attacks. This included one attacker who opened fire immediately after being terminated, and another who drove through two towns fatally shooting seven and injuring approximately 25 others two hours after his termination. Another attacker submitted his two-week notice hours before opening fire at the city municipal building where he worked.

SUBSTANCE USE

Nearly half of the attackers ($n = 17$, 46%) had a history of using illicit drugs (e.g., cocaine, methamphetamine, LSD, Ecstasy) or misusing prescription medications (e.g., Xanax, Adderall, Vyvanse). For two-fifths of the attackers ($n = 15$, 41%), the use of these substances and/or alcohol and marijuana may have reached the level of abuse causing negative consequences in their lives, including criminal charges, academic failures, court-ordered treatment, and eviction. One of the attackers later claimed to have no memory of his attack, alleging he had been drinking heavily at the time and had blacked out. In this sample of attackers, a significant relationship was observed between substance abuse and domestic violence.¹² Ten attackers (27%) had histories of both domestic violence and substance abuse.

On August 4, 2019, a 24-year-old male fatally shot 9 and injured 20 in a popular bar district before being killed by responding law enforcement. Friends reported the attacker regularly used amphetamines, marijuana, cocaine, and LSD for at least five years leading up to the attack. The attacker was found to have had Xanax and cocaine in his system at the time of the shooting. He also had a history of assaulting women he dated.

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Chronic Marijuana Use and Violence – Linked?

Posted Tuesday, May 31, 2022

By AMAC, Robert B. Charles

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Sometimes a clinical link between events is known – corroboration attests to a potential causal tie. Sometimes that tie is not reported widely, since it is politically unpopular, empirical yet incomplete or inconvenient. Oddly, or perhaps not so, mass shootings have a

tie to chronic marijuana use.

Analogies are useful. After WWII, data emerged showing that soldiers – who had been given plentiful cigarettes in MREs – were showing links to lung cancer. By the 1950s, the cigarettes-cancer link was clear. But not until 20 years later, in 1975, were cigarettes taken out of MREs.

Now consider the marijuana-violence link. If the link is proven with increasing fidelity to facts and tied to violence, that would be highly inconvenient. Not only would marijuana sellers be on the hot seat, but so would politicians who have been pushing the drug's legalization.

Yet facts are mounting. They relate to general violence and specific incidents. The latter are anecdotal but deeply concerning.

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Start with logical questions. Do those who break societal norms, becoming inordinately violent, do that because they are already mentally ill and happen to “self-medicate” with marijuana – or does the use of marijuana – specifically THC – contribute to their violence, impairing core judgment, reducing empathy, creating psychoses, and cascading addictions?

Definitions matter. What exactly is “psychosis?” It is ways in which people lose contact with reality. Drugs tend to do that, which is why they are used – to produce that dissociation. Clinical examples of psychosis span the gamut, from anti-social behavior, paranoia, demoralization, schizophrenia, and depression to violence. Not all who use drugs are psychotic, but some are.

Many studies tie marijuana to psychosis.

The National Institutes on Drug Abuse reports on the link's strength. “...Smoking high-potency marijuana every day could increase *the chances of developing psychosis by nearly five times compared to people who have never used marijuana.*”

Other data is similar. Recently, the medical journal *Lancet* reversed itself, recognizing major studies on marijuana use show “an increase in the risk of psychosis of about 40 percent.”

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Likewise, a Swedish study of 50,000 found those who tried marijuana prior to 18 had 2.5 times more likely to develop schizophrenia, while heavy THC users were 6.5 times more likely.

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And what exactly is “schizophrenia?” “A long-term mental disorder of a type involving a breakdown in the relation between thought, emotion, and behavior, leading to faulty perception, inappropriate actions and feelings, withdrawal from reality and personal relationships into fantasy and delusion, and a sense of mental fragmentation.”

Other studies link marijuana to schizophrenia and wider psychoses. A 2011 study of 2000 teens, published in the *British Medical Journal*, shows a doubling of psychosis for marijuana users, of whom 13 percent turned schizophrenic.

A 2014 study found 1.5 percent of Americans were regular marijuana users, yet they accounted for 11 percent of hospital psychoses, or roughly “90,000 cases, 250 a day, triple the number in 2006.” This suggests a tight link – and growth of the affected population.

Other major studies, including one by the *National Academy of Medicine*, closely tie clinical psychoses to marijuana use – but some go further. They draw a link to *indiscriminate violence*.

