

9TH CIRCUIT COURT ORDERS SEIZED-HEMP TESTS UNSEALED AS BIG SKY SCIENTIFIC CONTINUES APPEAL FOR RELEASE OF SHIPMENT

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Aurora, Colo. – Big Sky Scientific applauds a Friday decision by the U.S. Court of Appeals for the 9th Circuit ordering that tests results on its shipment of industrial hemp confiscated in January must be released to the public.

The company seeks the release of nearly 7,000 pounds of hemp that the Idaho State Police seized during a routine safety inspection on Jan. 24 near Boise. On Feb. 19, Chief Magistrate Judge Ronald E. Bush of the U.S. District Court for the District of Idaho denied Big Sky's request to have Idaho return its hemp.

Though Judge Bush denied the request for a preliminary injunction releasing the hemp, he did note that additional testing of the shipment by Idaho authorities showed "there is no evidence in the record that the seized load does not meet the definition of industrial hemp in the 2018 Farm Bill (having a Δ -9 THC concentration level of 0.3 percent or less No testing has reported a greater than 0.3% concentration level of Δ -9 THC.)"

Big Sky appealed Judge Bush's decision to the 9th Circuit the next day (Case No. 19-35138). The 9th Circuit put the case on an expedited schedule and gave Idaho until April 17 to file its brief and Big Sky until May 8 to file its reply briefing. After its appeal was accepted, Big Sky also filed a motion to have the results of the hemp tests, which had been sealed, released for public inspection.

The driver of the shipment still faces felony marijuana trafficking charges, which carry a mandatory five-year minimum prison sentence. He is out on bond. The semi-truck he was driving remains impounded and Idaho has asked a state judge to let it sell the truck and trailer and to destroy Big Sky's crop.

With the support of the entire Idaho delegation, Congress overwhelmingly passed the 2018 Farm Bill last year and President Trump signed it into law in December. Industrial hemp was removed from the U.S. Controlled Substances Act registry and is now legal in the U.S.

Big Sky was shipping the hemp to Colorado after purchasing it from a hemp farmer who was licensed by the Oregon Department of Agriculture. It was seized on Interstate 84 after the driver voluntarily stopped at a weigh station.

For more information, contact Big Sky Scientific CEO Ryan Shore at 702-682-5400. A copy of the brief may be downloaded from www.pacer.gov or by visiting Big Sky's website at bigskysci.com.

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