



# 2023 YEAR-IN-REVIEW

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In a year full of unpredictable challenges arising from the chaos in Congress, the U.S. Hemp Roundtable and a united hemp industry made remarkable strides toward our legislative priorities. Thanks to the advocacy efforts and support of our dedicated members and Hemp Supporters across the country, we saw significant progress on Capitol Hill and in State legislatures.

On the federal front, the Roundtable spearheaded a historic initiative, rallying the industry behind seven legislative priorities and proposals for the impending Farm Bill. Additionally, our collaboration with Rep. James Comer, Chairman of the House Oversight Committee, resulted in the first-ever Congressional hearing on the FDA's inaction regarding CBD regulations.

At the state level, we actively engaged in supporting or opposing legislation and regulations related to the retail sales of adult cannabinoid products, such as delta-8 THC. These efforts helped block outright bans on adult products, promoting sound regulation instead, and addressed issues like overly restrictive THC limits and age requirements, which inadvertently restricted access to non-intoxicating full and broad-spectrum cannabinoid products.

For a comprehensive look at our work throughout the year, here's our 2023 year-in-review.



## OUR MISSION

The mission of the U.S. Hemp Roundtable is to advocate for science-driven, equitable, and inclusive law and regulation for hemp industries – including agriculture, oilseed, fiber and extracts, such as CBD – to produce a reliable, sustainable supply chain of responsible commerce.



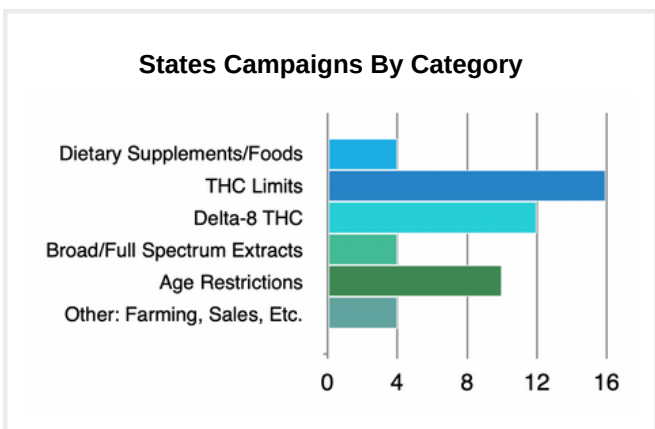
Regrettably, in **Virginia**, the legislature agreed to Governor Youngkin's amendments to SB 903, setting THC limits that eliminated sales of most non-intoxicating full-spectrum products, and in **Maryland**, SB 516 passed, requiring a dispensary license to sell consumable hemp products with more than 0.5 mg of THC per serving or 2.5 mg per package, limiting these products to individuals aged 21 or older, excluding hemp extract tinctures. An even more concerning development occurred in **Washington**, with SB 5367, which limited consumable hemp products to those without any detectable amount of THC. Full spectrum or any hemp products intended for human oral consumption with detectable THC were classified as "cannabis products," rendering them unsellable in the state or for shipment to consumers.

A similar lawsuit challenges the **Indiana Attorney General's opinion** from earlier this year that certain hemp products, such as delta-8 THC, are illegal controlled substances. The lawsuits in Arkansas and Indiana are just two of several pending lawsuits challenging new state hemp laws. The Roundtable will continue monitoring these cases into the New Year.

States such as Georgia, Tennessee, Utah, Virginia, Wyoming, and Indiana sought to implement age restrictions for specific products containing hemp-derived cannabinoids, regardless of their intoxicating nature. In **Georgia**, HB 458, which aimed to limit consumable products to individuals aged 21 or older, failed to pass. A similar bill in **Virginia**, HB 1973, also failed to pass after gaining some traction.

On the other side, **Tennessee** enacted SB 0378, which prohibits hemp-derived products for persons under 21. A similar bill passed in **Ohio**, HB 227, states that products containing one or more naturally occurring cannabinoids cannot be sold to someone under 21. And in **Wyoming**, HB 0108 passed, prohibiting the sale of edibles or vape products that contain any amount of THC, including hemp products, to persons under 21.

Legislators in Massachusetts, North Dakota, and Oklahoma aimed to pass bills that would either regulate or restrict retail sales of hemp-derived foods and beverages. Although passage of SB 2096 in **North Dakota** allows the sale of hemp commodities and products, it prohibits the sale of non-FDA-approved hemp-derived products as dietary supplements or food or beverages. The bill also prohibits a hemp commodity or product from containing chemically derived cannabinoids or delta-8. We will work on addressing this in the future.



