

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION

CLIMBING KITES LLC, *et al.*,

Plaintiffs,

v.

STATE OF IOWA, *et al.*,

Defendants.

Case No. 4:24-cv-00202-SMR-SBJ

DECLARATION OF SUSAN SHER

I, Susan Sher, declare under penalty of perjury that the following is true and correct:

1. My name is Susan Sher. I am over 21 years of age and am fully competent and duly authorized to make this declaration. The facts contained in this declaration are based on my personal knowledge and are true and correct.

2. I am the Bureau Chief of the Iowa Office of Drug Control Policy, of the Iowa Department of Safety, and have been in this position since October 3, 2023. As the Bureau Chief, my responsibilities include directing the office of Drug Control Policy, coordinating and monitoring all state and federal substance use-related trends, and coordinating statewide prevention, treatment, and enforcement efforts.

3. THC is the psychoactive ingredient in marijuana.

4. Under Iowa's consumable hemp laws that were in effect before July 2024, some legal hemp products contained dangerous amounts of THC—up to 150 mg or more, in some cases. Though these products remain under the federal limit of 0.3%

THC by weight, they contain many times the standard adult dose of THC. These highly potent products are widely available, and under previous laws there were with few restrictions.

5. Because of the availability and potency of these products, Iowa is seeing rising emergency department visits and calls to its Poison Control Center. The Iowa Department of Health and Human Services reports 6,799 Iowans visited an emergency room in 2022 due to THC consumption, up over 65% from 2016.

6. THC comes in many deceptive forms, including candy and sparkling beverages. Children cannot distinguish these products from the candy and drinks they normally consume. Calls to the Iowa Poison Control Center regarding children aged 0 - 18 exposed to THC products increased by 1,050% from 2019 to 2023.

7. These trends are similar nationally. According to National Poison Data System information, calls to poison centers for children under the age of 6 exposed to THC products rose 1,375% from 2017 to 2021.

Susan Sher

SUSAN SHER