## ****USDA Domestic Hemp Production Program Issues Final Rule****

*Jeffrey Davis, Business Development Specialist*

On January 19, 2021 the U.S. Department of Agriculture (USDA) published the U.S. Domestic Hemp Production Program final rule. The final rule provides regulations for the production of hemp in the United States and incorporates modifications based on public comments and lessons learned during the 2020 growing season.

William Richmond, Branch Chief, U.S. Domestic Hemp Production Program says, “We hope the publication of the final rule provides regulatory certainty for the emerging hemp industry. We worked hard to incorporate all the feedback received during two open comment periods prior to the issuing the final rule. We believe the publication of the final rule is an important step in providing stability and consistency to hemp growers in order to reduce crop loss. We remain committed to working with industry to fully understand the needs of this emerging crop.”

There are several changes to the final rule that make the program more flexible for States and Tribes. The pre-harvest inspection window has increased from 15 days to 30 days. New performance-based sampling flexibilities were included so States and Tribes can create sampling and testing schemes that work best for their local hemp industries. The ability to dispose of or remediate non-compliant hemp on-farm was also added to give farmers more cost-effective and flexible options in line with how farms traditionally function. “These changes, along with several others, will allow the nascent hemp industry the flexibility to develop and thrive,” says Mr. Richmond.

The final rule goes into effect on March 22, 2021. States and Tribes wishing to manage hemp programs in their jurisdictions must have a plan approved under the new final rule. States and Tribes have until December 31st, 2021 to transition from operating under the previous 2014 Farm Bill provisions to the new final rule provisions. The U.S. Domestic Hemp Production Program is happy to offer an informal review of a State or Tribal plan prior to formal submission. Please contact the program at [Farmbill.Hemp@usda.gov](mailto:Farmbill.Hemp@usda.gov) for more information.

More information about the provisions of the final rule is available on AMS’s [Hemp Production](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.ams.usda.gov%2Frules-regulations%2Ffarmbill-hemp&data=02%7C01%7C%7C556fdfbea3354e1601db08d8510cad24%7Ced5b36e701ee4ebc867ee03cfa0d4697%7C0%7C0%7C637348462233439989&sdata=mGDIWE672mFEUUJ0W5FKKzfpiXpGG1agm8brntli1kM%3D&reserved=0) webpage.

[View the Federal Register Notice](https://www.federalregister.gov/documents/2021/01/19/2021-00967/establishment-of-a-domestic-hemp-production-program)