**Bob Miller**
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**Senate Bill 9 Opponent Testimony**
**Ohio Senate General Government Committee**
**May 15, 2023**

Chairman Rulli, Vice Chairman Schuring, Ranking Member DeMora and members of the Senate General Government Committee, thank you again for the opportunity to provide testimony on Senate Bill 9. My testimony today will be brief in that I have appeared before the committee to share my opposition to the "as introduced" version of the bill. My name is Bob Miller and I am the Chief Scientific Officer for ACT Laboratories, a licensed Ohio medical marijuana testing laboratory. I have a Ph.D. in Pharmaceutical Chemistry, BS degree in Pharmacy. I have worked in the Pharmaceutical Industry for over 35 years as heads of Quality at Johnson and Johnson, Pfizer and most recently Gilead. I joined ACT Laboratories as COO 4 years ago.

ACT has an extensive presence in the Cannabis Testing arena. We are actively licensed in 6 states (Ohio, Michigan, Pennsylvania, New York, and Illinois) with ongoing plans to be licensed in 2 more states this year (Massachusetts, Florida and New Jersey). I personally am involved with state regulators in all states we do business with as each of these states have either recently modified their regulators, or are in the process of doing so. Because of this vast experience we are ideally situated to work with you to develop a sound program to ensure that patients/consumers receive safe and effective medicines.

I have been very involved with the review of the modified testing language in SB9 and have been working with other members of the Cannabis Lab testing community to thoroughly evaluate and have provided comments in an effort to educate the committee about the unintended impact of the current testing language.

Unfortunately, the testing language has not improved in the new version of the bill. In its current version, there will be a significant increase in testing cost because of the need to procure additional costly equipment and there will be an extensive amount of duplicate testing using methods which are not state of the art. As a result, the patient/customer will encounter higher product cost because of this testing with no additional assurance that what is on the label is in the bottle.

While it is been mentioned that it is the bill's intention that the lab testing alternatives should be treated as an "or", we have gotten a legal interpretation which indicates that as written, the labs would have to perform all tests prescribed from all compendium/references. A very straightforward approach to rectify this is to add the words "or" or to state that the methods used can be one of the following.

While these language changes will go a long way to address the un-necessary testing redundancy and cost, it does not address the existing challenges of potency inflation and micro fail under-reporting. This can be mitigated in part by hiring people within the Department of Commerce with the necessary

education and expertise that the labs can partner with. Adding this language to the statue will go a long way in addressing these needs.

In closing, I urge the committee to consider my recommendation to avoid the un-necessary redundancy and duplicity with testing which will add significant cost and is consistent with the joint sponsors well intended goal of ensuring safe products in a cost-effective and practical manner.

I appreciate the opportunity to provide my perspective regarding laboratory standards to the committee and I'm committed to work with the committee to provide input to any and all recommendations being proposed in the lab testing space.

Respectfully,

Bob Miller
Chief Scientific Officer
ACT Laboratories