

Frequently Asked Questions
Industrial Hemp

The following information is provided as a guide and is not a legal interpretation of the Act.

Q: What is industrial hemp?

A: Industrial hemp is a versatile plant that has been used for thousands of years as a source of fiber and food. While grown commercially in the United States until after World War 2, industrial hemp became regulated along with marijuana and its cultivation was prohibited.

Q: What is the difference between industrial hemp and marijuana?

A: Industrial hemp and marijuana are different varieties of the same species of plant, *Cannabis sativa*. While marijuana is cultivated because of its production of the psychoactive plant chemical delta-9 tetrahydrocannabinol, or THC, industrial hemp is cultivated for fiber, seed and other purposes, and must have a concentration of THC that is less than 0.3%.

Q: Why is Pennsylvania allowing growth of industrial hemp now?

A: In the Farm Bill of 2014, the federal government opened the door to very limited legal growth of industrial hemp as part of agricultural research pilot programs. The Pennsylvania General Assembly passed an Industrial Hemp law, Act 92, to explore the potential for economic growth that this “new” crop could bring to the commonwealth.

Q: Who can legally grow hemp in Pennsylvania?

A: Industrial hemp may be grown or cultivated in Pennsylvania for research conducted under an agricultural pilot program established by PDA. PDA will issue a research permit to an institution of higher education or to a person contracted by PDA or by an institution. In 2017, industrial hemp may not be grown in PA for general commercial activity, only as part of a research project.

Q: How can I apply to grow hemp in Pennsylvania?

A: Interested researchers can fill out the 2017 Industrial Hemp Research Pilot Program Permit application, which is found on the PDA website at the following [link](#).

Q: Will there be fees for the participants of the project?

A: Yes. PDA has established fees to cover the costs of administering the Act. There will be fees to acquire a permit, to cover research location field and facility inspections, sampling, and necessary laboratory testing of the crop as required by the permit. Additionally, other agencies may charge fees for their services (PA State Police and FBI criminal history background checks, the cost of other required permits from the U.S. Drug Enforcement Agency, Customs & Border Patrol, and the U.S. Department of Agriculture).

PDA was not allocated any funds to support pilot program research projects; therefore, participants will be responsible for providing funding for all research project expenses.

Q: When will hemp begin to be planted in Pennsylvania?

A: PDA will be accepting applications for an anticipated pilot program during the 2017 growing season. PDA has taken the initial steps to begin the federal process for importing hemp seeds from other countries, but because this process is not under the control of the commonwealth, it is not guaranteed that seeds will arrive in time for planting in the 2017 growing season. If the seeds are delayed, the permit holder will have the option to delay the project start date until 2018.

Q: How can a participant obtain industrial hemp seed?

A: At this time, there is no regulatory framework that allows movement of viable hemp seed interstate. However, hemp seed may be obtained from other countries under a DEA import registration. PDA has applied for a general import registration; an institution of higher education may also do so independently. Persons who have received an Industrial Hemp Research Pilot Program permit from PDA would then work with the registered importer to purchase seed for their project.

Q: How many research projects will be approved for 2017?

A: A maximum of 30 projects will be selected for the 2017 growing season. PDA will select the successful projects based on a complete program application and a determination of the merit of the research described.

Q: How many acres will be approved for each project?

A: A single research project will be conducted using a maximum research plot of 5 acres in size, or smaller plots which when combined will not exceed a size of 5 acres.

Q: What are some of the uses of industrial hemp?

A: There are reportedly more than 25,000 uses for industrial hemp. Part of the need for pilot programs is to determine what the most appropriate uses are for Pennsylvania in terms of growth, production and market. In 2017, research projects will be confined to fiber and seed usage.

Q: Will hemp products be moved out of the commonwealth?

A: Due to current federal law, raw or unprocessed hemp plants or plant parts may not cross state lines. Many processed materials can move freely.

Q: What happens if the hemp grown tests higher than the 0.3 % permitted for THC content?

A: By definition, the plants are no longer industrial hemp, and criminal sanctions could result.

Q: What products/uses of industrial hemp will be permitted in PA?

A: Industrial hemp products are regulated by several different federal and state mandates which can be difficult to sort through. Because a federal Statement of Principles restricts uses of industrial hemp to "industrial purposes (fiber and seed)," PDA will only approve products or uses that would use hemp fiber or seed for industrial purposes. Any medical uses of the plant would fall under the Medical Marijuana Act (Act of Apr. 17, 2016, P.L. 84, No. 16 Cl. 35) and the jurisdiction of the PA Department of Health. Another state legislative act limiting hemp use is the PA Commercial Feed Act, which does not support the use of hemp seed meal, hemp oil or other hemp products in animal feed.

Q: What about cannabinoids, like CBD?

A: Cannabinoids, such as cannabidiol (CBD), are a group of chemicals concentrated in the female flower of the cannabis plant. While they are chemically similar to THC, they do not have the psychoactive effect that THC has. They have been associated with many positive effects, including anti-inflammatory, anti-seizure, anti-anxiety, and anti-microbial effects.

The 2017 Industrial Hemp Research Pilot Program will not support research involving growth or cultivation of industrial hemp in order to produce these compounds, for several reasons: 1) federal guidance specifically states that industrial hemp be used exclusively for industrial purposes (fiber and seed); and 2) Pennsylvania is a state with no legal

recreational marijuana and very controlled medical marijuana production. In this regulatory climate, production of CBDs (which can then be converted to THC) creates a difficult situation for law enforcement in the state.

Q: This program seems very different from what I see happening in other states – why is that?

A: The Pennsylvania General Assembly based the Industrial Hemp Law, Act 92 on what the 2014 Farm Bill permitted, which is for industrial hemp to be grown as part of an agricultural research pilot program. As the regulatory agency charged with enacting this law, PDA is committed to adhering to the guidance of the Pennsylvania General Assembly as well as the federal government. There are other states that have enacted industrial hemp laws quite different from Pennsylvania's law. PDA may revise the program parameters in upcoming years to reflect changes in statutes, regulatory climate or scientific advances.

Q: What information about the research will PDA share?

A: Permits to do research under the PA Industrial Hemp Research Pilot Program will specify research reporting requirements. Those research reports will be filed with PDA, and PDA will share summaries of research findings, as appropriate.

Q: How do I get more information?

A: More information on the Industrial Hemp Research Pilot Program can be found on the PDA website at <http://www.agriculture.pa.gov/Protect/PlantIndustry/Pages/Industrial-Hemp-.aspx>. More specific details are spelled out in the 2017 Industrial Hemp Research Pilot Program Parameters found on this page.