



Changes to New York's Industrial Hemp Agricultural Research Pilot Program FAQ

On October 31, 2019, the USDA released details on the new federal licensing program. Visit [here](#) for details.

On December 9, 2019, Governor Andrew M. Cuomo signed A7680a/S6184a, creating a state hemp licensing program for hemp growers and processors. Visit [here](#) for more information.

These two actions will change the landscape for growers and processors in New York State. Here's what you need to know:

1. What does this mean for NY hemp growers? Do either of these changes affect my hemp grower license?

The new state legislation does not immediately affect the Department's current growers of hemp.

The federal program lays out the terms of the new federal hemp licensing program that will replace the current federal research pilot program. These changes do not take full effect until November 1, 2020.

Research Partners with current, valid authorizations to grow hemp do not need to take any additional action to remain in the Research Pilot Program. Their authorizations are still valid through October 31, 2020.

New growers who would like to join the Research Program and growers whose authorizations expire prior to October 31, 2020, will be able to apply in early 2020 for authorization to grow industrial hemp in the 2020 growing season.

2. Does this mean that your policy on CBD in food has changed?

No. The bill does not change the State's policy on CBD in food. The State does not currently allow the addition of CBD to food and beverages. The State allows the manufacture and sale of CBD as a dietary supplement, which ensures that it meets strict requirements for manufacturing, labeling and advertising for increased consumer awareness and protection.

3. Can I start selling CBD water? The law signed allows 20 milligrams of CBD to be added to beverages.

No, it remains illegal to sell foods and beverages with CBD added. The State law signed does not take effect for 90 days. The Governor and the legislature have agreed on legislative changes, which include removing that provision, to be enacted before March 9, 2020.

4. How can I get a license to sell products with CBD or other hemp extracts?

A licensing program will be established in 2020 to allow the manufacture and sale of dietary supplement products with CBD or other hemp extracts. Until then, producers outside the Research Program are not able to manufacture dietary supplements containing CBD.

5. Will New York State be joining the federal program?

The Department has concerns about several provisions of the USDA's Interim Final Rule and how they would affect our growers. Our priority is to support our growers and the hemp industry in New York State. We are in conversation with the USDA and with other states to help us determine the best course to keep our hemp industry growing. We expect to submit comments to the USDA on this Interim Final Rule.

The Department encourages the industry to share their thoughts or concerns about the Interim Final Rule by submitting comments [here](#). Comments will be accepted until December 30, 2019.