A 2017 study identified violent events in which “marijuana led to unnecessary violence...,” noting marijuana was “the single most common, correlative variable in otherwise diverse populations and circumstances surrounding the association of violence and marijuana.”

Some will not want to hear this, but the *National Library of Medicine* reported in 2020: “(1) Marijuana use causes violent behavior through increased aggressiveness, paranoia, and personality changes (more suspicious, aggressive, and anger); (2) Recent illicit and ‘medical marijuana’ ...is of much high potency and more likely to cause violent behavior; (3) Marijuana use and its adverse effects should be considered in cases of acts of violence as its role is properly assigned to its high association; and (4) ...High potency marijuana is a predictable and preventable cause of tragic, violent consequences.”

Given this backdrop, *what about a tie to mass shootings?* If shooters are deranged, anti-social youth with clear psychoses, what is the chance their psychoses ties to regular marijuana use?

Real answer is, we are not sure, but evidence is mounting in support of a material link – and it cannot be ignored. In short, corroboration exists – and appears statistically significant, or beyond random in the tie-back. Surprisingly, the association between regular marijuana use and mass murders is palpable. Experts like Dr. Daniel Amen, a child psychiatrist, are weighing in – as his interview with Dan Bongino attests. Is this because the alienated use drugs, or is it causal?

Data is again helpful. One study notes: “We cannot rule out a connection between increasing marijuana use, mental illness and the recent spate of mass shootings by disaffected young males.” Notably, reported links exist to shooters in Parkland, El

Paso, Dayton, Aurora-Colorado, Tucson- Arizona, Chattanooga-Tennessee, Sacramento-California, and perhaps elsewhere.



Bottom line – We *do not know* what goes wrong in the mind of mass shooters, why they fall into a *violent psychosis*, leave reality behind, lose their conscience, trade humanity and morality for evil.

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What we *do* know is that their mental health is central to the crime, that many either had mental health issues and turned to marijuana *or* developed mental health issues – including a propensity for violence – *after* using the drug (and sometimes multiple drugs).

Prudence, protection of innocents, and pondering how best to prevent acts of violence tied to drug use – and clinically tied to marijuana use – would suggest we think *much* harder about the link, what expanding access to high potency drugs does to the society. Stakes are high and rising.

We hope you've enjoyed this article. While you're here, we have a small favor to ask...



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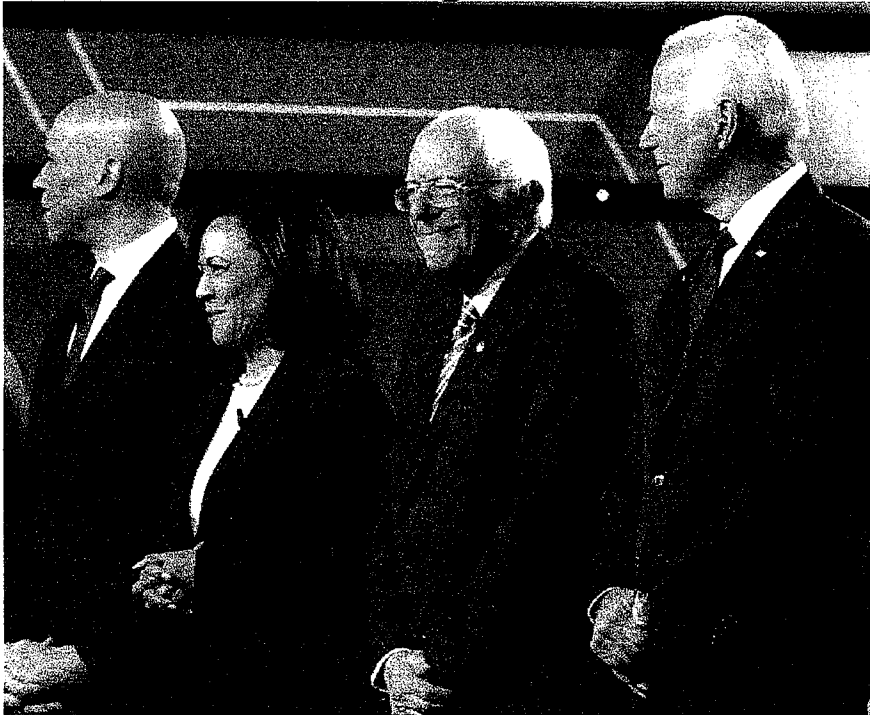
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Blame Legalized Marijuana for Increased Mass Shootings



