

112TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

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

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IN THE SENATE OF THE UNITED STATES

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Mr. WYDEN introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

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

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Industrial Hemp  
5 Farming Act of 2011”.

6 **SEC. 2. EXCLUSION OF INDUSTRIAL HEMP FROM DEFINI-**  
7 **TION OF MARIHUANA.**

8 Section 102 of the Controlled Substances Act (21  
9 U.S.C. 802) is amended—

10 (1) in paragraph (16)—

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

2 “(16)(A) The”; and

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

4 “(B) The term ‘marihuana’ does not include in-  
5 dustrial hemp.”; and

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

7 “(57) The term ‘industrial hemp’ means the  
8 plant *Cannabis sativa* L. and any part of such plant,  
9 whether growing or not, with a delta-9  
10 tetrahydrocannabinol concentration of not more than  
11 0.3 percent on a dry weight basis.”.

12 **SEC. 3. INDUSTRIAL HEMP DETERMINATION BY STATES.**

13 Section 201 of the Controlled Substances Act (21  
14 U.S.C. 811) is amended by adding at the end the fol-  
15 lowing:

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