

What does the 2018 Farm Bill mean for Vermont Hemp Growers?

There are no immediate changes.

The 2018 Farm Bill defines hemp as an agricultural commodity and removes it from the list of controlled substances. The bill made its way through both chambers of Congress with wide-spread, bi-partisan support. US Department of Agriculture (USDA) can begin to write rules to administer the law.

In reviewing the bill, we know -

States need a plan to:

- Track growers
- Track the location of fields/greenhouses, and
- Conduct pre-harvest testing to verify the THC content is 0.3% or less.

Vermont's draft rule already accounts for these things. The draft rule will be available for comment in early 2019.

Changes that could affect Vermont's Hemp program include:

- Changes in interstate commerce,
- Legality of extracts from hemp, and
- Restrictions on growers who have felonies.

We will know more when the USDA has a chance to make rules and communicates any new requirements. As we get more information, we will send updates. Intent to allow states to develop their own programs has been expressed, but we don't yet know what that means. We still hope to be able to use a taxonomic determination on Vermont's hemp crop.

For now, please know you still need a registration to grow industrial hemp in Vermont.

Vermont state law still applies for growing hemp in Vermont. The 2018 Farm Bill has not changed these requirements.

Farm Bill Definition;

HEMP.—The term ‘hemp’ means the plant *Cannabis sativa L.* and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.

FDA Statement;

Additionally, it’s unlawful under the FD&C Act to introduce food containing added CBD or THC into interstate commerce, or to market CBD or THC products as, or in, dietary supplements, regardless of whether the substances are hemp-derived. This is because both CBD and THC are active ingredients in FDA-approved drugs and were the subject of substantial clinical investigations before they were marketed as foods or dietary supplements. Under the FD&C Act, it’s illegal to introduce drug ingredients like these into the food supply, or to market them as dietary supplements. This is a requirement that we apply across the board to food products that contain substances that are active ingredients in any drug.