Hemp in California

September 21, 2020
Rachel Kubiak
California Department of Pesticide Regulation
Hemp in California

- CA hemp legalization - January 1, 2017¹
- Federal hemp legalization - January 1, 2019²
- California hemp growers not currently subject to the federal interim rule³
- California state plan near submission to USDA
- CA hemp growers must comply with existing CA laws, regulations, and local restrictions
- The CA Dept. of Food and Agriculture regulates hemp in CA (register growers, testing coordination, crop destruction, etc.)
Who Regulates Hemp in California?

- CA hemp growers must comply with existing CA laws, regulations, and local restrictions

- The CA Dept. of Food and Agriculture regulates hemp in CA

- The County Agricultural Commissioners in CA’s 58 counties administer most hemp related activities (register growers, testing coordination, crop destruction, etc.)

- Hemp and cannabis cultivation on the same premises is prohibited

- CA Dept. of Pesticide regulates pesticide use on hemp and all other commodities
5 Key Pesticide Regulatory Challenges

1. Inexperienced farmers navigating pesticide regulatory system

2. Absence of hemp tolerances/FDA restrictions on THC & CBD

3. State laws that permit CBD in food - residue testing?

4. Land use - conventional vs. hemp/cannabis farmers

5. Enforcement difficulties
   - 2(ee) for application methods including aerial
   - Final product - food or non-food?
   - Hemp sold at farmers markets for questionable purposes
Resources

- 1 California Industrial Hemp Farming Act (Senate Bill 566, Chapter 398, Statutes of 2013)
  https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB566

  Adult Use of Marijuana Act (Proposition 64, November 2016)

- 2 Agricultural Improvement Act of 2018 (Farm Bill 2018)

- 3 USDA interim final rule
California Pesticide Contact

Rachel Kubiak
California Department of Pesticide Regulation
Cannabis and Hemp Program Manager
Office: 916-445-5010
Cell: 916-215-2027
Rachel.Kubiak@cdpr.ca.gov