



Kentucky Department of Agriculture Sues DEA in U.S. District Court Over DEA's Refusal to Respect Farm Bill Hemp Provision *KDA Seeks Injunction to Protect Lawful Hemp Research from DEA Interference*

Frankfort, KY – Kentucky Department of Agriculture (KDA) filed a lawsuit on Wednesday, May 14, to seek an injunction and declaratory relief to stop the U.S. Drug Enforcement Administration's (DEA) unlawful seizure of imported industrial hemp seed, and DEA attempts to prevent hemp cultivation and research pilot programs in Kentucky. The KDA filed the suit in the U.S. District Court for the Western District of Kentucky, and is asking the court for an emergency hearing to immediately force the DEA to cease interference with the six Kentucky hemp research projects, which are authorized by [Sec. 7606 of the Farm Bill](#) that was signed into law on February 7, 2014 by President Obama.

Prior to filing the suit, KDA had been in good faith dialog with the DEA to negotiate the release of a shipment of 250 lbs. of certified industrial hemp seed imported from Italy, which had been seized by the federal agency and held by U.S. Customs in Louisville. The industrial hemp seed was destined for various pilot programs all licensed by the Kentucky Department of Agriculture and coordinated in conjunction with Kentucky state academic institutions, in order to begin research and development projects to optimize the agricultural, economic and manufacturing potential of the imminent hemp industry in Kentucky. However, on Tuesday May 13th, DEA sent a letter to KDA informing Commissioner James Comer's office that the DEA would require KDA to apply for a seed import license.

The provision of the Farm Bill title "Legitimacy of Industrial Hemp Research," precludes the authority of the DEA over state sanctioned hemp cultivation. Hence, both DEA's hemp seed seizure, and the stipulation that KDA must acquire DEA permission to license farmers to sow and cultivate hemp, violate the clear Congressional intent of the Farm Bill provision, which indisputably defines industrial hemp as "the plant *Cannabis sativa L.*, and any part of such plant, whether growing or not, and with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis;" and permits states that have legalized hemp cultivation to proceed with creating the legal framework for, and implementation of, cultivation of industrial hemp for research and development programs.

"Over the last 5 years America has lost over 100,000 family farms. We should be doing everything in our power to enable our family farms to thrive. As a family farm advocate, I see the actions of the DEA as a direct assault to the family farm," says Mike Lewis, Executive Director of Growing Warriors, the nonprofit group dedicated to helping military veterans learn agriculture skills, which hopes to stage a ceremonial planting on May 16. "We are growing hemp fiber for flags and textiles, not drugs. The DEA needs to wake up."

"If the DEA persists with this fool's errand, Vote Hemp will also pursue legal action," says Eric Steenstra, President of Vote Hemp, the nation's leading advocacy group for industrial hemp legalization. "Vote Hemp and the Hemp Industries Association are dedicated to defending the legitimacy of industrial hemp cultivation, but furthermore, we will also stand up for the honest and hardworking farmers, manufacturers and entrepreneurs who see hemp as an opportunity for economic growth. We are clearly on the right side of the law in this case. We also appreciate the leadership and courage that Kentucky Agricultural Commissioner Comer continues to demonstrate in standing up to DEA's interference and intimidation tactics."

To date, thirty-three states have introduced pro-hemp legislation and twenty-two have passed pro-hemp legislation. Fifteen states (California, Colorado, Hawaii, Indiana, Kentucky, Maine, Montana, Nebraska, North Dakota, Oregon, Tennessee, Vermont, Washington and West Virginia) have defined industrial hemp as distinct and removed barriers to its production, and are hence able to pursue industrial hemp cultivation per the parameters prescribed by Sec. 7606 of the Farm Bill.

In 2013, both the federal Senate and House introduced versions of the Industrial Hemp Farming Act, S. 359 and H.R. 525 respectively. So far in the 2014 legislative session, industrial hemp legislation has been introduced or carried over in Puerto Rico and twenty-five states: Alabama, Arizona, Colorado, Connecticut, Hawaii, Illinois (carried over from 2013), Indiana, Kentucky, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire (carried over from 2013), New Jersey (carried over from 2013), New York, Oklahoma, South Carolina, South Dakota, Tennessee, Utah, Washington (two bills were carried over from 2013), West Virginia, and Wisconsin. For current and complete information regarding state industrial hemp legislation, visit: www.votehemp.com/state.html.

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The Hemp Industries Association (HIA) represents the interests of the hemp industry and encourages the research and development of new hemp products. Vote Hemp is a national, single-issue, non-profit organization dedicated to the acceptance of and a free market for low-THC industrial hemp and to changes in current law to allow U.S. farmers to once again grow this agricultural crop. More information about hemp legislation and the crop's many uses may be found at www.VoteHemp.com and www.TheHIA.org.