

AMENDMENT NO. _____ Calendar No. _____

Purpose: To amend the Controlled Substances Act to exclude industrial hemp from the definition of marihuana, and for other purposes.

IN THE SENATE OF THE UNITED STATES—112th Cong., 2d Sess.

S. 3240

To reauthorize agricultural programs through 2017, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. WYDEN

Viz:

1 On page 1009, after line 11, insert the following:

2 **SEC. 12207. INDUSTRIAL HEMP.**

3 (a) EXCLUSION OF INDUSTRIAL HEMP FROM DEFINI-

4 TION OF MARIHUANA.—Section 102 of the Controlled

5 Substances Act (21 U.S.C. 802) is amended—

6 (1) in paragraph (16)—

7 (A) by striking “(16) The” and inserting

8 “(16)(A) The”; and

9 (B) by adding at the end the following:

10 “(B) The term ‘marihuana’ does not include in-

11 dustrial hemp.”; and

1 (2) by adding at the end the following:

2 “(57) The term ‘industrial hemp’ means the
3 plant *Cannabis sativa* L. and any part of such plant,
4 whether growing or not, with a delta-9
5 tetrahydrocannabinol concentration of not more than
6 0.3 percent on a dry weight basis.”.

7 (b) INDUSTRIAL HEMP DETERMINATION.—Section
8 201 of the Controlled Substances Act (21 U.S.C. 811) is
9 amended by adding at the end the following:

10 “(i) INDUSTRIAL HEMP DETERMINATION.—If a per-
11 son grows or processes *Cannabis sativa* L. for purposes
12 of making industrial hemp in accordance with State law,
13 the *Cannabis sativa* L. shall be deemed to meet the con-
14 centration limitation under section 102(57).”.