



# Idaho State Police

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**To:** Idaho Law Enforcement Agencies, Prosecutors, Defense Attorneys, Courts  
**From:** Matthew Gamette, ISP Forensic Services Laboratory System Director  
**Subject:** ISPFS Cannabis Typification  
**Date:** May 14, 2020

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All three Idaho State Police Forensic Services (ISPFS) labs are now offering cannabis typification on potential criminal cases involving interstate transportation of hemp/marijuana. While ISPFS has been coordinating with Idaho law enforcement agencies to obtain this testing for over a year at reputable labs outside Idaho, ISPFS is excited to now offer this service directly for cases in Idaho. All cases must be submitted to the laboratory by law enforcement, public prosecutors or public defenders and must have a suspected criminal nexus. Using funding provided by the Idaho Legislature last year, ISPFS has procured the equipment, and spent months validating the equipment, developing and validating the method, and determining the reporting criteria. ISP scientists have been trained in this area and are able to perform the analysis, reporting, and court testimony needed in support of the Idaho criminal justice community. Laboratory results will support the current federal interstate commerce statute for differentiating marijuana and hemp plant material using THC quantitation. ISPFS will provide one of the following conclusions on a laboratory report:

- “Cannabis with a total delta-9-THC greater than 1%”
- Between 1% and 0.3% total delta-9-THC reported as the calculated number (+/-) the uncertainty of measurement
- “Cannabis with total delta-9-THC of less than 0.3%”

This test is only available for plant material from alleged interstate transportation of hemp allowable per federal law. As there has been no change to Idaho marijuana laws, without an interstate transportation nexus, laboratory testing on any suspected marijuana remains unchanged. Sampling and submission questions should go to the regional ISPFS laboratory serving the geographic location. The basic sampling and submission criteria for law enforcement is:

If the sample is fairly dry (crumbles when crushed) collect approximately 10 grams per sampling event. Dry samples may be packaged in plastic such as sealable sandwich type bags or plastic vials.

If the sample is damp, collect approximately 20 grams per sampling event. Damp samples should be packaged in paper to allow the sample to dry. If the sample is very damp, it may need to be packaged in a box to allow the sample to dry without compromising the package or allowing the sample to mold.

We recommend collecting a sample from each container in the shipment.

- If there are more than 10 containers, collect the square root of the containers. For example if there are 25 containers collect from 5 of the containers. If there is more than one lot per shipment, collect at least one from each lot. This sampling scheme is to get a general overview of the samples on board, it is not a statistical means to determine the average of the entire shipment.
- If the shipment has whole plants, cut the bud from the top 1/3 of the plant. Do not collect twigs and stems. If the bud has been stripped from the plant, take a random sample and exclude sticks and stems.

ISPFS laboratory testing of total delta 9-THC (tetrahydrocannabinol) concentration in plant material is performed by HPLC (High Performance Liquid Chromatograph) DAD (equipped with a Diode Array Detector). Total delta 9-THC consists of delta 9-THC and delta 9-THC-A (tetrahydrocannabinolic acid) using the formula  $\text{Total 9-THC} = 9\text{-THC} + (0.877 * 9\text{-THC-A})$ .

Please do not hesitate to contact me at 208-608-2301 or [matthew.gamette@isp.idaho.gov](mailto:matthew.gamette@isp.idaho.gov) if you have any questions.

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