

SENATOR SARAH ELFRETH
Legislative District 30
Anne Arundel County



James Senate Office Building
11 Bladen Street, Room 104
Annapolis, Maryland 21401
410-841-3578 · 301-858-3578
800-492-7122 Ext. 3578
Fax 410-841-3156 · 301-858-3156
Sarah.Elfreth@senate.state.md.us

Budget and Taxation Committee

Subcommittees

Capital Budget

Pensions

Chair, Public Safety,
Transportation, and Environment

Joint Committee on the Chesapeake and
Atlantic Coastal Bays Critical Area

Chair, Joint Subcommittee on
Program Open Space/Agricultural
Land Preservation

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

March 2, 2023

Testimony in Favor of SB0508
Hemp Farming Program - Use of Hemp and Hemp Products in Consumable Products

Chairman Feldman, Vice-Chair Kagan, and members of the Education, Energy, and Environment Committee:

Senate Bill 508 will encourage individuals to explore different uses for hemp as a commodity and provide a more cost-effective form of remediation for hemp farmers. This will allow hemp farmers to develop and sell various forms of their agricultural product without risking severe financial loss through current remediation guidelines.

Hemp is an incredibly diverse product and can be used for a variety of purposes. Described as an agriculture gold mine, hemp can be used as an alternative commodity for items like home insulation, fabric, cosmetics, vegan dairy products, eco friendly technology, and sustainable plastics¹ With more than \$688 million in sales across the United States, Maryland should be on the forefront of exploring and expanding the uses of hemp.

As amended, SB508 creates three hemp licenses to be managed by the Department of Agriculture: a producer license that allows a person to plant, cultivate, grow, harvest and dry hemp; a research license that allows a person to explore medical and public health benefits of hemp; and an industrial license that allows a person to utilize hemp as an agricultural crop for grain, fiber content, and bio-products. To receive an industrial license, a licensee must sign a declaration that they will not sell their product for consumption.

¹<https://www.usatoday.com/story/sponsor-story/generation-hemp/2022/01/07/7-surprising-uses-industrial-hemp/9104429002/>

These hemp products can only be created if hemp farmers are able to sell their product. Current law defines Hemp as the plant *Cannabis Sativa L.*, and any part of that plant, with a Delta-9 THC concentration below .3%. Before a producer can sell their hemp product, they must ensure that the THC concentration is below .3%. Often, it is difficult for hemp farmers to guarantee their product will be below .3% when it is harvested.

After discussions with the MMCC and MDA, we are limiting the provisions of this bill to “non consumable” hemp products - including topical products - to ensure that we are separate and apart from the cannabis legalization legislation. This amendment will create clean differences between the legislation and ensure that we are in compliance with USDA requirements.

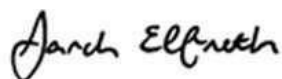
If a farmer harvests hemp that is above .3%, current remediation options² are costly for farmers and do not reflect best practices. First, non-compliant hemp can be remediated by separating and destroying non-compliant flowers from the stalks, leaves, and seeds. Second, non-compliant hemp can be remediated through shredding the entire plant and creating what is called “biomass.” This biomass may be sold if the THC concentration level is below .3%. If neither of these options are viable, the farmer must burn or otherwise destroy their entire field. These remediation tactics can often result in severe financial losses for hemp farmers whose products are too degraded to sell due to the remediation process.

Other States, such as Tennessee and Montana, have off-site remediation authorization – but there are concerns from MDA as to how such ability would interact with Federal Law and what is allowed by the USDA. We have met with them and are working through this issue to try and find a solution to alleviate this pressure on our farmers.

SB508 takes a commonsense approach to increase the availability and adaptability of hemp while also protecting farmers who work diligently to produce and cultivate federally compliant hemp.

Once again, I respectfully request a favorable report of Senate Bill 508.

Sincerely,

A handwritten signature in cursive script that reads "Sarah Elfreth".

Sarah Elfreth

² Maryland Department of Agriculture, *Remediation and Disposal Guidelines for Hemp Growing Facilities: U.S. Domestic Hemp Production Program*. Maryland Hemp Farming Program (Jan. 15, 2021)