



Akamai Cannabis Clinic
3615 Harding Ave, Suite 304
Honolulu, HI 96816

December 30, 2020

Jared K. Redulla
Administrator, Narcotics Enforcement Division
3375 Koapaka Street, Suite D-100
Honolulu, Hawaii 96819

INTERISLAND SAMPLE TRANSPORT

Dear Administrator Redulla,

We have spoken several times in the past about the regulatory difficulties facing Hawaii's Medical Cannabis and Hemp Programs. I am writing to you now regarding the conflict that still surrounds the transport of cannabis samples between islands for analytical testing purposes.

Despite [state law](#) authorizing the interisland transport of cannabis samples for testing purposes, and a federal aviation [regulation](#) that exempts the carriage of cannabis aboard aircraft from federal restrictions if authorized under state law, we still have various state and federal agencies believing that such transport violates federal law.

The unfortunate result is that local certified cannabis testing labs are employing a variety of stealth methods to transport samples from outer islands where testing facilities do not exist, believing in doing so that they are violating federal law. Inevitably, such transportation methods result in sample delivery delays, which destroys the ability to perform accurate contaminant measurements that require rapid chemical analysis.

I do not believe that it was the intent of the State to create a medical cannabis program that violates federal law when it authorized the use of cannabis for medical purposes in Hawaii over twenty years ago. I also do not believe that the state and federal regulation of cannabis were meant to be in perpetual conflict with each other.

Clearly a solution for this conflict is desperately needed. However, we should not have to wait for Congress to fix a conflict that the State created in the first place when it authorized such use, especially when the "fix" that Congress is contemplating will likely involve a national tax on all cannabis products and rescheduling that will primarily benefit pharmaceutical companies that want to capitalize on FDA-approved cannabis drug products before the state authorized use of cannabis can be fully realized.

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To address this situation, I am proposing a [solution](#) that the State can act upon under Hawaii's authority to decide how controlled substances are used within the State. This solution is very similar to the option that the Iowa Department of Public Health has already [adopted](#), which will be filed with the Drug Enforcement Administration (DEA) in order to prevent federal funds from being withheld from schools and long-term care facilities where the state authorized use of cannabis for medical purposes is occurring.

I believe that this solution, which involves applying to the DEA for an immediate and permanent exemption for the state authorized use of cannabis in Hawaii, will end the perception that our medical cannabis program is violating federal law, and stop the slew of negative unintended consequences that the current conflict is creating for our patients.

I also believe that ending this conflict will stop the attraction of those with no regard for the rule of law to Hawaii's Medical Cannabis Program, and remove the Department of Health's hesitation to properly regulate dispensary activities.

Could we please schedule a time to discuss this solution further as a possible measure for the upcoming legislative Session.

Thank you for considering this important matter.

Happy Safe Holidays.

Aloha,



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