

Iowa Hemp Act: Next Steps

Research Paper – September 2019

Farm Journal organized a series of “Hemp Colleges” around the United States, including a well-attended seminar in Altoona in September. Iowans heard from hemp producers, workers, lawyers and product marketers from across the nation and the industry. The Iowa Department of Agricultural and Land Stewardship (IDALS) presented on the next step for industrial hemp in Iowa, following this year’s passage of SF 599.

SF 599 is contingent on implementation

- There is no definition of “hemp” in Iowa Law because the Iowa Hemp Act is nearly all contingent on implementation.
- Cannabis is considered marijuana, a Schedule I Drug, until program is approved by USDA.

What needs to happen in Iowa to start hemp licensing?

1. U.S. Department of Agriculture needs to finalize federal hemp rules.
2. IDALS will submit the state plan for USDA approval.
3. When state plan is approved, IDALS must put notice in Iowa Administrative Bulletin. On day of publishing, the contingent implementation bill sections go “live” and licensing begins.

IDALS Suggests these Administrative Rules (not final or officially submitted):

- Maximum of 40 acres - Track everyone with 5% or more of legal or equitable interest in the hemp crop?
- Application deadline for outdoor grows - Set a deadline for applications? Unknown on how long background checks take.
- No growing hemp in a dwelling or attached structures - Iowa Law says no to growing in a dwelling, but the definition of a dwelling is lacking.
- Must destroy crop if high in THC - Specific deadline needed on how to destroy with “hot” THC over .03%.
- Mandatory reports - Reports needed on all steps... planting, pre-harvest, harvest?
- Set supplemental testing fees - Each variety is a separate test and has a set fee.

CBD: What’s legal in Iowa?

- Animal feed – NO hemp products are allowed in animal feed or supplements, restricted by U.S. Food and Drug Administration (FDA).
- Human consumption (food* and supplements) – NO, by FDA and Iowa Department of Inspections and Appeals (DIA).
**Hemp seed, hemp seed oil and protein powder from hemp seed are legal for consumption.*
- Medical Cannabidiol – YES, under certain circumstances in Iowa.
- Cosmetics – YES, under certain circumstances, as per FDA guidance.
- A product for consumption must be made in a licensed food-processing facility, directed by DIA.
- FDA says CBD is not legal for consumption.
- DIA cannot license a facility to make a product that isn’t legal for consumption.
- Until FDA’s stance changes, it is not legal to extract/process CBD in Iowa.

More information

www.iowaAgriculture.gov/hemp provides related links to various documents from Iowa Department of Public Health, Iowa Alcoholic Beverage Division, DIA, FDA and the Iowa Attorney General.