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USDA Releases Interim Hemp Regulations

Hall Estill Newsletter

<https://conta.cc/2rcUcue>

The United States Department of Agriculture (“USDA”) has provided much needed guidance to the hemp industry, recently issuing a press release announcing its release of a draft interim final rule establishing the U.S. Domestic Hemp Production Program: [USDA Establishes Domestic Hemp Production Program](#)

Per the USDA, the “rule includes provisions for the USDA to approve hemp production plans developed by states and Indian tribes including: requirements for maintaining information on the land where hemp is produced; testing the levels of delta-9 tetrahydrocannabinol; disposing of plants not meeting necessary requirements; and licensing requirements. It also establishes a federal plan for hemp producers in states or territories of Indian tribes that do not have their own approved hemp production plan.”

In addition, the USDA also developed guidelines for sampling and testing procedures that are being issued concurrently with this rule. These documents provide additional information for sampling agents and hemp testing laboratories and may be found here: [Information for Hemp Testing Laboratories](#)

Once state and tribal plans are in place, hemp producers will be eligible for a number of USDA programs, including insurance coverage through Whole-Farm Revenue Protection. For information on available programs, visit: [Hemp and Farm Bill Programs](#)

The USDA will begin implementing the program upon publication of the interim final rule, including the review of numerous pending state and tribal plans already submitted to USDA, and issuing licenses under the USDA Hemp program. Until such plans are approved in late 2020, the 2014 Farm Bill’s hemp provisions will continue to govern hemp cultivation, harvest and processing.

The interim final rule becomes effective upon publication in the Federal Register. Following publication, the USDA will accept public comment on the interim rule. Pending issuance of a final rule, the interim rule will remain in effect. Below is a link to a draft of the interim final rule:

[Draft Version of the Interim Final Rule](#)

More information about the provisions of the interim final rule may be found here: [U.S. Domestic Hemp Production Program](#)

For more information on the current state of applicable state and federal hemp regulations, as well as the opportunity to comment on the interim final rule, contact a member of Hall Estill’s Cannabis Law team.

If you need any assistance or have any questions, please contact your Hall Estill Attorney directly.

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