

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

**There are no immediate changes for Vermont hemp growers with the anticipated 2018 Farm Bill.**

The 2018 Farm Bill defines hemp as an agricultural commodity and removes it from the list of controlled substances. **Vermont's growers are still required to register to be part of Vermont's pilot program to grow hemp.** The federal bill made its way through both chambers of Congress with wide-spread, bi-partisan support and was signed by the President. The Agency expects the US Department of Agriculture (USDA) to write rules and provide guidance to administer the law.

In reviewing the bill, we know -

Eventually, states will need to submit a plan for approval to monitor and regulate production of hemp, including:

- Maintain information regarding land on which hemp is produced
- Establish procedures for testing, using decarboxylation or other reliable method, delta-9 tetrahydrocannabinol (THC) concentration in crops
- Disposal procedures for hemp crops and hemp products produced in violation- that exceed 0.3% THC content on a dry weight basis
- Procedures for random inspections of growers
- Certification that the Agency has adequate personnel and resources to implement the plan

Vermont's law accounts for many of these things already, and the Agency is drafting a rule to address other required elements. This draft rule will be available for comment in early 2019.

Changes that could affect Vermont's Hemp producers and processors include:

- Clarification regarding interstate commerce of hemp,
- Clarification/expansion of the definition of hemp to include "all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, and
- Restrictions on growers who have felonies.

The 2018 Farm Bill does not affect or modify the Federal Food, Drug and Cosmetic Act or portions of the Public Health Services Act nor the federal authority within these laws. 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. We still hope to be able to use a taxonomic determination on Vermont's hemp crop.

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

