

Industrial Hemp Advisory Committee

Minutes of Meeting
2020 - 2021 Interim
October 26, 2020

I. CALL TO ORDER

Representative Jack G. McFarland, co-chairman of the Industrial Hemp Advisory Committee, called the meeting to order at 9:17 a.m.. in Room 5, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

LEGISLATIVE MEMBERS PRESENT:

Representative Jack G. McFarland, co-chairman
Senator Stewart Cathey, Jr., co-chairman
Representative Larry A. Bagley
Representative Paula Davis
Senator Patrick McMath
Senator Mike Reese
Representative Clay Schexnayder
Senator Gary Smith

LEGISLATIVE MEMBERS ABSENT:

None

NON-LEGISLATIVE MEMBERS PRESENT:

Ms. Patsy Angelle
Ms. Kristy Hebert
Mr. Timmy Thompson
Dr. Meredith Warner

NON-LEGISLATIVE MEMBERS ABSENT:

None

HOUSE STAFF MEMBERS PRESENT:

Nicholas Cole, attorney
Trinicia Bryant, committee administrative assistant

SENATE STAFF MEMBERS PRESENT:

Curry Lann, attorney
Gail Brister, secretary

ADDITIONAL ATTENDEES PRESENT:

Representative C. Travis Johnson
Faye Talbot, House sergeant at arms
Fate Mitchell, Senate sergeant at arms

III. DISCUSSION

Representative McFarland stated that the purpose of the meeting was for informational purposes and for each of the members to become acquainted and to also gain education regarding the hemp industry, the hemp business, and possible opportunities for the state of Louisiana.

Receive Reports from Regulatory Agencies

Louisiana Department of Agriculture and Forestry

Commissioner Mike Strain, Louisiana Department of Agriculture and Forestry (LDAF), no address provided, (225) 922-1233, provided the committee with an update on the Industrial Hemp Program. He presented a PowerPoint entitled "Industrial Hemp Program Update, Louisiana Department of Agriculture and Forestry", Exhibit A, which is included in the committee records. Commissioner Strain provided the committee with the status of 2020 hemp applications, total of hemp acres and samples collected, program challenges, federal hemp regulations, 2020 LDAF inspections and audits, and 2021 licensing and renewals.

Representative Bagley inquired about inspections and if Louisiana was in the position to conduct inspections. Commissioner Strain responded by stating LDAF is currently using current field personnel to conduct inspections.

Senator Gary Smith inquired about the difference between the approved and licensed growers numbers referenced in the PowerPoint. Ms. Angela Guidry, Louisiana Department of Agriculture and Forestry, 5825 Florida Blvd., Suite 3004, Baton Rouge, LA 70802, (225) 925-4863, explained that the difference is based on the application criteria that is approved and payment received. She also explained the process of notifying the applicants and payment procedures.

Ms. Kristy Hebert and Ms. Guidry discussed hemp flower grown in Louisiana and distributed to other states.

Senator Cathey and Mr. Lester Cannon, Louisiana Department of Agriculture and Forestry, 5825 Florida Blvd., Suite 3004, Baton Rouge, LA 70802, (225) 925-4733, discussed the amount of hemp acres harvested and where the hemp was processed.

Senator McMath asked for clarification of the cost breakdown for the four types of licenses and if there were any prorations or cost adjustments due to COVID-19. Ms. Guidry stated that the cost of the licenses are \$500 each across the board and that no costs were prorated or adjusted due to COVID-19.

Senator Smith and Mr. Cannon discussed the reasoning behind licenses being issued based on a calendar year and not on the date the license was issued. Senator McMath and Mr. Cannon discussed the seed commission, seed quality, certificate of analysis, and sale of seeds in Louisiana.

Representative Johnson inquired about the acres planted, failed crops and practices in place to minimize the impact of low quality seeds. Mr. Cannon stated LDAF is implementing a policy that will require growers to have their seeds tested for both purity and germination before planting.

Representative McFarland and Commissioner Strain discussed seed certification processes, cost per seed, funding challenges, and turnaround for background checks. Ms. Guidry stated that Louisiana State Police has the quickest turnaround and delays occur when requesting a federal background check. Representative McFarland also asked for clarification of growing in a controlled environment, to which Commissioner Strain responded that growing in a controlled environment allows control over the amount of moisture, insect pressure, and daylight.

