



# **Virginia Industrial Hemp Research Program**

2014 Farm Bill



Virginia Industrial Hemp Law (2015)



Virginia Industrial Hemp Law (2018)



Frequently Asked Questions Regarding the New  
Grower and Processor Registration Programs



Hemp in Virginia

# 2014 Farm Bill

Section 7606. Legitimacy of Industrial Hemp Research.

“Industrial Hemp” means the plant *Cannabis sativa L.* and any part of such plant, whether growing or not, with a THC concentration of not more than 0.3 percent on a dry weight basis.

# 2014 Farm Bill

## Section 7606. Legitimacy of Industrial Hemp Research.

Notwithstanding the Controlled Substances Act...an institution of higher education or a State department of agriculture may grow or cultivate industrial hemp if...

# 2014 Farm Bill

- (1) The industrial hemp is grown or cultivated for purposes of research conducted under an agricultural pilot program or other agricultural or academic research; AND
- (2) The growing or cultivating of industrial hemp is allowed under the laws of the State in which such institution of higher education or State department of agriculture is located...

# Virginia Industrial Hemp Law

## Va. Code § 3.2-4112 *et seq.*

- ▶ Enacted by the 2015 Session of the Virginia General Assembly
- ▶ Created the Virginia Industrial Hemp Research Program
  - ▶ Overseen by the Commissioner
  - ▶ Managed by public institutions of higher education
- ▶ Allowed an individual to possess industrial hemp if the person was licensed to grow for research purposes

# Virginia Industrial Hemp Law 2018 Amendments

- ▶ Created a second hemp research program that is directly managed by VDACS
- ▶ Replaced the hemp grower license with a hemp grower registration and added a hemp processor registration

# Virginia Industrial Hemp Law 2018 Amendments

- ▶ Eliminated the background check requirement
- ▶ Allow a registered grower or his agent to grow or a registered processor or his agent to process industrial hemp for any lawful purpose



# Virginia Industrial Hemp Law 2018 Amendments

- ▶ Capped registration application fee at \$50
- ▶ Allow VDACS to set minimum acreage
  - ▶ VDACS is not going to set a minimum acreage at this time

# Frequently Asked Questions...

- ▶ Fencing requirement?
  - ▶ No
- ▶ Minimum or maximum acreage?
  - ▶ Neither
- ▶ How many registrations is VDACS allowed to issue?
  - ▶ The Law does not establish a registration limit.
- ▶ Is VDACS going to give planting seed to growers?
  - ▶ VDACS does not have any seed to distribute.
- ▶ Can I sell my crop?
  - ▶ You can conduct market research. The Grower and Processor Registration Guide (available at [www.vdacs.virginia.gov](http://www.vdacs.virginia.gov)) outlines what can be sold.

# THC Testing

- ▶ Law allows VDACS to conduct random THC testing
- ▶ Risk and Random system to identify fields that VDACS will sample
- ▶ Pre-harvest testing is not required by VDACS
- ▶ No testing fee
- ▶ If your sample is over 0.3 percent THC, VDACS will require that you destroy the crop from which the sample was collected

# Cannabidiol (CBD) Oil

- ▶ Under the current cannabis-related laws in Virginia, it is unclear whether a registered grower can sell a hemp extract containing CBD.
- ▶ As such, VDACS is not engaging in research regarding the marketing of any hemp extract containing CBD or hemp-derived CBD oil at this time.
- ▶ VDACS is not issuing a processor registration to any person planning to market a hemp extract containing CBD or hemp-derived CBD oil to a person who is not registered to participate in a hemp research program in Virginia.
- ▶ VDACS is currently seeking guidance regarding its ability to engage in market research of hemp extracts containing CBD and to issue a registration to a person interested in such market research.

## **Hemp in Virginia in 2016**

- Appx 37 acres planted
- Hemp in Albemarle, Chesterfield, Montgomery, Nottoway, Orange, and Rockingham
- 28 Industrial Hemp Grower Licenses issued

## **Hemp in Virginia in 2017**

- Appx 78 acres planted
- Hemp in Albemarle, Caroline, Chesterfield, Fluvanna, Hanover, Henrico, Montgomery, Nottoway, Orange, Pittsylvania, Rockingham, and Wise
- 34 Industrial Hemp Grower Licenses issued

# Hemp in Virginia in 2018

Research led by public institutions of higher education

- Appx 250 acres (planned)
- Hemp in 29 localities
- 85 Industrial Hemp Grower Licenses issued

Research led by VDACS

- Currently accepting registration applications



# **Virginia Industrial Hemp Research Program**

**[www.vdacs.virginia.gov](http://www.vdacs.virginia.gov)**