

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)
<https://www.congress.gov/bill/115th-congress/house-bill/2>
- ▶ 3 USDA interim final rule
<https://www.federalregister.gov/documents/2019/10/31/2019-23749/establishment-of-a-domestic-hemp-production-program>

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