

U.S. Hemp Roundtable

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POSITION OF US HEMP ROUNDTABLE ON GEORGIA HOUSE BILL 213

March 13, 2019

The U.S. Hemp Roundtable is very grateful to Rep. John Corbett and the Members of the Georgia House of Representatives for their passage of House Bill 213.

The U.S. Hemp Roundtable is the nation's leading business trade association of the hemp industry, representing more than 60 companies and organizations that feature participants in all parts of the emerging U.S. hemp industry, from seed to sale, as well as all of the leading grassroots organizations within the space. The Roundtable's primary mission is to advocate for complete legalization of hemp and hemp products at all levels of government.

The Roundtable worked with Members of Congress and the U.S. Senate to help secure passage of the 2018 U.S. Farm Bill last December, which ended the federal prohibition on hemp and permanently removed the crop from the purview of the Controlled Substances Act, designating it once and for all as an agricultural commodity. We have also worked closely with legislative leaders in many of the 41 states that have in recent years legalized hemp and hemp products within their jurisdictions.

In that context, we view House Bill 213 is a positive step forward.

However, the bill as currently drafted falls short in providing opportunity for Georgia farmers to secure profitable markets for growing hemp. Specifically, the bill's definition of legal "hemp products" that would be permitted for manufacture and sale is severely limited to products derived from a few, much less economically attractive, parts of the hemp plant.

Indeed, by limiting hemp products to those produced from the stalk and the seed of the plant, the bill places Georgia farmers at a severe economic disadvantage to other states. Our new federal law, and the laws of the vast majority of states, permits and promotes the development of hemp products from all parts of the plant, including the most profitable: flowering tops. In Kentucky, for example, fully two-thirds of all hemp farming is dedicated to developing products from the hemp

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plant's flowering tops, the most popular of which currently is hemp-derived cannabidiol ("CBD"). Note that this includes only those hemp and CBD products that are derived from hemp and that contain less than 0.3% THC, the intoxicating compound found in much higher concentrations in marijuana.

In order for Georgia to fully adhere to the new federal law, as well as for Georgia farmers to compete with growers in other states, and ensure that they receive reciprocity with other states, we recommend that the following amendments be made to House Bill 213:

1. Amend the definition of "hemp products" in 2-23-3(6) to "all products with the federally defined THC level for hemp derived from, or made by, processing hemp plants or plant parts, that are prepared in a form available for commercial sale, including, but not limited to cosmetics, personal care products, food intended for animal or human consumption, cloth, cordage, fiber, fuel, paint, paper, particleboard, plastics, and any product containing one or more hemp-derived cannabinoids, such as cannabidiol."
2. Amend the definition of "marijuana" in 16-13-21(16) to exclude all "hemp" and "hemp products"; not just those grown in Georgia's program.
3. Provide that retail sales of hemp products may be conducted when the products and the hemp used in the products were grown and cultivated legally in Georgia or in another state or jurisdiction that meets the same or substantially the same requirements for processing hemp products or growing hemp under Georgia's program.
4. Provide that derivatives of hemp, including hemp-derived cannabidiol, may be added to cosmetics, personal care products, and products intended for human or animal consumption, and such an addition is not considered an adulteration of such products.
5. Provide that hemp products may be legally transported across state lines, and exported to foreign nations, consistent with U.S. federal law and the laws of respective foreign nations.