

Farm Bill Delayed Again, Hemp and THCA Left Unchanged

Congress Allocates \$10 Billion in Disaster Assistance While Hemp Farm Bill Extension Leaves Industry Uncertain

In a critical move to address pressing agricultural and legislative priorities, congressional leaders in Washington have allocated \$10 billion in economic disaster assistance as part of a continuing resolution to keep the federal government funded. Among the provisions is a one-year extension of the U.S. Farm Bill, further delaying decisive action on key hemp industry reforms.

Congressional Agreement on Disaster Relief and Farm Bill Extension

On December 17, 2024, lawmakers unveiled a sweeping 1,547-page spending bill designed to prevent a government shutdown and provide financial relief across various sectors. While securing \$10 billion in economic disaster assistance for agriculture, the bill also included a short-term extension of the **Agriculture Improvement Act of 2018**, commonly referred to as the 2018 Farm Bill.

The emergency financial aid aims to provide a “financial bridge” for farmers affected by weather disruptions and market fluctuations.

Hemp Industry Caught in Legislative Limbo

The decision to extend the current farm bill leaves the U.S. hemp industry in a prolonged state of uncertainty. While the one-year extension ensures continued funding for popular programs benefiting farmers and rural communities, it does not address the evolving regulatory landscape surrounding hemp and its derivatives, including delta-8 and delta-9 THC products.

A Historical Perspective: Farm Bill’s Role in U.S. Agriculture

First introduced during the Great Depression as part of President Franklin D. Roosevelt’s New Deal, the Farm Bill has evolved into a comprehensive legislative package renewed roughly every five years to address agricultural policies.

In 2018, the Farm Bill federally legalized industrial hemp, defining it as cannabis containing no more than 0.3% delta-9 THC on a dry-weight basis. However, the legislation unintentionally created loopholes that enabled the proliferation of intoxicating hemp-derived products like delta-8 THC, complicating regulatory enforcement.

Key Controversies Surrounding Hemp Regulation

The ongoing debate around hemp regulations centers on two primary issues:

THCA and Total THC Definitions

Current federal law does not account for tetrahydrocannabinolic acid (THCA), a precursor to THC that becomes intoxicating when heated.

High-THCA products have exploited this omission, entering markets as “hemp” despite their psychoactive potential when consumed.

Finished Product Loopholes

While the Farm Bill governs hemp as a crop, it does not regulate finished goods like edibles or oils containing hemp-derived cannabinoids.

This lack of oversight allows companies to sidestep rigorous standards for safety, testing, and labeling.

Rep. Mary Miller (R-Ill.) introduced an amendment in May 2024 that proposed including THCA in the definition of hemp. If enacted, this change would close the loophole but could also devastate the non-cannabinoid fiber and grain markets, according to industry experts.

Democratic and Republican Divergences on the Farm Bill

Efforts to pass a comprehensive five-year farm bill in 2024 were stymied by partisan differences. Senate Democrats, led by Agriculture Committee Chairwoman Debbie Stabenow (D-Mich.), unveiled their 1,400-page **Rural Prosperity and Food Security Act** in November, proposing \$39 billion in new funding.

Their version included redefining hemp’s potency limit to account for “total THC” rather than just delta-9 THC, aiming to curb the unregulated market for intoxicating hemp-derived products. However, the late timing of the proposal drew criticism and failed to secure bipartisan support.

What’s Next for the Hemp Industry?

The hemp-related provisions in the Democrats’ draft may serve as a starting point for the next Congress, but the industry remains in flux. Industry leaders and analysts anticipate that:

Regulatory Loopholes May Persist

Even with stricter hemp definitions, the Farm Bill does not address the Food and Drug Administration’s (FDA) role in regulating hemp-derived edibles, leaving a gap for untested and potentially unsafe products to reach consumers.

Federal Oversight on Synthetics Could Increase

The ongoing discussion around synthetic cannabinoids like delta-8 may lead to future legislation targeting the conversion processes from CBD to intoxicating compounds.

2025 Farm Bill Prospects

With Republicans poised to take control of the Senate, the legislative landscape for hemp reform could shift significantly. Industry advocates are bracing for potential changes that could either stabilize or further disrupt the market.

Uncertainty and Opportunity Amid a Delayed Farm Bill

Despite the legislative gridlock, the U.S. hemp industry retains significant economic and agricultural potential. Farmers, entrepreneurs, and stakeholders are closely monitoring the evolving regulatory framework, which could profoundly impact the future of hemp cultivation and commercialization.

As lawmakers prepare to revisit the Farm Bill in the next Congress, they face the challenge of balancing public health, economic interests, and the need for clear, enforceable regulations. For now, the one-year extension offers a temporary reprieve but underscores the urgency of long-term solutions.

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