**Arkansas** passed SB 358, allowing the manufacture and sale of certain consumable hemp-derived products with age restrictions and establishing a stringent 0.3% total THC limit on hemp products, including delta-8, delta-10, and similar THCs. Although scheduled to go into effect on August 1, a lawsuit by hemp businesses prompted a federal court to temporarily enjoin the law entirely. In a landmark ruling, the court concluded that the law was preempted by federal law and deemed unconstitutionally vague.

In **Massachusetts**, [HD 1509](#) and [SB 598](#), and in **Oklahoma**, [SB 635](#), sought to address the retail sales landscape for hemp-derived foods and beverages. Although these bills gained traction, they ultimately failed to pass. If successful, they would have provided clarity on the legality of selling dietary supplements, foods, and beverages containing hemp-derived cannabinoids in these states. The legislative endeavors highlight ongoing efforts to navigate the lack of federal FDA regulation of hemp-derived CBD and other cannabinoids.

Finally, as the year drew to a close, two states took action on regulations impacting hemp products. In **Colorado**, the Department of Public Health & Environment filed [proposed regulations](#) implementing [SB 23-271](#), the bill, earlier this year, that creates a new framework for the regulation and registration of hemp products, including intoxicating products. The proposed regulations, which, among other things, change testing, labeling, and packaging requirements, are expected to take effect January 14, 2024.

In **New York**, the Cannabis Control Board approved amended [emergency regulations](#) that maintain THC limits and restrictions for hemp cannabinoid products, including a 21-or-older age restriction for any cannabinoid product containing more than 0.5mg of total THC per serving. The emergency regulations become effective upon filing in the New York State Register.

## Top State Campaign Reports



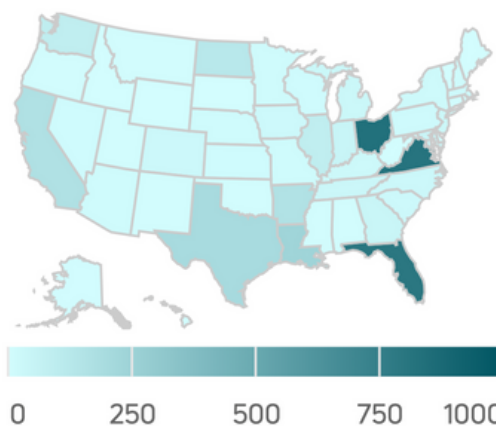
**1,374 messages**  
sent by 665 advocates



**1,156 messages**  
sent by 712 advocates



**1,414 messages**  
sent by 699 advocates



### Most Active States by Actions

State	Actions
Ohio	834
Virginia	816
Florida	799



# FEDERAL ADVOCACY



The U.S. Hemp Roundtable implemented a comprehensive federal advocacy strategy during 2023, focused on the upcoming Farm Bill and ongoing efforts to regulate hemp-derived CBD and other cannabinoids. We worked closely with our members to continue cultivating long standing relationships with Congressional leaders and policymakers, making significant strides toward our legislative priorities.

During our annual Spring and Fall fly-ins to Washington D.C., we facilitated 89 in-person meetings with members of Congress and Congressional staff, in addition to 38 virtual follow-up meetings. In addition to our Farm Bill agenda, we launched six dedicated advocacy campaigns, three of which were for bills that would require the FDA to regulate CBD using existing frameworks.

Reps. Morgan Griffith (R-VA) and Angie Craig (D-MN) introduced **HR 1628, CBD Product Safety and Standardization Act**, which would direct the FDA to regulate hemp-derived CBD as a food additive, and **HR 1629, Hemp and Hemp-Derived CBD Consumer Protection and Market Stabilization Act**, which directs the FDA to regulate CBD as a dietary supplement. Both bills ensure that hemp-derived CBD products can be lawfully marketed and require manufacturers to comply with the entire existing comprehensive regulatory frameworks for dietary supplements, which ensure that the products are deemed safe, properly labeled and prepared utilizing Good Manufacturing Practices.