Democratic presidential candidates Sen. Cory Booker, D-N.J., then-Sen. Kamala Harris, D-Calif., Sen. Bernie Sanders, D-Vt., and then-former Vice President Joe Biden, at the the Democratic Presidential Debate at Otterbein University - Oct. 15, 2019 in Westerville, Ohio. (Chip Somodevilla/Getty Images)

By **Ronald Kessler**

Wednesday, 01 June 2022 11:06 AM

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President Biden and Democrats favor stricter gun controls when virtually none of the Democrats' proposals would have stopped any of the mass shooters who have plagued this country in recent years.

Instead, virtually everyone ignores the obvious reason for the dramatic increase in these tragedies: Democrats push legalizing marijuana, which has become three to four times more potent than it was only a few years ago, and according to the National Institute on Drug Abuse leads to psychosis at a rate five times greater than among those who do not smoke pot — not to mention a reported link between marijuana use and schizophrenia, paranoia, and other psychotic disorders.

The potency of weed depends on the amount of delta-9-tetrahydrocannabinol, or THC, the main compound responsible for the drug's psychoactive effects.

One study of pot products seized by the U.S. Drug Enforcement Administration (DEA) found the potency increased from about 4% THC in 1995 to about 12% in 2014.

Another study showed the potency of illicit drug samples has gone up to 17% THC.

Newer products called marijuana concentrates can have levels of THC as high as 85% to 90%. By comparison, researchers say, the marijuana level in a typical joint 20 years ago was closer to 5%.

It often takes a while for marijuana use by mass shooters to come out, either through autopsies that may or may not detect it or from random news reports based on media interviews with friends and family members of mass shooters. Most autopsies do not include screening for the presence of cannabis, which decomposes rapidly.



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But marijuana use has been linked to more and more mass shooters, including the Marjory Stoneman Douglas High School shooter who killed 17 people; the Aurora movie theater shooter, who killed 12; the Umpqua Community College shooter, who killed nine; the Texas church shooter, who killed 26 people; and the Pulse nightclub shooter, who killed 49 people.

A 2020 U.S. Secret Service study of mass attacks found that nearly half of the perpetrators had a history of substance abuse, including with marijuana and illicit drugs.

Among teenagers, marijuana is more popular than daily cigarette smoking, according to the National Institute of Health's 2017 "Monitoring the Future" study.

Pushed by Democrats, 18 states plus D.C. have legalized recreational use of marijuana.

Almost universally, Democratic presidential candidates have favored legalizing marijuana at the federal level. Indeed, as Politico has said, "Legalizing pot is the new Democratic litmus test."

"Washington Gov. Jay Inslee has boasted that his state, one of the first to legalize recreational marijuana use in 2012, has 'the best weed in the United States of America.'"

Politico noted, "Sen. Bernie Sanders has been proposing some form of legalization for more than two decades . . . Kamala

Harris has reminisced about lighting up in college. And Sen

HARRIS HAS REMINDED ABOUT FIGHTING UP IN CONGRESS. AND SON.

Cory Booker makes overhauling drug laws a linchpin of his stump speeches."

Few in the media have chosen to spotlight the link between marijuana use and mass shootings. An exception is Fox News' Laura Ingraham, who recently interviewed Dr. Russell Kamer, the medical director of Partners in Safety, a group that works with companies to provide drug tests for its employees.

"My colleagues in Colorado," Kamer said on the show "are sounding the alarm because that was one of the first states to legalize. It's practically a daily occurrence that kids come into the emergency rooms in florid, cannabis-induced psychosis."

Democrats who push stricter gun control measures as a solution to mass shootings are "completely oblivious to what the legalization of marijuana has done and is doing to an entire generation of Americans — with violent consequences," Ingraham said.

And National Public Radio (NPR) quoted Nora Volkow, director of NIH's National Institute on Drug Abuse, as saying, "In general, people think, 'Oh, I don't have to worry about marijuana. It's a safe drug.'"

However, "The notion that it is completely safe drug is incorrect when you start to address the consequences of this very high content of THC," Volkow told NPR.

Ronald Kessler, a former Washington Post and Wall Street Journal investigative reporter, is the author of "The Secrets of the FBI." Read Ron Kessler's Reports — More Here.

