



The findings continue: “Even more alarming is the discovery that some concentrates contain compounds such as PBO, carbaryl, myclobutanil and chlorfenapyr at levels greater than 100,000 ppb [parts per billion]. These levels grossly exceed tolerances for pesticides on any commodity, and it is important to note that chlorfenapyr is not registered for use on any food commodities.”

In addition to testing for THC, CBD (cannabidiol), mold and mildew, the state of Oregon requires the Oregon Medical Marijuana Program (OMMP) only test for four compounds used in pesticides: chlorinated hydrocarbons, organophosphates, carbamates and pyrethroids. Any batch of marijuana that tests above a tolerance of 100 ppb for these pesticides, in theory, should be failed and not sold.

“However, the bulk of pesticides actually used on cannabis don’t fall into those categories,” Voelker says. “The way people are reading that effectively is: It’s OK to use everything else.”

Later in an email to *EW*, Voelker writes: “Thus when I find other pesticides, even if they are present at obscene levels, I have no authority to ‘fail’ the sample and it can be sold. This despite the fact that the EPA has not established tolerances for these compounds on cannabis and thus any detection is in violation of federal law.”

Concluding, he writes, “we not only don’t have to report our findings, there is in fact nowhere to report them, and I haven’t found anyone in the state system who seems to care. All we can do is issue a certificate that indicates our findings. The grower/supplier is free to do whatever they want with the material.”

In short, the state of Oregon, as well as other states that have legalized marijuana use, is operating in a legal gray area. The EPA requires that pesticides be used only as the agency has directed. And because marijuana has not been legalized on a federal level, all use of pesticides on cannabis crops is technically illegal, even the ones OMMP requires labs test for. The only agency that can regulate it, won’t regulate it.

As of July 1, when recreational marijuana becomes legal in Oregon, there will be no new rules for pesticides in place.

“All that we have as far as regulation of pesticides is related to the medical marijuana dispensary program,” says Tom Towslee, the recreational marijuana public affairs officer for the Oregon Liquor Control Commission, which has been tasked with regulating recreational marijuana.

“We want to make sure all the marijuana sold through the recreational program is safe,” Towslee adds. “We would require that recreational marijuana be tested at a certified lab.” However, he says that no rules are currently in place to enforce this and it’s up to the Oregon Legislature to put regulations in place, which he says is “a moving target right now.”



DARREN QUARDT
WORKS ON THE
COVER IMAGE

PHOTO BY TODD COOPER

ON THE COVER

“I’ve always been into concentrates,” says Darren Quardt, a Eugene entrepreneur who helps set up dispensaries in Eugene and Portland. Quardt, who has lived in Oregon for 25 years, says Oregon grows more weed per capita than any other state, and that it’s the cheapest in the country.

Originally from New York where he studied art at The New School’s Parsons School of Design, Quardt created the image seen on the cover of this issue, as well as the adornments in this story. “Each letter is hand-carved,” he says. Quardt explains that “Eugene” is made from “shatter” and “Weekly” is made from “pull and snap,” both forms of butane hash oil, a marijuana extract. Local concentrate producers Blazty and Earles Dabberhashery supplied the materials. Quardt is also an award-winning orchid cultivator.

RISK TO PUBLIC HEALTH

What exactly the public health concerns are at this point remain a bit of a question mark.

Jonathan Modie, communications officer for the Oregon Public Health Division, which houses OMMP, tells *EW* that pesticide use on cannabis “is a concern for us for public health reasons.”

There is very little peer-reviewed research on the effects of consuming pesticide-contaminated marijuana, especially in the concentrated form of BHO.

However, one 2013 peer-reviewed study by a California analytical testing lab — “Determination of Pesticide Residues in Cannabis Smoke” — states that “the potential of pesticide and chemical residue exposures to cannabis users is substantial and may pose a significant toxicological threat in the absence of adequate regulatory frameworks.” The study also found that up to 69.5 percent of pesticide residues are present in smoked pot.

In addition, the National Pesticide Information Center (NPIC), based in Corvallis, cites many of the chemicals Voelker and Holmes identified in the white paper study as linked to cancer. For example, NPIC’s carbaryl fact sheet states that the EPA considers carbaryl “likely to be carcinogenic to humans.”

Meanwhile, Beyond Pesticides, a Washington, D.C., nonprofit, states that PBO — the most commonly detected compound in the white paper study — is a “highly toxic substance that causes a range of short- and long-term effects, including cancer and adverse impacts on liver function and the nervous system.”

LABS IN THE WILD WEST

On a Friday afternoon in June, Will Thysell and Nick Landis sit in the back office

of the Herbal Center, a dispensary run by Landis in north Eugene. Considered an extract expert in the industry, Thysell owns the extract company White Label Extracts. Landis also owns an extract company — Top Shelf Extracts.

“The downside of BHO that we’re battling right now is a pesticide issue being used on top of the flowers,” Landis says. “And inconsistent lab testing with that.”

Lab testing is a crucial step between harvesting marijuana crops and selling those crops at your local dispensary, and yet the process is almost completely unregulated by the state of Oregon.

“It’s probably one of the biggest problems in our industry and probably one of our biggest headaches,” Landis says. “It’s hard because the state hasn’t set any tolerances and there hasn’t been any standards set for these labs, and they are all free to run in how they look at things.”

Landis and Thysell say they try to control the issue the best they can by investigating the labs they use and meeting with growers about pesticide use. Many in the industry told *EW* that it’s not unusual for growers and dispensaries to shop around for passing grades at different labs, and for labs to accept bribes to pass a marijuana batch regardless of pesticides detected. Many also said inflating THC numbers is rampant.

“This is where having relationships with growers you know and being responsible about the material you’re intaking is very important,” Landis says.

For a dispensary, that’s an enormous task — regulatory oversight of an industry — better suited to a state or federal agencies who have the infrastructure, budget and expertise.



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