

# U.S. Hemp Roundtable

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## VIA EMAIL

March 15, 2022

Governor Glenn Youngkin  
P.O. Box 1475  
Richmond, VA 23218

Governor Youngkin:

The U.S. Hemp Roundtable, the hemp industry's national advocacy organization, writes to strongly urge you to veto [Senate Bill No. 591](#). While this legislation may have been a well-intended effort to crack down on mislabeled, intoxicating cannabis products masquerading as hemp, its misguided language would actually criminalize the retail sale of most common, non-intoxicating hemp products such as cannabidiol (CBD).

Specifically, SB 591 expands the definition of illegal marijuana to include any "hemp extract that contains a tetrahydrocannabinol [THC] concentration of...no more than 0.25 milligram of tetrahydrocannabinol per serving or more than one milligram per package."

The overwhelming majority of non-intoxicating hemp extract products contain more than 0.25 mg of THC per serving and/or 1 mg of THC per package. Common full-spectrum hemp extract products contain 1-2 mg of THC per serving – much higher than the limits in SB 591, but very unlikely to cause intoxication, or to be misused for their THC content. That's why no other state in the country has enacted laws or regulations as restrictive as SB 591.

To our knowledge, advocates for SB 591 offered no scientific basis or public safety justification for these arbitrary restrictions. Nor was there an effort to bring to the table representatives of the hemp farming and business industries.

If SB 591 is signed into law, the entire Virginia hemp industry, from farmers to processors to sellers, will be faced with new restrictions that no other state has imposed, placing Virginia businesses at a significant competitive disadvantage in what has been a national hemp economy since 2018. Financial damage to the businesses producing and selling these products, which comply with both the 2018 Farm Bill and current state hemp regulations, will likely be in the millions of dollars and will impact the vast majority of hemp product retailers in the Commonwealth. This in turn will adversely impact Virginia hemp farmers who rely on stable retail markets, and for whom even a break-even enterprise is already a significant challenge under current regulations.

We strongly agree with the purported intent of the legislation – cracking down on the proliferation of intoxicating cannabis products masquerading as hemp. We are closely working with lawmakers and regulators in other states to use scientific data to draw the line between non-intoxicating hemp and intoxicating cannabis. And we encourage Virginia to do the same.

That's why we urge you to veto SB 591 and put in its place a study group to tackle this critical issue for the next session of the General Assembly. We urge you to gather experienced scientists, regulators, farmers, and other stakeholders to collaborate on the best way forward with respect to any measure that includes milligram restrictions on hemp products. Such a group could examine rules already in place in other jurisdictions that protect public health, without placing unneeded burdens on hemp businesses.

We stand by to offer our assistance in developing a fair and reasonable regulatory regime that supports farmers and protects consumers. Thank you for your attention to our views on this critical issue.

Sincerely,



Jonathan Miller  
General Counsel  
U.S. Hemp Roundtable

Jason Amatucci  
President  
Virginia Hemp Coalition

Samuel B. Johnston, Esq.  
Johnston Law Offices

# 2022 U.S. HEMP ROUNDTABLE

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