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<https://www.wsj.com/articles/cannabis-and-the-violent-crime-surge-marijuana-pot-use-thc-shootings-psychosis-mental-11654540197>

OPINION | COMMENTARY

Cannabis and the Violent Crime Surge

Heavy marijuana use among youths is leading to more addiction and antisocial behavior.

By [Allysia Finley](#) [Follow](#)

June 6, 2022 7:02 pm ET




Marijuana products from a dispensary in Bellmawr, N.J.

PHOTO: HANNAH BEIER/REUTERS

The stigma once attached to marijuana has vanished. Nineteen states have legalized cannabis for recreational use, and politicians of both parties increasingly treat it as harmless. Asked during the 2020 presidential campaign about her pot use in college, Kamala Harris giggled and said marijuana “gives a lot of people joy” and “we need more joy in the world.” But the public needs an honest discussion of its social and public-health risks, which include violence and mental illness.

Alex Berenson, author of “Tell Your Children: The Truth About Marijuana, Mental Illness and Violence,” **pointed out** that the **New York Times** had curiously removed from an article about the Uvalde school shooter a former co-worker’s recollection that he complained about his grandmother not letting him smoke weed. The Times didn’t append a correction to the story as it might be expected to do when fixing a factual inaccuracy.

 OPINION: FREE EXPRESSION

Civilization and Its Enemies



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Assuming the elided detail was accurate, it would fit a pattern. Mass shooters at Rep. Gabby Giffords's constituent meeting in Tucson, Ariz. (2011), a movie theater in Aurora, Colo. (2012), the Pulse nightclub in Orlando, Fla. (2016), the First Baptist church in Sutherland Springs, Texas (2017), and Marjory Stoneman Douglas High School in Parkland, Fla. (2018), were reported to be marijuana users. It could be a coincidence, but increasing evidence suggests a connection.

Isn't pot supposed to make you mellow? Maybe if you smoke only a joint on occasion. But youth nowadays are consuming marijuana more frequently and in higher doses than their elders did when they were young. This is leading to increased addiction and antisocial behavior.

THC, the chemical that causes a euphoric high, interacts with the brain's neuron receptors involved with pleasure. Marijuana nowadays on average is about four times as potent as in 1995. But dabs—portions of concentrated cannabis—can include 20 times as much THC as joints did in the 1960s. It's much easier for young people to get hooked. One in 6 people who start using pot while under 18 will develop an addiction, which doctors call "cannabis use disorder." As they use the drug more frequently to satisfy cravings, they develop psychological and social problems.

That's what happened to Colorado teenager Johnny Stack. His mother, Laura, wrote a harrowing book chronicling his descent into cannabis addiction. He started smoking weed at 14, after Colorado legalized it, and progressed to using more-potent products such as dabs. He gradually withdrew from social activities and developed psychosis. Substance-abuse treatment and a stay at a mental hospital failed to cure him because chronic marijuana use permanently rewired his brain. Delusional, he jumped off a six-story

building and killed himself. Alas, he's not an anomaly. "People who have taken large doses of the drug may experience an acute psychosis, which includes hallucinations, delusions, and a loss of the sense of personal identity," the National Institutes of Health notes.

Roneet Lev, an addiction specialist who previously led the Emergency Department at Scripps Mercy Hospital in San Diego, said in a recent interview with the American Council on Science and Health that California cannabis emergency-room visits climbed 53% in the three years after the state legalized recreational marijuana in 2016. Daily marijuana emergency-room visits in San Diego nearly quadrupled between 2014 and 2019.

Cannabis-induced psychosis, she said, is fairly common. Some patients she treated experienced cannabinoid hyperemesis syndrome from long-term use, which causes "scromiting"—screaming and vomiting. There's no antidote. Some patients spend weeks in the emergency room waiting for placement in mental-health clinics.

Countless studies have also linked chronic cannabis use to schizophrenia. A meta-analysis in January examining 591 studies concluded that early marijuana use among adolescents was associated with a significant increase in the risk of developing schizophrenia. Researchers have yet to prove a causal relationship, but the weight of evidence is hard to dismiss.

Some legalization proponents claim that other countries where marijuana is widely available have fewer mental-health problems than the U.S. But a study from Denmark last summer found that schizophrenia cases associated with pot addiction have increased three- to fourfold over the past 20 years as marijuana potency rose 200%.

Young people are especially vulnerable to cannabis's effects because their brains are still developing. Scientists in a recent study reviewed scans of teenagers' brains before and after they started using pot. They found that parts of the brain involved in decision making and morality judgments were altered in pot users compared to nonusers.