## Federal Advocacy Campaigns

- **HR 1628: CBD Product Safety and Standardization Act** — Directs the FDA to regulate hemp-derived CBD using the existing regulatory framework for food additives.
- **HR 1629: Hemp and Hemp-Derived CBD Consumer Protection and Market Stabilization Act** — Directs the FDA to regulate hemp-derived CBD using the existing regulatory framework for dietary supplements.
- **S 2451: Hemp Access and Consumer Safety Act** — Directs the FDA to regulate hemp-derived CBD using the existing regulatory framework for dietary supplements and food/beverage additives.
- **HR 1428: Free To Grow Act** — Repeals the federal provision preventing individuals with certain felony drug-related convictions within the past 10 years from obtaining a license to grow hemp.
- **HR 2891 and S 1323: SAFE Banking Act** — Protects institutions administering financial services to all legal cannabis businesses, including hemp and CBD, by preventing any penalization from federal regulators.
- **S 1973: All-American Flag Act** — Requires the federal government to purchase flags made from domestic materials.

In the Senate, the U.S. Hemp Roundtable was proud to support Sens. Ron Wyden (D-OR) and Rand Paul (R-KY) and the reintroduction of **S 2451, The Hemp Access and Consumer Safety Act**, which would regulate CBD products as dietary supplements and foods.

Efforts to regulate CBD experienced a historic moment during the first hearing on FDA inaction. The hearing, "[Hemp in the Modern World: The Years long Wait for FDA Action](#)," was the first time Congress has formally scrutinized the impact of the U.S. Food and Drug Administration's (FDA) failure to develop a regulatory pathway for the sale of ingestible hemp products such as CBD. U.S. Hemp Roundtable General Counsel, Jonathan Miller, testified and worked closely with House Oversight Committee Chairman Comer to secure the hearing. You can [watch the recording here](#) and read Jonathan's [full written testimony here](#).

Hearing witnesses and members of Congress shared the same sentiments: 1) a regulatory framework for hemp-derived cannabinoids is urgently needed, 2) FDA has the existing data, tools, expertise and authority to regulate hemp-derived cannabinoids, and 3) a continued lack of FDA regulations for products containing hemp-derived cannabinoids poses a major consumer health and safety issue.

We followed up on the momentum from the hearing during our Fall Fly-In during a Congressional Luncheon and Briefing – with more than 100 congressional staff in presence – which featured a panel discussion on the legislation that would direct the FDA to regulate hemp-derived CBD. The panel was moderated by U.S. Hemp Roundtable General Counsel, Jonathan Miller, who was joined by representatives from several leading dietary supplement organizations, including: Julia Gustafson, Vice President for the Council for Responsible Nutrition; Marc Schloss, Vice President for the Consumer Healthcare Products Association; and Will Woodlee, Outside Counsel for the American Herbal Products Association.

While we are advocating for one or more of the bills to be secured as part of the next Farm Bill, we will continue to push for a resolution in any legislative package that could be sufficient. This remains our top priority into 2024.

In addition to CBD regulations, the Farm Bill has been a major focus. Just as the 2014 Farm Bill provided for hemp pilot projects, and the 2018 Farm Bill permanently legalized hemp, the next version could prove monumental for farmers and businesses. Since the Farm Bill was delayed, potentially until after the upcoming Presidential Election, we can continue to build on the strong efforts made this year and will have more time to ensure the final package contains key hemp industry priorities. As previously mentioned, the Roundtable spearheaded a historic initiative, rallying the most-varied industry behind seven legislative priorities and proposals for the impending Farm Bill. With 33 state, regional, and national organizations, representing every element of the hemp chain, we are urging Congress to uphold these objectives:

- Regulate CBD and other ingredients derived from hemp under the existing frameworks for dietary supplement and food additives as outlined in [HR 1628](#), [HR 1629](#) and [S 2451](#).
- Reduce regulatory requirements for hemp grain and fiber farmers via [HR 3755](#) or [S 980](#), and/or through a fit-for-purpose approach [outlined here](#).
- Permit hemp grain for animal feed. [See proposal](#).
- Maintain the current definition of "hemp" while balancing appropriate consumer protections with continued market access to popular hemp products.
- Promote justice, equity and the planet by repealing the felon ban in [HR 1428](#), supporting hemp research at minority serving institutions, and enhancing climate opportunities through carbon credit programs.
- End the DEA's monopoly on registering hemp testing laboratories. [See proposal](#).
- Mandate that hemp crops should be deemed compliant unless they exceed 1% total THC, as defined by USDA. [See proposal](#).

