

1 (c) PLANT-INCORPORATED PROTECTANT.—For the
2 purposes of the report under subsection (a), the Sec-
3 retary—

4 (1) shall consider “plant-incorporated protect-
5 ant” to be a pesticidal substance that is intended to
6 be produced and used in a living plant, or in the
7 produce of a living plant, and the genetic material
8 necessary for production of such a pesticidal sub-
9 stance, including any inert ingredient contained in
10 the applicable plant or produce; and

11 (2) may modify the description of plant-incor-
12 porated protectant, as appropriate.

13 **SEC. 10016. HEMP PRODUCTION.**

14 (a) DEFINITIONS.—

15 (1) IN GENERAL.—Section 297A of the Agricul-
16 tural Marketing Act of 1946 (7 U.S.C. 1639o) is
17 amended—

18 (A) in paragraph (1)—

19 (i) by striking “delta-9” and inserting
20 “total”;

21 (ii) by striking “concentration” and
22 inserting “concentration (including
23 tetrahydrocannabinolic acid)”;

24 (iii) by striking the period at the end
25 and inserting “; and”;

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1 (iv) by striking “means the plant”

2 and inserting the following: “means—

3 “(A) the plant”; and

4 (v) by adding at the end the following:

5 “(B) industrial hemp.”;

6 (B) by redesignating paragraphs (3)

7 through (6) as paragraphs (4) through (7), re-

8 spectively; and

9 (C) by inserting after paragraph (2) the

10 following:

11 “(3) INDUSTRIAL HEMP.—The term ‘industrial

12 hemp’ means the plant *Cannabis sativa* L. if the

13 harvested material—

14 “(A) is only—

15 “(i) the stalks of that plant, fiber pro-

16 duced from those stalks, or any other man-

17 ufactured product, derivative, mixture, or

18 preparation of those stalks (except

19 cannabinoid resin extracted from those

20 stalks);

21 “(ii) whole grain, oil, cake, nut, hull,

22 or any other compound, manufactured

23 product, derivative, mixture, or preparation

24 of the seeds of that plant (except

1 cannabinoid resin extracted from the seeds
2 of that plant); or

3 “(iii) viable seeds of that plant pro-
4 duced solely for production or manufacture
5 of any material described in clause (i) or
6 (ii); and

7 “(B) will not be used in the manufacturing
8 or synthesis of natural or synthetic cannabinoid
9 products.”.

10 (2) CONFORMING AMENDMENTS.—

11 (A) Section 297B of the Agricultural Mar-
12 keting Act of 1946 (7 U.S.C. 1639p) is amend-
13 ed—

14 (i) in subsection (a)(2)(A)(ii)—

15 (I) by striking “delta-9” and in-
16 serting “total”; and

17 (II) by striking “concentration”
18 and inserting “concentration (includ-
19 ing tetrahydrocannabinolic acid)”; and

20 (ii) in subsection (e)(2)(A)(iii)—

21 (I) by striking “delta-9” and in-
22 serting “total”; and

23 (II) by striking “concentration”
24 and inserting “concentration (includ-
25 ing tetrahydrocannabinolic acid)”.

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1 (B) Section 297C(a)(2)(B) of the Agricul-
2 tural Marketing Act of 1946 (7 U.S.C.
3 1639q(a)(2)(B)) is amended—

4 (i) by striking “delta-9” and inserting
5 “total”; and

6 (ii) by striking “concentration” and
7 inserting “concentration (including
8 tetrahydrocannabinolic acid)”.

