

## News Column

Stacy Campbell

Cottonwood Extension District, Hays

January 10, 2019

### **Industrial Hemp Research Program**

Industrial hemp is a variety of *Cannabis sativa* and is of the same plant species as marijuana. However, hemp is genetically different and distinguished by its use and chemical makeup. Industrial hemp refers to cannabis varieties that are primarily grown as an agricultural crop. Industrial hemp is defined by Kansas Senate Bill 263 as all parts and varieties of the plant *cannabis sativa* L that contain a delta-9 tetrahydrocannabinol (THC) concentration of no more than 0.3 percent on a dry weight basis. Any cannabis with a percentage of THC above 0.3% is considered to be marijuana and is not legal for production or sale.

Governor Jeff Colyer, M.D. signed Senate Bill 263 on April 20, which enacts the Alternative Crop Research Act allowing the Kansas Department of Agriculture to oversee the cultivation of industrial hemp in a research program. KDA has begun the process of developing rules and regulations to guide the Alternative Crop Research Act, which included an open dialogue and information exchange at a public forum May 11.

The opportunity to grow a new specialty oilseed crop in Kansas offers potential for diversification for Kansas farmers looking for an alternative crop, or for new farming enterprises interested in cultivating industrial hemp. The Kansas agriculture industry has developed a statewide strategic growth plan in recent years, and is committed to pursuing new and innovative opportunities to grow agriculture. The research generated by participants of this new industrial hemp program will be valuable data in identifying the growth potential offered in this sector.

The 2014 Farm Bill included a section to allow for universities and state departments of agriculture to begin cultivating industrial hemp for purposes of research, provided that the growing and cultivating of industrial hemp is allowed under state law.

The proposed regulations for the Industrial Hemp Research Program have been reviewed by the appropriate entities and have now been triple stamped and the notice for the public hearing was published in the Kansas Register. These regulations were developed by KDA in consultation with the industrial hemp advisory board and with input from the public.

A public hearing was just conducted by the Kansas Department of Agriculture, to consider adoption of these proposed regulations. Public comment can also be submitted online: <https://www.agriculture.ks.gov/document-services/public-comment>

The proposed regulations were updated on 11-16-18 and can be reviewed at

[https://www.agriculture.ks.gov/docs/default-source/pp-industrial-hemp/triple-stamped-approved-hemp-regulations-final.pdf?sfvrsn=dbb384c1\\_4](https://www.agriculture.ks.gov/docs/default-source/pp-industrial-hemp/triple-stamped-approved-hemp-regulations-final.pdf?sfvrsn=dbb384c1_4)

If you have questions about the proposed regulations, economic impact statement or approved varieties list can be sent via email to [KDA.industrialhemp@ks.gov](mailto:KDA.industrialhemp@ks.gov)

Also Kansas Department of Agriculture has all of the current industrial hemp information on their web site with a frequently asked questions section that is helpful. Further information on the web site includes--presentations and videos of the presentations they have given on the: Overview of SB 263 and the Regulation Adoption Process, Kentucky's Industrial Hemp Program, Colorado's Industrial Hemp Program and Overview of Open Discussion Topics.

One of the frequently asked questions on the web site is – how does passage of the 2018 Farm Bill impact industrial hemp in Kansas?

Although the 2018 Farm Bill allows for the creation of federal and state plans for the commercial production of industrial hemp, new legal authority and regulations will need to be adopted before Kansas can create a commercial program. The currently proposed regulations governing the industrial hemp research program are still the only way that industrial hemp may be produced in Kansas. Therefore, at this time, the proposed regulations cannot be modified to allow the immediate creation of a program for the commercial production of industrial hemp as a result of the passage of the 2018 Farm Bill.

I hope this information helps clarify or get folks up to speed on industrial hemp in Kansas.