

INDUSTRIAL HEMP LAW FACTS AND ISSUES

- * **WHAT IS INDUSTRIAL HEMP?** Industrial hemp is the *Cannabis sativa* plant but is very low in concentration of the psychoactive drug compound tetrahydrocannabinol, or THC. Compared with marijuana, which has high THC levels, industrial hemp is a much less recreational and much more hard-working plant. Industrial hemp has been used to make such products as rope, linens, paper and oils. Colorado, in March, became the first state to allow farmers to register for growing industrial hemp.
- * Gov. Mike Pence on March 26 signed a state law, enacted by the state Legislature in this year's session, authorizing the Office of Indiana State Chemist and Seed Commissioner to pursue the necessary permits and authorizations for and production and regulation of industrial hemp in Indiana. The seed commissioner would oversee the regulations.
- * The farm bill passed by Congress in February includes a provision permitting institutions of higher education (as defined by law) or state departments of agriculture to grow or cultivate hemp for research if state law permits it. Indiana's new law authorizes that. Still, such research must comply with federal drug laws and any other applicable federal laws.
- * On March 28, Indiana Seed Commissioner Robert Waltz wrote to the USDA and Drug Enforcement Administration (DEA) seeking federal approval for research to be conducted in Indiana on the potential uses of industrial hemp and for production of industrial hemp granted under the 2014 farm bill. Waltz says the process could take several months. Until such permission is granted, neither individuals nor companies are permitted to grow industrial hemp or possess its seeds in Indiana.
- * In his letters to the USDA and DEA, Waltz also sought guidance on the legalities of ordering industrial hemp seed to produce a crop, possessing industrial hemp seeds or as a growing crop, and storing industrial hemp prior to shipment or transporting it to a processor.
- * When Indiana receives authorization to grow industrial hemp, all growers and handlers of the hemp would need a permit issued by the state seed commissioner, and they would have to agree to a criminal history background check and consent to random

inspections to ensure that the plants meet the definition of industrial hemp. No one with a drug felony or misdemeanor in the past 10 years would be granted a license.

* There would be requirements involving record-keeping and proper labeling of industrial hemp in storage or transportation.

* The state law on industrial hemp was passed by the Indiana Legislature as Senate Enrolled Act No. 357, and was signed into law by Governor Pence, March 26, 2014. The new law appears in the Indiana Code at 15-15-13. It states emphatically: "Nothing in this chapter authorizes any person to violate any federal law or regulation."

* The Office of Indiana State Chemist and Seed Commissioner has links on its website to the state law, letters to the USDA and DEA and other information about industrial hemp. The website is at <http://oisc.purdue.edu/>.