



United Food & Commercial Workers Union

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Attention: Cal-OSHA Advisory Committee on Medical Marijuana

I am the Assistant Director of the UFCW Occupational Safety and Health Office. The UFCW has been involved with workers and employers in the emerging cannabis industry to ensure that this industry develops in a way that will provide safe, family-supporting jobs.

In general, I believe that enforcement of existing occupational safety and health standards will cover most of the hazards found in the cannabis industry. However, the UFCW's experience with the industry has identified some unique characteristics that require industry-specific standards. I strongly encourage Cal-OSHA to consider the UFCW proposal to require every cannabis employer to designate a qualified management representative with responsibility for ensuring compliance with Cal-OSHA standards.

We have found that even employers with the best intentions have inadvertently put their employees in imminent danger due to a lack of understanding of basic occupational safety and health principles. Some of this is based on conventional wisdom that persists from the days when processing cannabis was an entirely illegal enterprise. Unsafe work processes were developed and institutionalized with very little safety and health knowledge or oversight. One of the clearest examples of this is the processing of cannabis to make Butane Hash Oil (BHO). This product used to be produced through a process called open-blasting, which involved the use of lighter fluid as an extraction solvent in open containers. Many kitchens and back porches have been destroyed in open blasting explosions.

Responsible legal processors invested in a safer alternative that is known in the industry as "closed-loop extraction". The problem with most closed loop extraction systems is that, although they are safer than open blasting, they are not truly a closed-loop process. The only true closed loop systems incorporate a vacuum pump to pull off all of the residual flammable solvent and then back fill with an inert gas (N₂) prior to opening the pot to retrieve the product.

Some so-called closed loop extractors are passive systems that use a temperature differential to drive off residual solvent. Others may use a vacuum pump to actively remove residual solvent, but leave out the inerting step. These semi-closed loop systems release a certain amount of flammable gas into the work area every time product is retrieved from the pot.

There is a young man in New Mexico who had to undergo a face transplant after the so-called closed loop extractor he was operating blew up. His employer did not understand the employer's responsibility to provide a safe work place, and did not have the knowledge to identify the hazards inherent in his process. Even after this happened, many New Mexico cannabis processors resisted the notion that they needed to retrofit their extractors to include an inerting step.

Cannabis employers need to be knowledgeable about the hazards in their industry and their responsibility to control these hazards. The entry of entrepreneurs who are unacquainted with the special hazards of the industry, along with the long-time processors who may retain traditional, but unsafe ways of operating necessitate a concerted effort to educate, and in some cases re-educate employers about safe work practices and responsibilities.

Please give strong consideration to the UFCW proposal for a designated, Cal-OSHA certified management representative in every cannabis worksite.

Belinda Thielen

Occupational Safety and Health Office

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