

Congress of the United States
House of Representatives
Washington, DC 20515

April 16, 2002

The Honorable Asa Hutchinson
Administrator
Drug Enforcement Agency
12060 Lincoln Place-West
700 Army Navy Drive
Arlington, Virginia 22202

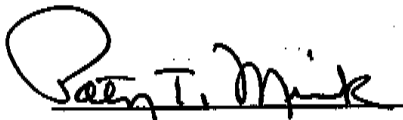
Dear Administrator Hutchinson:

We are writing in regard to the DEA's new rules on industrial hemp, published in the Federal Register on October 9, 2001. These include an "interpretive" rule, effective immediately, and an identical "proposed" rule. Both rules ban foods made with hemp seed and oil because of the infinitesimal amount of trace residual THC they contain, declaring that "any" amount of THC makes a food criminal under the Controlled Substances Act.

Since these rules were issued, we have been contacted by my constituents, including a State Representative Cynthia Thielen, requesting that the DEA repeal or amend the interpretive rule which is currently being challenged in the 9th Circuit Court in *Hemp Industries Association v. Hutchinson*. The argument to repeal the DEA's interpretive rule is that hemp contains only a *de minimis* amount of THC and consumption of hemp products has not been scientifically proven to cause any psychoactive effects. If the DEA must publish a rule, it is our understanding that the hemp foods industry is willing to work with the DEA to establish a science-based THC level where all products containing THC above this amount would be banned in the United States.

We thank you for your attention and consideration of this matter.

Sincerely,



Patsy T. Mink
Member of Congress



Neil Abercrombie
Member of Congress