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### **WRITTEN TESTIMONY FOR THE CENTER FOR RURAL PENNSYLVANIA**

**District Attorney Kevin R. Steele, Montgomery County**  
**January 15, 2026**

Chairman Yaw, Vice Chairman Pashinski and distinguished members of the Center for Rural Pennsylvania Board of Directors:

Thank you for the opportunity to provide testimony regarding the findings of the Montgomery County Investigative Grand Jury's Report: "*Unregulated, Unsafe, and Illegal — The Reality of Smoke Shops in Pennsylvania.*" The comprehensive report revealed the pressing public safety issues presented by unregulated smoke shops in Pennsylvania, which became more widespread in our communities since 2018.

In 2018, the Federal Farm Bill legalized hemp and stated that cannabis with a Delta-9 THC content of less than .3% by dry weight was removed from the definition of marijuana. Following the federal change, Pennsylvania updated its own laws in 2019 to align with the Federal Farm Bill. While these changes were aimed at supporting farmers and opening new markets, retailers and distributors have exploited the laws to sell a variety of products — often disregarding legality and safety.

The extent and impact of the Federal and Pennsylvania Farm Bills became clear during the Grand Jury's 10-month investigation. The Montgomery County Grand Jury inquiry exposed a public health crisis that is unfolding in plain sight across Pennsylvania. The Grand Jury's findings reveal alarming gaps in oversight and consumer protection, with dangerous products being sold openly in smoke shops, gas stations, and convenience stores — not just in Montgomery County, but in Bucks County, Chester County, and other counties throughout the Commonwealth. The evidence was clear: immediate legislative action is needed to address these risks and safeguard the residents of the Commonwealth.

One of the very significant and urgent findings of the Grand Jury was that many smoke shops are selling illegal marijuana disguised as hemp. Narcotics enforcement detectives from Montgomery, Bucks, and Chester Counties, as well as a State Trooper, testified regarding their undercover smoke shop purchases from numerous stores across counties in Southeastern Pennsylvania. Testing on 144 of

those smoke shop products — primarily loose flower products and THC vapes — was performed by National Medical Services Lab and the Pennsylvania State Police Lab. Testing found that 135 of those products — or 93.75% — were full-blown marijuana with THC levels of 5.0% and higher, well beyond the legal limit of 0.3%. Testimony showed that suppliers routinely provide doctored lab reports for the products to mislead both store owners and consumers. The report stated that this Grand Jury investigation “revealed a widespread awareness among everyone involved in the supply chain, from store owners and their employees to the distributors themselves, that they are selling marijuana—a substance that remains illegal in Pennsylvania.”

Other witnesses who came before the Grand Jury included experts such as physicians, psychiatrists, and toxicologists who explained that these products can cause psychosis and other serious psychological effects, mirroring symptoms of mental illness in both adults and children. The Grand Jury heard about numerous cases involving children who required medical intervention after consuming THC edibles or using vape products that caused them to become violently ill or unresponsive. In one case on April 3, 2025, a 16-year-old high school student in Lower Providence Township purchased a marijuana gummy from another student. Shortly after ingestion, the student began having a severe reaction and became dizzy, discolored and warm to the touch. He also was experiencing shortness of breath and ultimately had to be transported to Children’s Hospital of Philadelphia for treatment. In an incident a few months earlier in December 2024, a 12-year-old student in Abington Township was offered “candy” by a classmate, unaware that it was a marijuana-infused gummy. After ingesting it, the child lost consciousness and required emergency medical treatment.

But severe and adverse reactions to these products are not confined to children. The Grand Jury report also includes incidents where adults, too, were subjected to these same dangers. The lack of clarity about dosages and the delayed onset of effects led individuals to ingest dangerous amounts, and they, too, then became ill.

After carefully considering all the evidence and testimony presented, the Grand Jury concluded that the language of both the 2018 Federal and 2019 Pennsylvania Farm Bills enabled retailers, distributors, and growers to exploit the law — resulting in enormous profits from products that were never intended to be legal. Further, the Grand Jury found that the lack of statewide regulations of smoke shops and the lack of industry oversight are drivers of the most significant issues with smoke shops. No regulations regarding age restrictions enables children to access these illegal drugs, and no statewide regulations regarding product testing, dosing and product ingredients endangers citizens of all ages. In essence, this lack of information about product contents and dosage, and lack of statewide oversight and regulations creates the Wild West situation under which smoke shops are currently operating. It allows individual smoke shop owners to do as they please, which puts all of our residents at risk. The Grand Jury identified a number of issues.

First, **Delta-9 THC**. The law only addresses Delta-9 THC and does not address the other derivatives that have been created to skirt the legal definition of hemp.

Second, there are **no enforceable age restrictions set by law**. Unlike tobacco and alcohol products, which cannot be legally purchased by anyone under 21 years old, there is no law establishing a minimum age for buying THC products. The absence of a formal minimum purchasing age for THC products has enabled widespread youth access, leaving our children vulnerable.

Third, there is a **lack of testing regulations and requirements**. Suppliers use outdated, false, or doctored lab reports to claim compliance with the Farm Bill, but testing of dozens of products purchased by law enforcement revealed that most products contain illegally high amounts of marijuana.

Four, **inadequate labeling requirements**. No standards currently exist that ensure the products and product packaging match. This puts consumers at risk due to lack of information regarding what they are consuming and appropriate and safe dosages.

This current state of affairs in smoke shops across the Commonwealth are putting Pennsylvanians of all ages at risk but especially putting our children at risk. We have a growing public health threat, and Pennsylvania stands at a crossroads where action is urgently needed, despite the reforms recently passed by the federal government.

We propose the passing of these needed reforms by the Pennsylvania legislature:

1. **Update Pennsylvania's Farm Bill to Cover All THC Derivatives:** Adopt the language of the new Federal Law, which was specifically designed to address and rectify the gaps identified in earlier legislation. The new law bans all forms of THC — not just Delta-9 THC — and sets clear limits on THC concentrations per product. By following this approach, Pennsylvania can prevent suppliers from exploiting the law while ensuring that only safe, legal products reach consumers.
2. **Establish a Strict Age Requirement for Purchase:** Set the minimum age for purchasing hemp products at 21 years old — the same age required to purchase alcohol and nicotine products. This will keep substances like THC edibles and other products out of the hands of children and students, thereby protecting vulnerable youth from harm. The current lack of an enforceable age restriction has allowed adolescents to access and misuse these substances, resulting in significant physical and psychological harm.
3. **Require Accredited Laboratory Testing and Honest Labeling:** Mandate that all hemp products be tested by accredited laboratories, with accurate, transparent labeling. This will stop retailers and distributors from being able to hide behind fake lab reports in order to shield themselves from criminal or civil liability.

Every day that passes without statewide reform, more Pennsylvanians, especially our children, are exposed to the dangerous, unregulated products sold in smoke shops. The evidence is clear, the risks are real, and the need for action is

urgent. I am here to ask our Pennsylvania Senators and Representatives — our elected leaders — to act quickly, to pass this needed legislation to safeguard our communities.

Thank you for allowing me to provide testimony regarding the findings of the Montgomery County Investigative Grand Jury's Report: "Unregulated, Unsafe, and Illegal — The Reality of Smoke Shops in Pennsylvania." I appreciate your time.