

Good afternoon. My name is Justin Journey. I was born in Ohio, I am a biochemist, and I am the founder and CEO of 3CHI, the company that pioneered the national hemp-derived  $\Delta$ -8 THC market.

Before I address the bill, allow me thirty seconds on 3CHI's safety pedigree:

- We operate the largest in-house hemp cannabinoid laboratory in North America, staffed by Ph.D. pharmaceutical chemists and production built by former Eli Lilly chemical engineers.
- Production is certified to current Good Manufacturing Practices (cGMP); every lot undergoes double testing as a raw ingredient and as a finished good via our in-house HPLC and/or GC/MS then with an ISO-accredited third-party lab.
- We have delivered tens of millions of product units nationwide with zero severe adverse-event reports.

I strongly oppose House Bill 160, which would force nearly every hemp product sold today into Ohio's marijuana-dispensary system. The bill is well-intended, but it will not improve public safety and will devastate Ohio's hemp businesses.

## **1 Dispensaries are *not* automatically safer**

Proponents assume that moving hemp into dispensaries guarantees purity and compliance. The data prove otherwise.

- Lab-testing fraud: Just in California, *four* state-licensed cannabis labs were shut down or suspended last year for inflating potency and "passing" pesticide-tainted samples. Unsafe products still reached shelves even under a mature dispensary regime. More than a dozen marijuana labs have been shut down or had their operations suspended for contamination or fraud in just the last 5 years.
- Contamination recalls: California issued only 4 cannabis recalls in all of 2023, but after journalists exposed problems it issued 23 in just the first half of 2024, evidence that dangerous products can lurk inside the dispensary channel. Michigan has issued recalls to multiple companies for MCT contamination
- Youth sales leaks: Colorado's celebrated marijuana system passed 98.6% of ID stings in 2023, which still means more than *one in every hundred attempts succeeded*. Age-gating is important, but it is not infallible.

If a highly regulated marijuana market can allow fraudulent labs, pesticide-laden flower, and under-age sales, simply relocating hemp won't magically guarantee safety.

## **2 Real-world data on health incidents**

- Marijuana: A CDC study found 539,106 cannabis-involved emergency-department visits among Americans under 25 from 2019 to 2022 ([cdc.gov](https://www.cdc.gov))

- $\Delta$ -8 THC: America's Poison Centers managed 3,358  $\Delta$ 8 exposure cases in all of 2022, less than one percent of the marijuana ED burden, and just 200 cases through February 2025. ([poisoncenters.org](https://poisoncenters.org), [poisoncenters.org](https://poisoncenters.org)) and that's for ALL ages, not just 25 and under.

Both figures should keep us vigilant, yet they also show that marijuana drives the overwhelming majority of cannabinoid-related emergencies despite being confined to dispensaries. Moving hemp into that same channel does not solve the problem. In fact, comparatively, the hemp model has proven astronomically safer than the dispensary route.

### **3 Crippling economic impact on Ohio businesses**

Ohio's hemp program, legalized in 2019, supports:

- hundreds of retailers and thousands of distribution jobs.

By stripping existing retailers of the ability to sell, and banning most online sales, HB 160 would also create a new illicit market. Delta-8 consumers would have only two bad options:

1. Buy hastily reformulated products from marijuana operators whose extraction lines are optimized for  $\Delta$ -9 flower, not the pharmaceutical-grade  $\Delta$ 8 processes my team perfected, resulting in less predictable effects, lower purities, and the actually dangerous things like high levels of residual solvents and other safety issues that comes with unqualified people doing things they aren't trained to do. Issues that were weeded out of the hemp industry years ago.
2. Turn to unregulated illicit-market internet vendors outside Ohio, where age verification is minimal and lab testing is often nonexistent.

Either path undermines safety and defeats the bill's intent.

Meanwhile, only a few dozen dispensaries, many controlled by multistate corporations, stand to benefit. HB 160 replaces a broad, competitive marketplace with a narrow oligopoly.

### **4 Legal & tax landmines**

- Federal conflict: The 2018 Farm Bill removed hemp from the Controlled-Substances Act. By treating hemp extracts like Schedule I marijuana, HB 160 invites pre-emption lawsuits and disrupts interstate commerce.
- IRS §280E: Hemp businesses currently deduct normal expenses. If they are forced into the marijuana supply chain, they risk becoming "traffickers" of a Schedule I substance and losing those deductions, facing effective federal tax rates above 60 %.

Ohio would be punishing compliant, tax-paying hemp companies for following federal law.

## **5 A better path**

Responsible hemp firms already:

- Batch-test every lot in ISO-accredited labs,
- Use child-resistant, 21+ labeled packaging, and
- Place QR codes linking to full Certificates of Analysis.

States such as Minnesota, Tennessee, and Kentucky have kept hemp and marijuana separate while still enforcing age-21 sales, potency caps, and strict testing. Ohio can adopt the same targeted tools without killing an entire home-grown industry.

## **6 Closing request**

HB 160 imports the marijuana market's own safety gaps, bankrupts Ohio's hemp entrepreneurs, and punishes Ohio consumers, all without meaningfully reducing risk to Ohioans. Please vote NO on HB 160 and work with stakeholders on a balanced framework that:

- Keeps hemp and marijuana legally distinct,
- Enforces age-21 sales and third-party testing, and
- Preserves Ohio jobs, farms, and consumer choice.

Thank you for your consideration of this perspective.