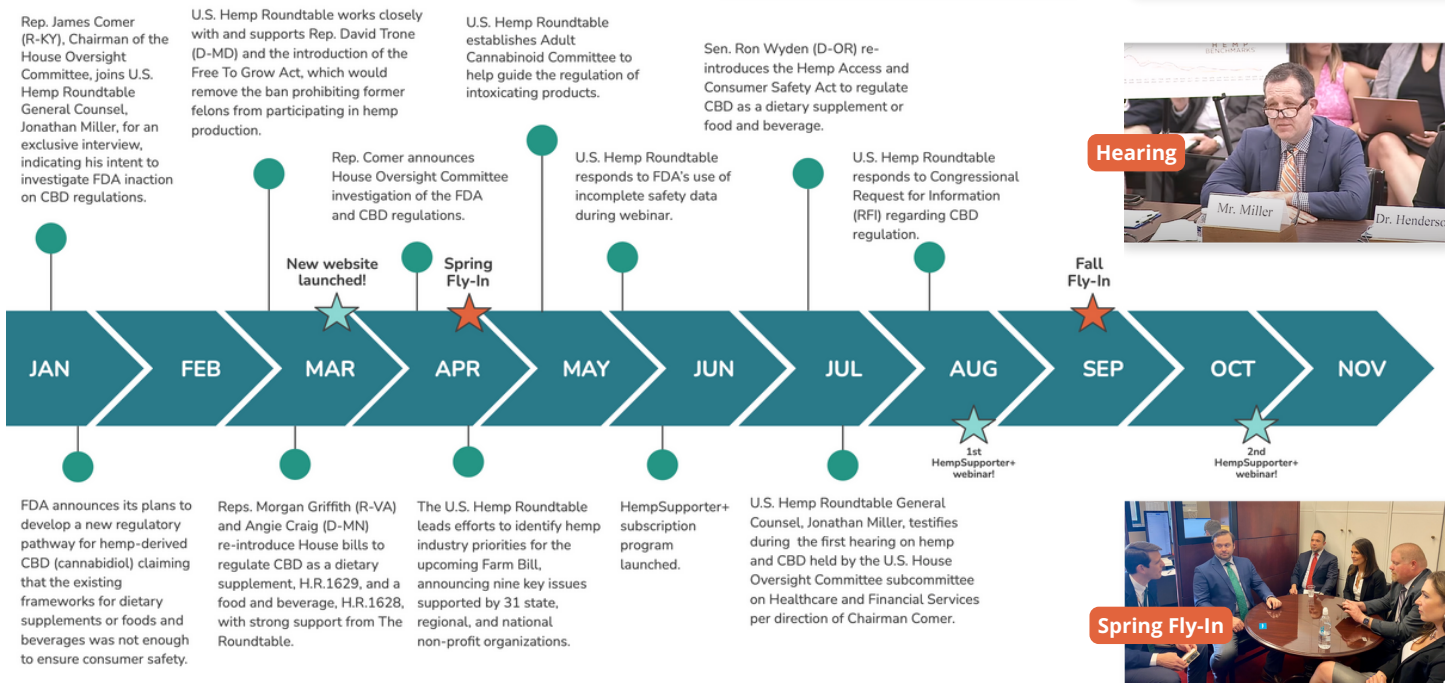
This robust agenda marks the first time since the resurgence of hemp that nonprofit advocacy groups across the nation have united in alignment on such a vast legislative initiative. The industry agrees that these priorities would provide farmers and producers much-needed regulatory relief, as well as protect consumers and children. In April, leaders from the National Industrial Hemp Council (NIHC) and the Hemp Industries Association joined the U.S. Hemp Roundtable in Washington D.C. for a Congressional Staff Briefing and Luncheon to illustrate the united hemp agenda for the Farm Bill.

Another federal bill, not included in the Farm Bill agenda, finally saw some traction this year. In September, the SAFE(R) Banking Act (formerly SAFE Banking) passed out of the Senate Finance Committee by a bipartisan 14-9 vote, but has yet to go to the Senate floor for a vote. Still, this marked the first time the Senate has taken action on the legislation.

The **SAFER Banking Act** would provide legal cannabis operators access to banking and financial services, including those in the hemp and CBD space. Although the House has passed the bill in some form seven times, it has continued to stall in the Senate. The pressure to secure passage before the election could work in the bill's favor.

The Roundtable also supported the reintroduction of **S 1973, The All-American Flag Act**, by Senators Sherrod Brown (D-OH), Susan Collins (R-ME), Joe Manchin (D-WV), and Gary Peters (D-MI). This bipartisan effort aims to ensure that our national flags are made in the United States, using domestically sourced materials, such as hemp.

