



600 E. Boulevard Ave., Dept. 602  
Bismarck, ND 58505-0020

**Prepared Remarks**  
by  
**The Honorable Roger Johnson**  
**North Dakota Agriculture Commissioner**

**Introduction of**  
**Industrial Hemp Farming Act**  
**2168 Rayburn House Office Building**  
**June 23, 2005**  
**12:00 p.m.**

---

**Background**

North Dakota is a strong agricultural state, leading the nation in the production of thirteen commodity categories including flaxseed, canola, dry edible peas, durum wheat, pinto beans, spring wheat, all sunflower, oil sunflower, non-oil sunflower, barley, lentils, all dry edible beans, honey and oats. Agriculture is a \$4 billion industry in the state, employing more than 20 percent of our workforce.

North Dakota was also once a leader in the production of industrial hemp. During World War II, the U.S. Department of Agriculture initiated a "Hemp for Victory" campaign and distributed 400,000 pounds of hemp seeds to farmers. North Dakota had substantial acreage in hemp production during this time. After the war, hemp farming was outlawed, and for many years, the plant was listed as a noxious weed in the state.

## **Industrial Hemp: North Dakota Takes Action**

On July 23, 1998, North Dakota State University researchers issued a study, "Industrial Hemp as an Alternative Crop in North Dakota" (Attachment 1). This study described existing world markets and possible U.S. markets for industrial hemp and described the potential economic feasibility of industrial hemp in North Dakota. The study's authors recommended that the North Dakota Legislature consider allowing controlled experimental production and processing of industrial hemp to gain baseline data for establishing production, processing and marketing requirements.

The following year, the Legislature passed two bills, sponsored by Representative David Monson of Osnabrock, authorizing the production of industrial hemp. House Bill 1428 (Attachment 2) recognized industrial hemp as an oil seed and allowed the production, processing and marketing of industrial hemp that contained no more than 0.3 percent THC (tetrahydrocannabinol). The state agriculture commissioner was authorized to regulate the production of industrial hemp (North Dakota Century Code 4-41).

The second bill, Senate Bill 2328 (Attachment 3), authorized North Dakota State University to conduct baseline research, including production and processing in conjunction with the research and extension centers regarding industrial hemp and other alternative industrial use crops (North Dakota Century Code 4-05.1, Attachment 4).

Just this year, the Legislature passed House Bill 1492 (Attachment 5), which authorized North Dakota State University to collect feral hemp seed stock and

develop appropriate strains of industrial hemp containing less than 0.3 percent THC. The legislation provided that

“...The agriculture commissioner shall monitor the collection of feral hemp seed stock and industrial strain and shall certify appropriate stocks for licensed commercial cultivation” (NDCC 4-05.1-05).

This bill was also sponsored by Representative Monson.

### **Federal Government Roadblocks**

Although several pieces of legislation have been passed, North Dakota has not been able to move forward to develop an industrial hemp industry because federal authority supersedes our numerous state laws, and the federal government does not allow the production, processing or marketing of industrial hemp.

On April 4 and again on May 5, 2000, my office requested the U.S. Drug Enforcement Administration to provide a copy of their rules and regulations regarding industrial hemp (Attachment 6). I eventually received a non-responsive response from DEA, stating that the rules and regulations were being reviewed by the agency’s legal staff and that ...“the cultivation of marijuana involves a variety of interests at the federal level.” (Attachment 7). It was very clear that the DEA considered industrial hemp and marijuana to be one and the same.

In 2003, North Dakota State University received state funding from the Agricultural Products Utilization Commission (APUC) to erect security fences for test plot research of industrial hemp upon DEA approval (Attachment 8). APUC administers four grant programs for researching and developing new and expanded uses for North Dakota agricultural products: basic and applied research, marketing

and cooperative marketing utilization, farm diversification, and agricultural prototype.

In 2003, North Dakota State University applied for a permit from the DEA for permission to conduct research on agronomic requirements for industrial hemp production. DEA has never responded to the request, even after inquiries from U.S. Senator Byron Dorgan and North Dakota Governor John Hoeven. The research did not take place.

### **Moving Forward**

Industrial hemp was the first plant to be domesticated more than 12,000 years ago. Since then, it has been used to produce more than 25,000 superior products including the ropes and sails for Christopher Columbus' ships, the canvas for Rembrandt's paintings, and the parchment paper on which the Declaration of Independence was first drafted. Industrial hemp was a major cash crop on George Washington's and Thomas Jefferson's plantations, and it was accepted by state and federal governments for payment of taxes for 200 years. Today, it is used for soap, cosmetics, fertilizer, livestock bedding, strengthening additives, carpet, paper, paints, putty, plastics, automotive parts, a variety of food and nutritional supplements, clothing and shoes and much more.

I believe that once the crop is legalized in this country, researchers will find even more uses for industrial hemp. Because it thrives without pesticides or herbicides, reinvigorates the soil, and matures in less than four months, industrial hemp could become a popular crop and provide a fairly steady return for producers. North

Dakota's climate is ideal for growing industrial hemp, as evidenced by the feral plants that have existed in our climate for over 60 years.

The National Association of State Departments of Agriculture (NASDA), which represents the commissioners, secretaries, and directors of agriculture in the fifty states and four territories, adopted the following position statement on September 28, 2004:

#### 11.10 New Uses of Agricultural Products:

Industrial Hemp – NASDA supports revisions to the federal rules and regulations authorizing commercial production of industrial hemp. NASDA urges the U.S. Department of Agriculture (USDA), the Drug Enforcement Administration (DEA) and the Office of National Drug Control Policy (ONDCP) to collaboratively develop and adopt an official definition of industrial hemp that comports with definitions currently used by countries producing hemp. NASDA also urges Congress to statutorily distinguish between industrial hemp and marijuana and to direct the DEA to revise its policies to allow USDA to establish a regulatory program that allows the development of domestic industrial hemp production by American farmers and manufacturers.

I believe that industrial hemp production has great potential to offer economic benefits for producers, processors, manufacturers, distributors, retailers, and consumers. Therefore, I strongly support the Industrial Hemp Farming Act, introduced by U.S. Rep. Ron Paul of Texas that will allow states, like North Dakota, to regulate industrial hemp farming and allow American farmers to produce this versatile and potentially profitable crop.