

Bill's Authors Are Trying to Rope in Support for Hemp

By George Skelton: Capitol Journal
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AB 1147 is not the biggest bill of this legislative session, but it is one of the most intriguing — and most fun.

Start with its purpose: to legalize the growing of hemp, a cousin of marijuana — both members of the notorious cannabis family.

Then proceed to the bill's *joint* authors, a pun that's unavoidable.

One is a liberal San Francisco Democrat, Assemblyman Mark Leno; the other a conservative Irvine Republican, Chuck DeVore.

If nothing else, this bill shows it is possible for two legislators of diametrically opposite ideologies to acknowledge some common ground and work together to change public policy.

Both agree that hemp — advocates call it industrial hemp — is taking off worldwide as a plant used for fiber (in car door panels, for example), food (energy bars, granola, smoothies) and body care (shampoos, soaps).

And they think it's illogical that the federal government allows the importation of foreign hemp for American manufacturing into legally sold products, but bans the growing of hemp by American farmers. So they're trying to force the issue.

Their bill would sanction the growing of hemp in California for sale within the state, but forbid interstate commerce of "viable" seeds — those that can germinate — in an effort to keep the feds from nosing around. No doubt federal courts ultimately would sort it all out.

The bill also would define hemp, under California law, as a safe crop, not a drug.

Hemp contains only a trace of the dope THC, three-tenths of 1%. Marijuana has from 3% to 15%.

"There's no more THC in hemp than the poppy seed on your bagel has opium," asserts Leno. "Beyond that, industrial hemp is marijuana's natural eradicator." Cross-pollination with hemp takes the kick out of pot, experts report.

"Not only will you not get a high" by smoking hemp, says Patrick Goggin of San Francisco, counsel for the Hemp Industries Assn., "you'll get a headache and need a

Tylenol."

But hemp is a nutritious food, its boosters claim: The seed oil replaces unhealthy fats with beneficial fatty acids that help fight high cholesterol and rheumatoid arthritis. Fish also contain fatty acids, advocates continue, but are becoming increasingly scarce and polluted with mercury.

Hemp has a long and distinguished history, at least until it was unfairly maligned by drug warriors during the last century. Rope, sails and paper have been made from hemp all through civilization. The Declaration of Independence was drafted on hemp paper. George Washington and Thomas Jefferson grew it.

In the 1800s, hemp was America's third-largest agricultural product. But it was labor-intensive and became less economical because of the cotton gin and the abolition of slavery. Still, hemp was grown in California until the Depression, when the feds cracked down on marijuana and mistakenly booked its innocent cousin in the bust.

During World War II, Washington begged farmers to resume growing the crop, promoting a "Hemp for Victory" campaign. But in 1970, cultivation was banned under the Controlled Substances Act. Any hemp needed for making products had to be imported.

The Drug Enforcement Administration (DEA), soon after President Bush took office, tried to outlaw the sale of all hemp foods. But it got slapped down in 2004 by the U.S. 9th Circuit Court of Appeals. The DEA had no jurisdiction over hemp, the court ruled. But the jurists didn't say whether farmers could cultivate the plant. And that's where we stand today. The Bush administration didn't appeal.

California entrepreneurs, equipped with new technology, are eager to expand the hemp industry and grow the crop in the Central and Imperial valleys.

"The potential is enormous," says David Bronner, whose grandfather founded Dr. Bronner's Magic Soaps in Escondido. His company, the largest manufacturer of natural soaps in the country, now imports its hemp from Canada. He figures it could save 20% by buying locally.

John Roulac of Ojai, founder of Nutiva, says he'd like to build a processing plant in Bakersfield to handle locally-grown hemp. Either there, or he plans to build it in North Dakota.

Each month, Roulac says, he trucks three loads of Canadian-produced hemp products to a warehouse in Santa Paula. "Our sales are growing 120% a year," he says. "I have no problem selling. I have a supply issue."

The Leno-DeVore bill has passed the Assembly. Its next hurdle will be the Senate Appropriations Committee.

You'd think that such a business-friendly, job-creation proposal would be overwhelmingly supported by Republicans. Hardly. Only two GOP lawmakers favor it: DeVore and the independent-minded Sen. Tom McClintock of Thousand Oaks. The rest are skittish about being tagged as soft on drugs.

"Some have told me," DeVore says, "that 'This is not a smart thing to do, Chuck. You're exposing yourself to future hit pieces' in a Republican primary."

"My rejoinder is this is the right thing. Who are we in government to tell farmers what they can and cannot grow if a drug is not involved? It's crazy."

One major opponent is the 7,000-member California Narcotic Officers' Assn. It says officers would have trouble distinguishing between marijuana and hemp. Pot is a short plant. And although hemp grown for fiber is bamboo-tall, when it's cultivated just for seed, the plant looks more like marijuana.

"If the Canadian Mounties can understand the difference, don't you think American law enforcement could?" responds Roulac. "It's an insult to the intelligence of American officers."

Gov. Arnold Schwarzenegger hasn't taken a position. But why wouldn't he sign such a bill? It offers an economic boost. Hemp benefits the environment, using relatively little water. And he always has promoted nutritional supplements.

"No matter what any of the politicians do," Roulac asserts, "the marketplace is saying 'yes' for hemp. Eventually, economics will trump politics."

Besides intriguing and fun, AB 1147 is sensible. Not allowing farmers to grow marijuana's harmless cousin is akin to reefer madness.

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