9 (b) INDUSTRIAL HEMP.—

10 (1) STATE AND TRIBAL PLANS.—Section 297B
11 of the Agricultural Marketing Act of 1946 (7 U.S.C.
12 1639p) is amended—

13 (A) in subsection (a)—

14 (i) paragraph (2)(A)—

15 (I) by redesignating clauses (ii)
16 through (vii) as clauses (iii) through
17 (viii), respectively;

18 (II) by inserting after clause (i)
19 the following:

20 “(ii) a procedure by which a hemp
21 producer may be licensed to produce—

22 “(I) only industrial hemp, in
23 which case the industrial hemp pro-
24 ducer shall not be required to undergo

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1 a background check to apply for the
2 license; or

3 “(II) hemp for any purpose;”;

4 (III) in clause (iii) (as so redesign-
5 nated)—

6 (aa) by inserting “, exclud-
7 ing industrial hemp,” after
8 “hemp”;

9 (bb) by adding “and” after
10 the semicolon at the end;

11 (cc) by striking “(iii) a pro-
12 cedure” and inserting “(iii)(I) a
13 procedure”; and

14 (dd) by adding at the end
15 the following:

16 “(II) in the case of a producer li-
17 censed to produce only industrial hemp
18 under clause (ii)(I), a procedure for testing
19 compliance with the definition of industrial
20 hemp in section 297A using relaxed regu-
21 latory requirements, which may include—

22 “(aa) visual inspections;

23 “(bb) performance-based sam-
24 pling methodologies;

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1 “(cc) certified seed, if the appli-
2 cable State or Indian tribe is partici-
3 pating in the pilot program estab-
4 lished under paragraph (4); or

5 “(dd) any other similar proce-
6 dure, as approved by the Secretary,
7 when developing sampling plans for
8 any producer that elects to be des-
9 ignated as a producer of only indus-
10 trial hemp under clause (ii)(I);”; and
11 (IV) in clause (viii) (as so reded-
12 ignated), by striking “(vi)” and in-
13 serting “(vii);” and

14 (ii) by adding at the end the fol-
15 lowing:

16 “(4) CERTIFIED SEED PILOT PROGRAM.—

17 “(A) IN GENERAL.—The Secretary may, in
18 up to 5 States or Indian tribes, establish a pilot
19 program under which the State department of
20 agriculture of a selected State, or the equivalent
21 Tribal government agency, may certify genetic
22 purity (within the meaning of the Federal Seed
23 Act (7 U.S.C. 1551 et seq.)) and identity as to
24 variety (as defined in section 101 of that Act (7
25 U.S.C. 1561)) of varieties of seeds that have

1 been bred to produce plants with a total
2 tetrahydrocannabinol concentration (including
3 tetrahydrocannabinolic acid) of not more than
4 0.3 percent on a dry weight basis.

5 “(B) EXEMPTION.—

6 “(i) IN GENERAL.—A hemp producer
7 that produces hemp using a variety of seed
8 certified under subparagraph (A) in the
9 State or on the land of the Indian tribe by
10 which the variety of seed is certified may
11 submit to the applicable State department
12 of agriculture, or equivalent Tribal govern-
13 ment agency, an application for an exemp-
14 tion from the testing requirements under
15 paragraph (2)(A)(iii)(I).

16 “(ii) EXPIRATION.—An exemption ap-
17 proved under clause (i) shall expire on the
18 date that is 3 years after the date of the
19 approval.

20 “(iii) REAPPLICATION.—A hemp pro-
21 ducer may reapply under clause (i) to be
22 exempt under that clause after the expira-
23 tion of the exemption under clause (ii).

24 “(C) APPROVAL.—If the State department
25 of agriculture approves an application sub-

1 mitted under subparagraph (B)(i), the applica-
2 ble hemp producer shall not be subject to the
3 testing requirements under paragraph
4 (2)(A)(iii)(I).

5 “(D) REGULATION OF VENDORS.—Each
6 State or Indian tribe selected to participate in
7 the pilot program under this paragraph shall
8 regulate vendors of seed certified under sub-
9 paragraph (A) operating in that State or on the
10 land of that Indian tribe.”; and

11 (B) in subsection (e)(3)—

12 (i) by striking subparagraph (B);

13 (ii) by redesignating subparagraph
14 (C) as subparagraph (B); and

15 (iii) by adding at the end the fol-
16 lowing:

17 “(C) PRODUCTION INCONSISTENT WITH
18 INDUSTRIAL HEMP DESIGNATION.—Any person
19 licensed to produce only industrial hemp as de-
20 scribed in subsection (a)(2)(A)(ii)(I) who, with
21 a culpable mental state greater than negligence,
22 produces a crop of hemp that is inconsistent
23 with that license shall be ineligible to partici-
24 pate in the program established under this sec-
25 tion for a period of 5 years beginning on the

1 date of the violation, as determined by the Sec-
2 retary.”.

