

ENDORSED BY INDUSTRY LEADERS



January 24, 2024


The Honorable Cathy McMorris Rodgers
The Honorable Frank Pallone
House Energy and Commerce Committee
U.S. Capitol
Washington, DC 20515

Dear Madame Chairwoman and Ranking Member:

We the undersigned 28 non-profit organizations in the U.S. hemp industry – representing every element of the hemp food chain and every region of the nation – as well as four leading national dietary supplement organizations – write to strongly urge the House Energy and Commerce Committee to hold a hearing in the near future concerning FDA regulation, or lack thereof, of the rapidly growing hemp market which includes products such as CBD.

In the more than five years since the legalization of hemp through the 2018 Farm Bill, in spite of a designated annual appropriation, the FDA has taken no meaningful steps toward the regulation of hemp – whether it be animal feed or extracts for human consumption like CBD. After first claiming for much of that period that it was investigating regulatory pathways that could be used, the agency most recently last year changed course and claimed that it would need further congressional authorization to proceed. Meanwhile, thousands of unregulated products continue to be sold, causing great consumer confusion and advantaging bad actors via-a-vis good faith manufacturers who want to play by the rules and offer healthy products.

We were very encouraged last summer when your committee joined the Senate Health, Education, Labor and Pensions committee in the issuance of a Request for Information, seeking public comment on the future of FDA hemp regulation. We understand that there were hundreds of respondents, and numerous recommended options for moving forward. By now, your staff has had months to review and consider these recommendations.



While both House Agriculture and House Oversight have held hearings on the issue, as the primary committee of jurisdiction, Energy & Commerce must weigh in for there to be meaningful action. We've been assured that an Energy & Commerce hearing would take place on a number of occasions, but the time for a hearing has never been ripe. We urge you to take immediate steps to hold a hearing before your committee, bringing the RFI ideas to public light, and offering an opportunity for your Members to weigh in on the crucial issues that must be resolved for the hemp industry to survive, and for health and public safety to truly be protected.

The FDA's inaction is hurting farmers and putting consumers at risk. Further, U.S. farmers have been crushed economically by the lack of regulations, with commodity prices dropping across the board by more than 90 per cent. This delay has posed significant problems and obstacles for other downstream hemp products including fiber and grain offtakes that include construction materials, bioplastics, biofuels and food ingredients. And with the rescheduling of marijuana apparently imminent, lack of regulatory certainty for hemp will pose an even more urgent crisis for farmers, consumers, state regulators and law enforcement.

Sincerely,

American Herbal Products Association
Association of Western Hemp Professionals
Colorado Hemp Association
Consumer Healthcare Product Association
Council for Responsible Nutrition
Georgia Hemp Association
Hemp Alliance of Tennessee
Hemp Industries Association
iHemp Michigan
Indigenous Cannabis Industry Association
Industrial Hemp Association of Washington
Kentucky Hemp Association
Midwest Hemp Council
National Cannabis Industry Association

National Industrial Hemp Council
Native Health Matters
ONE Hemp
Realm of Caring Foundation
South Dakota Industrial Hemp Association
Spartan Sword
Texas Hemp Coalition
United Natural Products Alliance
U.S. Hemp Authority
U.S. Hemp Roundtable
U.S. Hemp Sustainability Foundation
Veterinary Cannabis Society
Virginia Hemp Coalition
We Are For Better Alternatives
