

## Report on Supply Chain Compliance Volume 2, Number 21. November 07, 2019 USDA publishes interim draft rule for hemp production

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The interim final rule<sup>[1]</sup> is part of a national regulatory framework mandated by the 2018 Farm Bill.<sup>[2]</sup> The framework rolls back decades of policy that categorized hemp as a controlled substance. Several other nations, most notably China, came to dominate the market for hemp, while the U.S. wrestled with the science surrounding the difference between hemp and cannabis.

The interim rule is in place for 2020 and will serve as an initial guideline for production. Following the results of the 2020 harvest, the U.S. Department of Agriculture (USDA) expects to revise the rule with input from various stakeholders. The Farm Bill also left the U.S. Food and Drug Administration responsible for regulating cannabidiol, which is derived from the hemp plant, and clarifying its uses. States are required to submit a hemp production plan to the USDA.

Barb Glenn, CEO of the National Association of State Departments of Agriculture, said the 46 states that have approved hemp production have indicated they will send plans to USDA for review.

“We appreciate USDA’s objective to evolve hemp regulations as the industry matures. We are all learning as this industry grows,” Glenn said in a statement.<sup>[3]</sup>

<sup>1</sup> 7 C.F.R. § 990 .

<sup>2</sup> Agriculture Improvement Act of 2018, Pub. L. 115-334 (2018).

<sup>3</sup> Ellyn Ferguson, “USDA’s hemp rules open door to states to set up regulations,” *Roll Call*, October 29, 2019, <http://bit.ly/2pyuDn5>.

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