Louisiana Department of Health

Mr. Justin Gremillion, Louisiana Department of Health (LDH), Bienville Building, no address provided, (225) 342-7545, spoke for information only. Mr. Gremillion provided a handout entitled "Louisiana Department of Health, Public Health, Industrial Hemp Derived Cannabidiol Products (IHDCP)", Exhibit B, which is included in the committee records. He provided an overview of the role of LDH as it pertains to facilities manufacturing or distributing IHDCP's intended for human consumption that are located in the state of Louisiana. He also provided information on labeling, laboratory permits, labeling fees, sanitization, cleanliness, and product registration.

Senator Smith asked for clarification of the turnaround of the LDH permit process to which Mr. Gremillion stated the turnaround is approximately 10 days. Senator Smith then asked if the label registration could be done simultaneously with the permit process to which Mr. Gremillion stated it could be and that permits and registrations were valid for a fiscal year beginning in July every year and any significant changes to labeling or ingredients will result in a new registration.

Louisiana Office of Alcohol and Tobacco Control

Commissioner Ernest Legier, Louisiana Office of Alcohol and Tobacco Control (ATC), 7979 Independence Blvd., Baton Rouge, LA 70806, (225) 954-0178, spoke for information only. He provided a PowerPoint entitled "Louisiana Office of Alcohol and Tobacco Control, CBD Regulations", Exhibit C, which is included in the committee records. Commissioner Legier informed the committee of the role of the ATC in the regulation of CBD and hemp products and provided an overview of ATC permits costs, current number of permits issued, and penalties and fines associated with the sale of CBD products without a permit. He also stated that challenges for regulatory agencies are a result of competing interest within the authorizing legislation.

Ms. Linda Pham, ATC, 7979 Independence Blvd., Suite 101, Baton Rouge, LA 70806, (225) 925-6345, spoke for information only. Ms. Pham provided clarification of the permitting process, permit expiration, and permit renewal process. She also provided information on event permit requirements.

Commissioner Legier informed the committee of additional challenges which included product labeling, hemp and non-hemp derived products, and inconsistencies among regulatory agencies.

Senator Cathey asked what each of the regulatory agencies present did differently and if three agencies were needed for regulation of CBD or hemp products. Mr. Gremillion stated LDH is not involved if the product is minimally processed and raw, but once it enters a processing plant LDH has to register and permit the product.

Senator McMath and Mr. Legier discussed federal regulations and the differences between alcohol regulation and CBD and hemp regulation.

Ms. Veronica Dominach, Natural ReLeaf, 23123 Nick's Rd., Mandeville, LA 70471, (985) 502-0237, spoke for information only. Ms. Dominach provided a written statement, Exhibit D, which is included in the committee records.

Presentation of Research Findings

LSU Ag Center

Dr. Ashley Mullens, LSU AG Center, Baton Rouge, LA, no address given, (225) 278-1980, spoke for information only. She informed the committee of LSU Ag Center creating the Industrial Hemp Working Group to research crop production, plant breeding, pest management, agriculture economics, chemistry, and plant mythology. She also informed the committee of partnerships with other land grant institutions and their work with LDAF and USDA field trials.

Southern University Ag Center

Dr. Janana Snowden, SU Ag Center, Fisher Hall, Room 118, Baton Rouge, LA, (225) 771-3206, spoke for information only. Dr. Snowden informed the committee of current challenges being faced with outdoor growing facilities. She also stated SU Ag Center has started to use indoor growing facilities and that the crop yield has been higher with indoor grow facilities. Dr. Snowden concluded by stating that SU Ag Center is currently participating in field research in Opelousas and looking to move field trials to the north Louisiana area and is eager to provide the committee with future research findings.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Davis offered a motion to adjourn. Without objection, the motion passed by a vote of 11 yeas and 0 nays. Representatives McFarland, Bagley, Davis, Senators Cathey, McMath, Reese, Smith, Ms. Angelle, Ms. Hebert, Mr. Thompson, and Dr. Warner voted yea.

The meeting was adjourned at 11:42 a.m.

Respectfully submitted,

Co-Chairman Jack G. McFarland
Industrial Hemp Advisory Committee

Date adopted: January 28, 2021