

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

<p>CLIMBING KITES LLC, <i>et al.</i>, <i>Plaintiffs</i>, v. STATE OF IOWA, <i>et al.</i>, <i>Defendants</i>.</p>	<p>Case No. 4:24-cv-00202-SMR-SBJ</p>
<p>HW PREMIUM CBD, LLC, <i>et al.</i>, <i>Plaintiffs</i>, v. KIM REYNOLDS, Governor of Iowa in her official capacity, <i>et al.</i>, <i>Defendants</i>.</p>	<p>Case No. 4:24-cv-00210-SMR-SBJ</p>

DECLARATION OF OWEN PARKER

I, Owen Parker, declare under penalty of perjury that the following is true and correct:

1. I am over the age of 18 years. I have personal knowledge of the facts set forth in this affidavit and would testify competently to those facts if called as a witness.

2. I am the Bureau Chief over the Bureau of Cannabis Regulation for the Department of Health and Human Services. In that role, I oversee the Department's regulation of the State's medical cannabis and consumable hemp programs.

3. I have been employed with the State of Iowa for over six years, all of which has been in the leadership of cannabis and hemp regulation programs. I served as Program Manager for the implementation of the medical cannabis program beginning in April 2018, Bureau Chief for the medical cannabis program beginning in 2021, and my current role as Bureau Chief for Cannabis Regulation (medical

cannabis and consumable hemp) in 2023. I am a founding and voting member of the Cannabis Regulators Association (CANNRA), a consortium of principal regulators from U.S. jurisdictions, for which I served as a committee co-chair from January 2021 through December 2022. I received a bachelor's degree in biology with a minor in chemistry from the University of Northern Iowa in 2011 and a Master of Public Health degree from the University of Iowa in 2015.

4. As Bureau Chief for Cannabis Regulation, I have had the opportunity to observe the growth and development of the consumable hemp industry since the passage of the 2018 Farm Bill. Following the federal legalization of hemp in 2018, the industry rapidly developed, and in my opinion, beyond the Farm Bill's intention.

5. Iowa passed the Iowa Hemp Act in 2018 as federal regulation of these products lagged behind. In the absence of federal action or guidance, many states, including Iowa, have stepped in to regulate hemp and hemp-derived products to ensure the safety of their populations. The industry has been volatile as some states implement and refine their regulatory schemes to govern hemp and hemp-derived products, while other states outlaw the in-state hemp consumables market.

6. Between 2018 and 2024, a myriad of hemp-derived foods, beverages, and dietary supplements containing CBD, THC, or other cannabinoids are now being sold in local stores and online to Iowa consumers.

7. No standardized "dose" of THC has been adopted by the cannabis or hemp industries, although the National Institute on Drug Abuse (NIDA) has established 5 mg of THC as the standard dose for research. Nora Volkow, Nat'l Inst. on Drug Abuse, *Establishing 5mg of THC as the Standard Unit for Research* (May 10, 2021), <https://perma.cc/7VCM-KLYH>. Hemp-derived products are currently on the market that contain dosages of 100 mg, 200 mg, or even 400 mg of delta-9-THC, while still complying with the federal limit of 0.3% delta-9-THC by weight.

8. In Iowa, we have seen a flood of products with dozens of mg THC per serving, and up to 1000 mg THC per container.

9. Manufacturers have also developed synthetic cannabinoids, which they have introduced into consumable hemp products. These cannabinoids are produced by converting cannabis extract into a different substance via a chemical reaction. Examples include delta-8 and delta-10 THC. These substances are produced with minimal, if any, regulatory oversight, and are often popular in states where marijuana is illegal or difficult to obtain legally. These synthetic cannabinoids can be highly intoxicating and dangerous. The novelty of these cannabinoids has led to a lagging understanding of their health impacts, but some synthetic cannabinoids have been linked to psychotic events. Additionally, many products contain "THC acetate esters" (THCO) which are advertised as hemp-derived THC derivatives, although

DEA has ruled them controlled substances because they do not occur naturally in the plant. Kight on Cannabis, *THCO is a Schedule 1 Controlled Substance Says DEA* (Feb. 13, 2023) <https://perma.cc/2GZJ-MCWN>.

10. The Iowa Department of Health and Human Services has received multiple reports of minors being sold intoxicating products, but without an age restriction, the issue cannot be addressed with businesses or otherwise ensure that minors do not have easy access to these products.

11. Further, the federal government does not provide labeling standards. Manufacturers are not required to clearly disclose the THC or cannabinoid content of hemp-derived products or include warning labels like those required for alcohol, tobacco, dietary supplements, or over-the-counter medications. Studies have demonstrated that many or most hemp products are not labeled accurately for their contents, creating the scenario where consumers may be generally unable to make informed decisions about the products they are consuming.

12. This year, the Iowa legislature passed two bills regulating hemp and consumable hemp products. Those bills, HF 2605 and HF 2641, were signed into law by Governor Kim Reynolds on May 17, 2024. Through my role with the State, I was engaged by staff at the Department of Public Safety and the Iowa Legislature to discuss how Iowa could best move forward in addressing these concerns. Based on my experience with HF2605, as it progressed through the Legislature, that Act was designed to implement regulatory standards and public health and safety guardrails that are reasonable and fit to address the unique challenges of the modern consumable hemp industry.

Executed this 5th day of July, 2024.



OWEN PARKER