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John T. Salazar, Commissioner
Ron P. Carleton, Deputy Commissioner



John Hickenlooper
Governor

Industrial Hemp Advisory Committee Meeting

1:00 p.m. September 11, 2013

Colorado Department of Agriculture
700 Kipling Street, Suite 4000
Lakewood, CO 80215

Commissioner's Conference Room

Minutes

Facilitator: Ron Carleton, Deputy Commissioner

Present:

Colorado Dept of Agriculture: Ron Carleton, Mitchell Yergert, Laura Pottorff, Gail Gnirk, David Joeris;

Industrial Hemp Advisory Committee members: Alfonso Abeyta; Troy Bauder, Eric Hunter, for Chad Pfitzer , Tracey Shogren, David Blake, Stan Garnett, Ben Holmes, Ed Lehrburger (via phone)

Public: Jerry Fuentes; Gloria Castillo, Martha Abeyta , Rick Novak, Michael Green, Bill Althouse, James McVaney, Samantha Walsh, Lynda Parker.

Ron Carleton called the meeting to order at 1:05

Laura Pottorff led a discussion and review of changes and corrections in Parts 1 - 6.

Part 1-

1.4 – Composite sample definition was modified with the deletion of the word 'inflorescence'

1.8 – 'inflorescence' was deleted

1.10 "Research and Development" was modified to address seed increase of parent stock for varietal development.

Part 2-

2.1 and 2.3 now have similar wording.

2.5 - Laura Pottorff explained that CDA will be in contact with registrants prior to May 1 if their registrations are not complete. This will include asking for legible maps etc. if

those originally submitted are not clear. She feels that this addresses Chad Pfitzer's concerns regarding readable mapping.

2.7 and 2.8 - fees will be \$200 plus \$1 per acre for commercial production . R&D \$100 plus \$5/acre.

Part 3 - no changes

Part 4-

4.1 The statement "No later than May 31 of each year", was struck from the following sentence:

"The commissioner shall select up to 33% of the registrants to be inspected, except that no registrant may be selected more than two years in a row without cause."

Ron Carleton commented that this means inspections do not have to be conducted at the same time; they could be staggered and an applicant could be added to the sampling program at a later date, if there was cause.

David Blake asked about unannounced visits. Laura Pottorff stated that CDA wants to sample inflorescences (flowers) and would need to coordinate with the grower at what time this stage would occur— unannounced visits would not work for CDA.

4.3.1 – The word 'inflorescence' will be struck to allow testing of different parts of the plant, as necessary.

Definitions in part 1.4 and 1.8 were changed as a result.

4.3.2 Deleted "if requested by registrant".

Section 4.3.4.1 was added to address comments from last meeting. Laura Pottorff stated that if a sample from a commercial grower tests between 0.3 and 1%, law enforcement will not be notified – however if the sample tests at above 1%, CDA will report this to law enforcement.

4.4.1 - Fee increased to \$35/hour for inspection, walking, drive time.

Part 5

Section 5.1.1 was amended to state that the grower must be previously registered as R&D to qualify for a waiver. Mitch Yergert asked that the working "for profit" be deleted. At Ed Lehrberger's suggestion the wording in 5.2.1 regarding onsite utilization was also added to 5.1.1.

5.1.2 gives CDA the option to accept THC testing done by R & D registrants

5.2 There will not be a waiver for crops testing higher than 1%. Laura Pottorff asked that the committee send her input in the future regarding options for utilization of crops with 0.3 – 1% THC on site- this may be feed, silage, etc.

Erik Hunter requested that a notice to be given to growers re expense of crop testing. Laura Pottorff stated that CDA can accommodate that.

Part 6

6.1.5. The statement “more than three years in a row”, was struck.

Public comment 2:25 for three minutes each

Michael Green – Asked where the seed source will come from. Ron stated that this was not a forum for taking questions.

James McVenev stated that they wanted assistance from this committee to help procure seeds legally.

Bill Althouse stated that he is concerned that farmers will go bankrupt if the U.S follows what Canada went through, he requested assistance that the committee help keep farmers from bankruptcy.

Closed public comment at 2:30.

Ben Holmes stated that he has ability to test THC levels with chromatography. He feels this is low cost and accurate and will consult with Laura.

Laura Pottorff stated that CDA is working with Revenue and others to address the lab issue. In the meantime Labs and sampling will be addressed in Policy.

Mitch Yergert stated the Rules must be ready by 9/30. He anticipates the Rule Hearing will be 10/30 or 11/1 and that CDA will meet our the March 1 deadline.

Ron Carleton stated that the final changes to these Rules will be done via email and sent to advisory council members and that we probably won't have to meet again. Seeing no objections to this, Laura Pottorff was given permission to make final rule changes and CDA will move forward with the formal rulemaking process.

Ron thanked everyone for their input and help in creating a really good starting document and facilitating the Industrial Hemp program.

Adjourned at 2:37.