

Rep. Lemmons offered the following resolution:

**House Resolution No. 314.**

A resolution to memorialize Congress and the administration to recognize industrial hemp as a valuable agricultural commodity and to take certain steps to remove barriers in order to encourage the commercial production of this crop.

Whereas, Industrial hemp refers to the non-drug oilseed and fiber varieties of *Cannabis* which are cultivated exclusively for fiber, stalk, and seed. Industrial hemp is genetically distinct from the drug varieties of *Cannabis*, also known as marihuana. Industrial hemp has less than three tenths of one percent of the psychoactive ingredient, tetrahydrocannabinol (THC). The flowering tops of industrial hemp cannot produce any drug effect when smoked or ingested; and

Whereas, Congress never intended to prohibit the production of industrial hemp when restricting the production, possession, and use of marihuana. The legislative history of the federal Marihuana Tax Act, where the current definition of marihuana first appeared, shows that farmers and manufacturers of industrial hemp products were assuaged by Federal Bureau of Narcotic Commissioner Harry J. Anslinger, who promised that the proposed legislation bore no threat to them, saying "They are not only amply protected under this act, but they can go ahead and raise hemp just as they have always done it"; and

Whereas, The United States Court of Appeals for the Ninth Circuit ruled in *Hemp Industries v. Drug Enforcement Administration*, 357 F.3d 1012 (9th Cir. 2004), that the federal Controlled Substances Act of 1970 explicitly excludes non-psychoactive industrial hemp from the definition of marihuana. The federal government declined to appeal that decision; and

Whereas, The Controlled Substances Act of 1970 specifies the findings to which the government must attest in order to classify a substance as a Schedule I drug. Those findings include that the substance has a high potential for abuse, has no accepted medical use, and has a lack of accepted safety for use. None of these apply to industrial hemp; and

Whereas, Article 28, Section 2, of the United Nations Single Convention on Narcotic Drugs, 1961, as amended by the 1972 Protocol, states that, "This Convention shall not apply to the cultivation of the cannabis plant exclusively for industrial purposes (fibre and seed) or horticultural purposes"; and

Whereas, Hemp products abound in the United States. Nutritious hemp foods can be found in grocery stores nationwide and strong durable hemp fibers can be found in the interior parts of millions of American cars. Buildings are being constructed using a hemp and lime mixture, thereby sequestering carbon. Retail sales of hemp products in this country are estimated to be \$1 billion annually; and

Whereas, American farmers are missing out an important economic opportunity. American companies are forced to import millions of dollars worth of hemp seed and fiber products annually from other countries, thereby effectively denying American farmers an opportunity to compete and share in the profits. Industrial hemp is a high-value low input crop that is not genetically modified, requires little or no pesticides, can be dry land farmed, and uses less fertilizer than wheat and corn. Farmers in more than 30 countries, including Canada, Great Britain, France, Germany, Romania, Australia, and China, can produce industrial hemp without undue restriction or complications; and

Whereas, Industrial and commercial grade hemp could help stimulate an economic resurgence in the city of Detroit and the state of Michigan as part of the New Green Economy. The State of Michigan, in general, and the City of Detroit, specifically, are in dire economic times. Detroit has an abundance of vacant land that could be used for industrial hemp farming, as well as the processing and production of over 25,000 potential products and finished goods. This could create an economic resurgence by creating thousands of jobs for Detroit and Michigan; and

Whereas, The reluctance of the United States Drug Enforcement Administration (DEA) to permit industrial hemp farming is denying agricultural producers in this country the ability to benefit

from a high-value, low-input crop, which can provide significant economic benefits to producers and manufacturers. The DEA has the authority under the Controlled Substances Act to allow Michigan to regulate industrial hemp farming under existing state laws and without requiring individual federal applications and licenses; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress and the administration to recognize industrial hemp as a valuable agricultural commodity and to take steps to remove barriers in order to encourage the commercial production of this crop; and be it further

Resolved, That we urge the DEA to allow Michigan to regulate industrial hemp farming under existing state laws and regulations, or those to be passed, without requiring federal applications, licenses, or fees; and be it further

Resolved, That copies of this resolution be transmitted to President of the United States, the Attorney General of the United States, the Administrator of the United States Drug Enforcement Administration, the Director of the Office of National Drug Control Policy, the United States Secretary of Agriculture, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.