

Dicsie R. Gullick

From: Joshua Harper <josh@radixtx.com>
Sent: Thursday, July 1, 2021 1:26 PM
To: _Rulesinfo
Subject: {External}Public Comment on Proposed Hemp Rules

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Mr. Knight, et al:

Thank you for the opportunity to comment on the proposed rules.

My name is Joshua Harper. I own 30 acres of Agricultural land in Kootenai County. I'm interested in producing hemp, and my comments on the rules are as follows:

DEFINITIONS 010 (12) - Please add language that would allow a person or entity who grows / produces hemp to also transport and market the material, as is currently written in 300.06.

Rule 300.01 - Please consider an additional lower-tier fee schedule for smaller plots such as homesteads and family farms. This would allow for profitable small-scale production. Some examples would be farmers planting a small sample plot to test the viability of future crops, homesteads and other locations which may desire to grow hemp for non-industrial purposes, such as producing hemp products (building materials, etc.) for use on the same property.

Additionally, please clarify that a Producer does not have to also have a Handler license.

Rule 500.05 - Please consider allowing an authorized lab or other entity to provide testing in addition to services offered by ISDA. This will prevent a possible bottleneck if ISDA does not have adequate resources to provide inspection services during the harvest period.

Rule 700.03(a) - A lab's standard deviation for test results should be considered when determining the final "official" Delta-9 THC count. For example, if a lab has a 5% error rate as described in the rule, an allowance should be made for the final 0.3% limit. In this specific example, this would allow a "grace" limit of up to 0.315% Delta-9 THC (105% of 0.3%) as the lab's error rate may falsely flag compliant hemp as noncompliant. I cannot find the direct reference now, but I know in states like Texas (where recreational cannabis is illegal, like in Idaho) some allowance is still made in this manner.

Please consider adding language that a compliant crop, properly inventoried and tracked, is considered compliant for all other purposes. In other words, if road-side or other tests yield slightly different results, that ISDA's test results shall prevail. This prevents issues related to small, natural changes in plant material as it is harvested, dried, and processed. That way a "handler" or other downstream processor can rest assured that his products are compliant so long as he is sourcing material from hemp that was already tested by the agency.

I may have missed it, but I didn't see any language that defines how ISDA will document certification of compliant hemp. If not already present, please consider adopting a system by which the ISDA produces a certificate or other document demonstrating that a crop has been tested and is compliant with ISDA / USDA guidelines.

Thank you again for your consideration of my comments. You may reach me at my email address (josh@radixtx.com) if you have any questions about them.

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