But can pot make people violent? A study last year found that young people with such mood disorders as depression who were also addicted to pot were 3.2 times more likely to commit self-harm and die of homicide—often after initiating violence—than those who weren't. A meta-analysis found the risk of perpetrating violence was more than twice as high for young adults who used marijuana. It's possible that pot can trigger dangerous behavior in youths who may be predisposed to it for other reasons such as prenatal exposure to drugs.

Also worrisome, legalization seems to be leading to more pregnant women using pot. About 20% of pregnant young women in California tested positive for marijuana in 2016. THC crosses the placenta and can impair neurological development. Prenatal exposure to marijuana has been linked to behavioral problems, mental illness and lower academic achievement in children and adolescents.

Maybe it's time that lawmakers and voters rethink their pot-legalization experiment before more young lives are damaged.

Ms. Finley is a member of the Journal's editorial board.

Appeared in the June 7, 2022, print edition.

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From: [Alaska Bookkeeping Services](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Tax Holiday
Date: Friday, July 1, 2022 4:22:08 PM

You don't often get email from accounts@alaskabookkeeping.com. [Learn why this is important](#)

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I do bookkeeping for many licenses all over Alaska since legalization. From the highest grossers to the smallest. Up until this year the industry has been very stable, and quite predictable.

With inflation running rampant, and cannabis prices continuing to drop I worry about the stability of the industry. Businesses that were once operating and profitable are not making enough to sustain operations. Not to mention they will be on the hook for the taxes from 280e.

The state is doing very well with high oil prices, and additional funds from the federal government. I think it would be prudent to look at finding a way to help these struggling companies. Whether it is a temporary tax holiday, rebate, help with the licensing fees. Other states are helping out their licensee's, Alaska could too.

Any new business that opens now is going to struggle. They need to compete with the Black Market as well with bottomed out prices, and a high tax burden.

We have a unique cottage industry, and the state needs to step in to save it from bottoming out. I don't think it was meant for every business to be vertically integrated to be able to operate successfully here.

-Chris Jacques
Alaska Bookkeeping Services
907-414-3484

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From: [CED AMCO REGS \(CED sponsored\)](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: FW: Transportation of marijuana
Date: Monday, July 11, 2022 9:44:45 AM

Please put this email for the board.

Thank you
Jane

From: Michelle Abrams <pmabrams@outlook.com>
Sent: Sunday, July 10, 2022 6:30 AM
To: CED AMCO REGS (CED sponsored) <amco.regs@alaska.gov>
Subject: Transportation of marijuana

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I have a concern regarding the transportation of marijuana after it has been sold, I operate an air taxi in a city in Alaska, there are 2 licensed dealers in the city. When a person buys marijuana and travels to a village or different town they are transporting in violation of federal law, the FAA has a regulation that forbids transportation of this product. It appears also that it is in violation of state statute in regards to transportation without a handlers permit.

Several villages I service are dry villages and it very difficult and often requires law enforcement to try and stop the importation of alcohol into these villages, the importation of marijuana is only compounding this problem. I was told that my air carriers' certificate would be at risk if I knowingly allow marijuana on my planes. Can you implement a rule that retailers cannot sell to people that intend to transport this product or have already been charged with importation of a controlled substance?

I have told several people trying to transport this product and they act shocked and tell me that it is legal. They and it appears retailers are either unaware or will knowingly sell to individuals that they know live out of town and will transport.

Feel free to contact me about this matter if you have further questions.

Perry Abrams

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From: [CED AMCO REGS \(CED sponsored\)](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: FW: Waste management change
Date: Thursday, July 14, 2022 10:16:49 AM

Please include this email in the MCB's emails packet for the September meeting.

Thank you
Jane

From: Dru Malone <drualone@gmail.com>
Sent: Thursday, July 14, 2022 10:09 AM
To: CED AMCO REGS (CED sponsored) <amco.regs@alaska.gov>
Subject: Waste management change

You don't often get email from drualone@gmail.com. [Learn why this is important](#)

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I support repeal. It was a useless reg. from the start.

Now how about revising the rule "plants having to be tagged at 8" and change it to "plants must be tagged before they enter the flowering stage".

This new rule would actually make sense to the real world. 8"?
Where does that come from and why?

--

Dru Malone
Lightning Strike Organics
9400 Old Seward Highway
Anchorage, AK 99515
907-602-0096