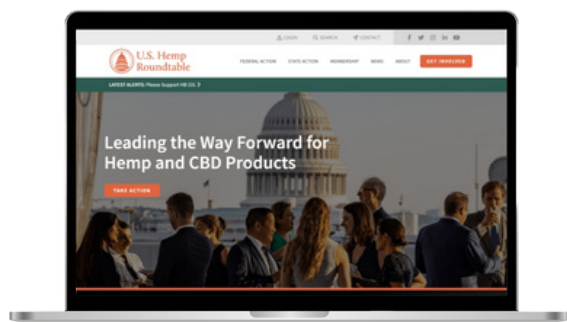
## Federal Advocacy Timeline



# INITIATIVES



In addition to our state and federal advocacy efforts, The Roundtable took steps toward increasing our educational initiatives and providing industry opportunities, while also enhancing our membership offerings.



In March, the U.S. Hemp Roundtable unveiled its all new website at [www.hempsupporter.com](http://www.hempsupporter.com).

The new site boasts an enhanced Hemp Supporter advocacy platform, complete with State and Federal Action Centers, Industry Updates, and Resources. A private membership login area was introduced, featuring customizable dashboards for users, alongside a separate administrative management system.



Complementing the website overhaul was the introduction of an updated logo, featuring a new emblem. Public Affairs and Marketing Coordinator, Alyssa Erickson, spearheaded the logo redesign and led the website redevelopment in collaboration with Director of Operations, Katelyn Wiard, and Membership Coordinator, Kerry Hinkle.

## HempSupporter+

The Roundtable introduced the HempSupporter+ subscription program in June, offering users personalized advocacy tools and exclusive industry insights. Subscribers gain access to a custom dashboard on [hempsupporter.com](http://hempsupporter.com), enabling them to pin website content and alerts, access private resources, and participate in virtual events.

The initiative culminated in August with the inaugural HempSupporters+ webinar, titled "Congressional Hearing Recap: Hemp, CBD, and FDA Inaction," featuring General Counsel Jonathan Miller. Subsequently, in November, the Roundtable hosted a second webinar, "State of the States: Update on Hemp and CBD Policy," featuring Regulatory Counsel Nolan Jackson.

The Roundtable remained committed to ongoing initiatives focused on sustainability, standards, and minority empowerment throughout the year. Advocacy efforts included pushing for Sustainability Tax Credits in the upcoming Farm Bill and collaborating with the U.S. Hemp Authority, a sister organization, to broaden the current standard for certifying adult-use cannabinoid products. The Roundtable also actively engaged with opportunities presented to the Minority Empowerment Committee (MEC), endorsing projects like the Kori Floyd Research Project in partnership with Tennessee State University.

In a separate accomplishment, the Roundtable took pride in General Counsel Jonathan Miller being appointed as the Chair of Kentucky Governor Andy Beshear's New Antisemitism Task Force on December 21st. Tasked with studying and recommending strategies to counter antisemitism in the Commonwealth, Miller's leadership in this endeavor was recognized and celebrated by the organization.





# LOOKING AHEAD



We anticipate 2024 will provide pivotal opportunities for the hemp industry. While the dynamics of Congress and the approaching election pose uncertainties and potential challenges, it could also place us in the best possible position for significant progress.

The Farm Bill will be the greatest opportunity for federal policy change, building on the previous two with a united industry, while the regulation of hemp-derived cannabinoids will continue to be our greatest challenge. In addition to the Farm Bill, the Roundtable will also look for larger legislative packages that could serve as a vehicle for regulatory language, such as appropriations language in an Omnibus spending bill. There is also a chance that the Senate will finally move forward on cannabis banking legislation.

We will likely see ongoing trends in the states, with a strong focus on delta-8 THC products. There's still work to do in Kentucky, where we will continue working with the KDPH to improve upon the current delta-8 product regulations by addressing ongoing concerns, including: burdensome product registration fees, an overreaching prohibited substance list, and complex packaging and labeling requirements. And in Ohio, we will stay vigilant to ensure that adult products are regulated, but not in a way that would ban currently legal hemp products. As long as the FDA refuses to regulate hemp-derived products, state legislatures will continue to take matters into their own hands. Our efforts will aim to make certain that these measures protect consumers and stakeholders alike.

As always, The Roundtable remains steadfast in our advocacy efforts and commitment to promoting laws and policies that promote the industry and ensure product safety. This year laid a strong foundation for the work ahead of us, and we look forward to success in the new year.

## CONNECT WITH US

Want to stay in the loop with hemp policy and industry updates? Follow us on social media and sign up for our mailing list at [hempsupporter.com](https://www.hempsupporter.com).



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