3 (2) DEPARTMENT OF AGRICULTURE PLAN.—
4 Section 297C(a)(2) of the Agricultural Marketing
5 Act of 1946 (7 U.S.C. 1639q(a)(2)) is amended—

6 (A) by redesignating subparagraphs (B)
7 through (F) as subparagraphs (C) through (G),
8 respectively;

9 (B) by inserting after subparagraph (A)
10 the following:

11 “(B) a procedure by which a hemp pro-
12 ducer may be licensed to produce—

13 “(i) only industrial hemp, in which
14 case the industrial hemp producer shall not
15 be required to undergo a background check
16 to apply for the license; or

17 “(ii) hemp for any purpose;”; and

18 (C) in subparagraph (C) (as so redesi-
19 gnated)—

20 (i) by inserting “, excluding industrial
21 hemp,” after “hemp”;

22 (ii) by adding “and” after the semi-
23 colon at the end;

24 (iii) by striking “(C) a procedure”
25 and inserting “(C)(i) a procedure”; and

1 (iv) by adding at the end the fol-
2 lowing:

3 “(ii) in the case of a producer licensed to
4 produce only industrial hemp under subpara-
5 graph (B)(i), a procedure for testing compliance
6 with the definition of industrial hemp in section
7 297A using relaxed regulatory requirements,
8 which may include—

9 “(I) visual inspections;

10 “(II) performance-based sampling
11 methodologies;

12 “(III) certified seed, if the applicable
13 State or Indian tribe is participating in the
14 pilot program established under section
15 297B(a)(4); or

16 “(IV) any other similar procedure, as
17 approved by the Secretary, when devel-
18 oping sampling plans for any producer that
19 elects to be designated as a producer of
20 only industrial hemp under subparagraph
21 (B)(i);”.

22 (3) REGULATIONS AND GUIDELINES; EFFECT
23 ON OTHER LAW.—Section 297D of the Agricultural
24 Marketing Act of 1946 (7 U.S.C. 1639r) is amended
25 by adding at the end the following:

1 “(d) EFFECT ON STATE OR TRIBAL LAW.—Except
2 as provided in section 297B, nothing in this subtitle pre-
3 empts or limits any law of a State or Indian tribe that
4 regulates any activity involving hemp or hemp products,
5 including with respect to the production, manufacture, or
6 sale of hemp or hemp products.”.

7 **SEC. 10017. FIFRA INTERAGENCY WORKING GROUP.**

8 Section 3(c)(11)(D)(iv) of the Federal Insecticide,
9 Fungicide, and Rodenticide Act (7 U.S.C.
10 136a(c)(11)(D)(iv)) is amended, in the matter preceding
11 subclause (I), by striking “Not later than” and all that
12 follows through “beginning on that date” and inserting
13 “Not less frequently than annually for each of fiscal years
14 2025 through 2029”.

15 **SEC. 10018. INTERSTATE MOVEMENT OUTSIDE OF THE CON-**
16 **TINENTAL UNITED STATES.**

17 Section 433(c)(1) of the Plant Protection Act (7
18 U.S.C. 7753(c)(1)) is amended by inserting “or interstate
19 movement from areas outside of the continental United
20 States,” after “United States,”.

21 **SEC. 10019. PLANT PEST AND DISEASE MANAGEMENT AND**
22 **DISASTER PREVENTION.**

23 Section 420(f) of the Plant Protection Act (7 U.S.C.
24 7721(f)) is amended—