

Public Comments received by the Synthetic Cannabinoid Advisory Council

Please submit any additional comments to DORCCD@MT.gov

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Good morning Kathy.

I do not want to use my full name as there have been instances in this industry, of people threatening or actually filing lawsuits against people that have stood up and tried to stand against someone doing something incorrectly. While this may be considered SLAPP lawsuits, since Montana does not have anti slapp legislation, it is best I go by [name redacted].

I have listened to both of your meetings so far and I would love to comment on a couple things.

I agree that these synthetic cannabinoids are a blight to an industry that is so opinionated and in constant state of turmoil between both supports and opponents. This gives people ammunition to hate and blame the industry unjustly.

My comments are based working in the Montana cannabis industry. I have been in the industry for almost 5 years. I have seen tethering come and gone. I have seen what untethering has brought and what recreational legalization has brought. I think the biggest thing that everyone on the council has forgotten and needs to remember is that I would say that the reason most of these stores have these products, are because people are asking for them. The consumer is the one coming in and asking for these things. That they have seen them online, on TikTok ads. Facebook ads. That is why most stores are starting to purchase and carry these items. That there are "legal" ways to get high, without having to go to the dispensary. That they will get you high and you don't need your ID or anything. That if they are not receiving them from a glass or smoke shop, they can just go online and find it online.

I know you mentioned that you are looking at contacting manufacturers of products to tell them that are in violation of MT state law. I feel that unless MT will start prosecuting people that not only selling but also purchasing these items, whether Montana residents or residents from other states, nothing will change. And then that will also bring the issue of what court does the state sue in? Federal? State? Because as of now, it is federally legal so they have a case to be able to sell legally federal items.

That is a huge concern I do see with the current system.

Also, what do we as consumers and industry advocates need to do to be able to get places like these brought to your attention and dealt with. You have the hotline but as someone that has been sued and knows of at least 6 other people and business that have been or are currently being sued, i believe you are not getting complaints due to retaliation. A lot of these businesses are multi million dollar businesses that have lawyers on stand by. I do believe that is why you have received few complaints. The other reason is, the general consumer isn't going to complain because they are either not educated enough to know or flat out do not care. I have seen facebook posts saying how much they love to get these products. I have seen people say they don't like the delta9 gummies from online as they aren't the same as the THC Gummies you get at the dispensary. Chemically, they are basically so similar that they are the

same. What we make in dispensaries and what are being sold as hemp derived delta9 are the same thing, chemically.

The average THC consumer does not know or want to know that. I think your BIGGEST hurdle you as a committee need to address is public education. Helping people realize what they are buying at a smoke shop vs a licensed dispensary. Because the safety aspect is scary and currently people do not know there is a difference. They see cannabis and think they will be getting high. If we do not educate the consumer, you are making laws and decisions that will be very unpopular and will put yourself open to public hate and backlash. People that are in the cannabis community are notorious for having that rebel spirit. If you can get them on your side, you will win this battle. If you do not, you will be fighting an uphill charge with no way to win.

Also what are the rules about dispensaries selling these products. I have physically seen at least one dispensary brand, that is currently dealing with different issues, selling these products right next to and with their own products. I have also heard about 3 other dispensary brands that are doing the same thing without any issues. Where is that line of selling legally made products and illegally obtained products. I think that is a huge blurred line. That if they can find it in a dispensary, then it's good and safe. It also opens the dispensary to other issues, trying to claim that they are selling legal farm bill items instead of untracked and illegal cannabis items that are skirting the Merts system. Causing those dispensaries to profit and forgo sales tax.

I just hope you all do realize the severity and importance that this committee. Because people will get hurt by these products online. It's a matter of time. But unless the public realizes the danger they are putting themselves in, they will never be able to make that educated decision. As horrible as it is to say, people like to get high and will do so however they can.

Thank you all for trying to better our communities. I do have to say, this isn't a thing to hate the cannabis industry as a whole. There are some committee members that have shown their complete disregard for cannabis, but to make this work, the industry needs to be looked at as something people want, we just need to make sure we are keeping people safe. We all want the same thing. We want to be able to do our jobs, follow the laws set down and make sure that everyone is on the same playing field. Because right now, the online and hemp derived market has the ability to completely destroy what so many people have worked on, making a thriving and successful cannabis industry.

Thank you for your time. Thank you for being a part of this. And hopefully we can come together as a community and correct things that are wrong and unsafe.