



Maryland Department of Agriculture

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Maryland Department of Agriculture

Legislative Comment

Date: March 2, 2023

BILL NUMBER: SENATE BILL 508

SHORT TITLE: AGRICULTURE - HEMP FARMING PROGRAM - USE OF HEMP
AND HEMP PRODUCTS IN CONSUMABLE PRODUCTS

MDA POSITION: INFORMATION

The Maryland Department of Agriculture (MDA or the Department) has reviewed Senate Bill 508 and would like to provide the following information on the bill.

Senate Bill 508 would alter and amend the current Hemp Farming Program to include the use of Hemp and Hemp Products in Consumable Products. Agriculture Article Title 14 Subtitle 305 (C) Requires the Maryland Department of Agriculture (MDA) to submit to the USDA a plan for hemp production that is consistent with federal law.

The following provisions of SB 508 would cause MDA to be out of compliance with the USDA approved plan:

- Altering the definition of hemp to include a plant, or any part of a plant with Delta 9-Tetrahydrocannabinol (THC) concentration that does not exceed 1% on a dry weight basis.
- Allowing hemp products with a THC concentration greater than 1% to be included in consumable products for sale.

Without an approved USDA Hemp Plan, Maryland Hemp growers would not be able to take advantage of a wide range of USDA programs and services including risk management tools, federally subsidized crop insurance, conservation and/or research grants awarded by the National Institute of Food and Agriculture (NIFA), and National Organic Program accreditation.

Cannabis with a THC concentration greater than .3% THC would also be restricted from moving in interstate commerce. Additionally, this legislation would extend MDA's regulatory authority to cover hemp processors and hemp products, authority currently held by the Cannabis Commission.

Recommendations from MDA:

- Expand the number of licenses issued to cannabis growers to allow existing hemp farmers the option to grow cannabis when concentration levels exceed .3%
- Members of the General Assembly would benefit from advocating for changes of the definitions of hemp and cannabis, lifting restrictions that require remediation, and the transportation and sale of consumables to the Maryland Congressional Delegation.
- MDA will communicate the need for changes to the above regulations to the Maryland Congressional Delegation.
- MDA will confer with other states that have legislation similar to the proposed legislation and make further recommendations.

Thank you for your consideration. If you have additional questions, please contact Rachel Jones, MDA Director of Government Relations at Rachel.Jones2@maryland.gov or (667) 408-0134.