



# PRODUCTION & PROCESSING OF ORGANIC HEMP

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## Guidance

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With the passage of the 2018 Farm Bill, hemp was reclassified as an agricultural commodity instead of a controlled substance. The 2018 Farm Bill further allowed for industrial hemp production in all 50 states for any use, including flower production and cannabidiol (CBD) or other cannabinoid extraction. Many farmers are interested in hemp production. As a cover crop, hemp enhances soil health by shading out weeds and adding diversity to crop rotations, improving soil health. Hemp is also versatile in the market, with thousands of uses for its seed, oil, and fiber. Hemp contains a compound called cannabidiol, or CBD, that may have therapeutic applications. Many producers and processors have chosen to add value to their hemp products by certifying them as organic.

### DEFINITIONS

- Industrial Hemp – the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis (2014 Farm Bill)

### NOP REGULATIONS AND PCO POLICY

PCO can certify you to grow or process industrial hemp. Hemp, hemp products, and ingredients made from organic hemp may be certified organic in compliance with National Organic Program (NOP) regulations at 7 CFR §205 and PCO policy. If you contract with several growers to produce hemp, each grower must be individually certified.

The USDA organic regulations do not have any provisions that would restrict the types of products that can be made from organic hemp—including CBD. Any other laws or regulations pertaining to hemp would be enforced by the applicable authorities and are outside the scope of NOP certification. The further processing of hemp (fiber, seed, extracts, cannabinoids, and derivatives), including on-farm processing, does not require additional documentation beyond compliance with the National Organic Program regulations at 7 CFR §205. Operations who grow and/or process are responsible for maintaining the proper permitting, licensing and/or registration with appropriate authorities. The operator may be required to submit documentation to PCO for the purposes of verifying license and registration.

### ADDITIONAL INFORMATION

#### **CAN NON-ORGANIC HEMP SEED BE USED TO GROW ORGANIC HEMP?**

Non-organic hemp seeds are permitted in organic production, provided that operators demonstrate that equivalent organically produced varieties of organic seeds are not commercially available. Non-organic seeds must be non-GMO. Operators must keep documentation of the seed purchased and any seed treatments applied. Please note, however, that seedlings (excluding clones) used to produce an organic crop must be grown on-farm or by a certified organic operation.

#### **CAN I USE FEMINIZED SEED TO GROW MY ORGANIC HEMP?**

Yes! Feminized seeds are modified to produce only female plants. Feminization may be used to produce hemp

seeds for organic production. If feminization is used to produce hemp seeds, seeds may be considered organic if all materials used in the feminization process are approved by PCO for this use.

#### **IS HEMP TISSUE CLONE CULTURING PERMITTED FOR GROWING ORGANIC HEMP?**

Yes! Tissue clone culturing is a technique used to produce clones of a plant. Tissue clone culture for organic hemp production is permitted, provided that prohibited substances are not applied after the tissue clone culture is taken from the mother plant. Non-organic clones are permitted if equivalent organically produced clones are not commercially available.

#### **DO HEMP TRANSPLANTS GROWN FROM SEED NEED TO BE CERTIFIED ORGANIC?**

Transplants grown from seed are annual seedlings and must be grown on a certified organic operation. If you are not growing the transplants, you must provide documentation that they are certified organic.

#### **CAN CANNABIDIOL (CBD) PRODUCTS BE CERTIFIED ORGANIC?**

Yes! If the CBD is extracted from a certified organic hemp plant, is extracted and handled in a compliant manner, and is processed in a certified organic facility, the CBD or hemp flower extract may be certified organic. Mechanical extraction of hemp is permitted. Solvent extraction of hemp is permitted, provided that extracts comply with PCO review criteria on non-organic ingredients/processing aids. Any carrier oils or processing aids must be approved by PCO. In order for a final CBD product to be labeled as organic, the extraction must be done by a certified organic operation.

#### **WHAT PROCESSED PRODUCT CAN I PRODUCE USING HEMP?**

Hulled hemp seeds, hemp seed protein, and hemp seed oil are FDA designated as GRAS and are permitted as food additives and are therefore permitted in certified organic food / ingestible products. All parts of the hemp plant are also permitted for use in products intended to be smoked. All hemp products (including CBD) are permitted for use in certified organic products not intended for ingestion (e.g. body care products). PCO may also certify ingestible products (including food and dietary supplements) that contain CBD provided that they meet any other applicable criteria/laws. PCO only verifies that products comply with applicable USDA organic regulations. Compliance with other criteria or laws is not the responsibility of PCO.

#### **RESOURCES**

- <https://nationalaglawcenter.org/research-by-topic/industrialhemp/>
- [www.ncsl.org/research/agriculture-and-rural-development/state-industrial-hemp-statutes.aspx](http://www.ncsl.org/research/agriculture-and-rural-development/state-industrial-hemp-statutes.aspx)
- 2014 Farm Bill <https://www.congress.gov/bill/113th-congress/house-bill/2642>
- 2018 Farm Bill <https://www.congress.gov/bill/115th-congress/house-bill/2/text>