

Judge Upholds Gov. Newsom's Hemp Ban Despite Industry Pushback

California Judge Denies Hemp Industry's TRO, Upholding Gov. Newsom's Hemp THC Ban

A California judge has denied a **temporary restraining order (TRO)** requested by national hemp advocates and businesses, including [Cheech and Chong's Global Holdings](#), aimed at blocking the state's ban on hemp products containing detectable levels of **THC**. The decision allows Gov. **Gavin Newsom's** controversial regulations on hemp products to remain in effect, impacting both businesses and consumers across the state.

The TRO was part of a broader lawsuit filed last month by the **U.S. Hemp Roundtable** and several hemp companies. The plaintiffs sought to delay the implementation of the new regulations, arguing they would cause significant harm to the hemp industry while the case was still being litigated. Despite these concerns, the court sided with the state, allowing the restrictions to stand.

Emergency Regulations Banning Hemp THC

The emergency regulations, which took effect on **September 23**, ban the sale of **consumable hemp products** containing any detectable levels of **delta-9 THC** or intoxicating cannabinoids such as **delta-8 THC**. These rules also limit hemp product packaging to **five servings per package** and restrict sales to individuals aged **21 and over**.

Hemp advocates argue that these restrictions disproportionately affect non-intoxicating hemp products, which are widely used for therapeutic purposes. By applying the same stringent regulations to non-psychoactive hemp products, industry leaders fear the ruling will stifle innovation and limit consumer access to valuable wellness products.

Industry Reactions

The court's decision to uphold the ban sparked strong reactions from the hemp industry. **Jim Higdon**, Chief Communications Officer and co-founder of **Cornbread Hemp**, and a member of the U.S. Hemp Roundtable, expressed frustration following the ruling.

"Today, a judge sided against common sense and in favor of Gov. Newsom," Higdon told **Benzinga Cannabis** in an email. "The judge's ruling to deny a temporary restraining order against Newsom's hemp products ban announces that Californians will lose access to **USDA-certified organic hemp products** in retail stores across the state."

Higdon also pointed out the broader context of the ruling, criticizing California's cannabis regulatory system, which he claims is facing a **credibility crisis** due to concerns about **pesticide contamination**. "At a time when the California cannabis dispensary system is undergoing a credibility crisis, the governor has made it

much more difficult for Californians to access the only cannabis products that consumers can be certain are free of pesticides – USDA-certified organic hemp products with third-party lab tests,” Higdon said.

The Legal Battle Continues

The legal battle over Gov. Newsom’s hemp THC ban is far from over. The hemp industry is determined to continue challenging the regulations in court, citing concerns about the negative impact on **businesses** and **consumer access**.

As the case moves forward, the hemp community is expected to push back against the state’s restrictions, arguing that the ban unfairly targets **non-intoxicating products** that pose no public safety threat. At the same time, supporters of the ban argue that stricter regulation is necessary to prevent misuse and ensure consumer protection.

For now, however, businesses and consumers in California will have to navigate the new rules, while the larger question of the ban’s legality remains unresolved.

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