

Cheech and Chong Take Legal Action Against California Hemp Ban

California Hemp Industry Lawsuit Targets New Ban on Hemp Products Containing THC

On Tuesday, members of the **hemp industry**, including **Cheech and Chong's cannabis company**, filed a lawsuit challenging the recent California regulations that have effectively outlawed most consumable hemp products containing intoxicating cannabinoids derived from the plant. The lawsuit is the latest in an escalating conflict between the state's regulatory bodies and the hemp industry, with businesses arguing that the new restrictions are both overreaching and unsupported by proper legislative procedures.

Emergency Regulations Ban Hemp Products with Any THC

The lawsuit, filed in a California state court, aims to overturn the regulations backed by Governor **Gavin Newsom** (D), which prohibit any hemp products that contain a "detectable amount of total THC." The plaintiffs argue that the state's declaration of an "emergency" to justify the abrupt introduction of these rules is based on faulty reasoning and does not comply with proper administrative processes. They claim the regulations could cripple the state's hemp industry, which has grown substantially in recent years.

The rules, which received formal approval from **California's Office of Administrative Law** on Monday, took effect immediately and include stringent restrictions on hemp-derived products, even those containing **Delta-8 THC** and other cannabinoids with intoxicating effects. In addition to the outright ban on consumable products with any THC, the new rules limit THC-free hemp products to five servings per package and restrict sales to individuals aged 21 and older.

2021 Hemp Legislation Paved the Way for Conflict

The current situation stems from the state's failure to fully implement hemp regulations that were enacted under legislation in 2021. These regulations were supposed to create a clear legal framework for the sale of hemp products, including those containing cannabinoids like **CBD** and Delta-8 THC. However, the lawsuit alleges that state officials failed to follow through on the implementation of these rules, leaving the hemp industry in legal limbo for the past three years.

According to the lawsuit, the state's inaction is now being used as an excuse to declare an emergency and fast-track new restrictions. Filed by the **U.S. Hemp Roundtable**, a prominent hemp industry trade group, and several individual businesses, the legal challenge claims that the state's decision to bypass the traditional rulemaking process and rush the new regulations through under the guise of an emergency is unjustified.

Industry Leaders Argue the Emergency Declaration Is Baseless

At the core of the lawsuit is the contention that California's declaration of an emergency to justify the new hemp rules is unfounded. The plaintiffs argue that while the state has faced delays in regulating hemp products, there is no immediate crisis that warrants sidestepping the usual legislative and regulatory processes.

"Regulators' inaction over the last three years hardly serves as a sufficient basis for declaring a sudden emergency and circumventing the meticulous procedures of regular rulemaking," the lawsuit states. The hemp industry contends that these new rules threaten to disrupt businesses that have invested heavily in creating safe and legal products for consumers.

New Regulations Met with Widespread Industry Backlash

The California hemp industry has reacted strongly against the emergency regulations, with many businesses arguing that the new rules go far beyond what is necessary to protect public safety. The ban on products containing any detectable amount of THC, regardless of the specific cannabinoid, is seen by industry leaders as a sweeping measure that undermines the legitimate and carefully regulated sale of hemp-derived products.

While the state claims that the new rules are necessary to prevent unregulated intoxicating products from reaching the market, the hemp industry has long maintained that many of the products containing **Delta-8 THC** and other cannabinoids can be safely consumed and should not be banned entirely.

The lawsuit specifically challenges the state's refusal to differentiate between intoxicating and non-intoxicating cannabinoids, effectively lumping all hemp-derived compounds with any THC content into the same category. This, according to the plaintiffs, is a mischaracterization of the diversity of hemp products and their varying effects.

Impact on the California Hemp Industry and Consumers

The consequences of these new regulations, if left in place, could be severe for both the hemp industry and consumers in California. The industry has seen significant growth in recent years, with a wide range of products available, including CBD oils, hemp-derived edibles, and Delta-8 THC products. These products have become increasingly popular among consumers seeking alternatives to traditional cannabis products.

The new rules not only ban most of these products but also place strict limits on those that remain, including packaging restrictions and an age limit of 21 for all hemp product sales. Industry leaders argue that these restrictions are overly burdensome and could drive many small businesses out of the market.

For consumers, the regulations will dramatically reduce the availability of hemp-based products, particularly those containing THC. Individuals who rely on these products for wellness purposes or recreational use may find their options significantly reduced, especially with the ban on any detectable amount of THC, which includes even trace amounts found in many full-spectrum hemp products.

Cheech and Chong's Cannabis Company Joins the Fight

One of the more prominent names involved in the lawsuit is the cannabis company co-founded by **Cheech Marin** and **Tommy Chong**, the legendary comedy duo who have long been advocates for cannabis legalization. Their involvement highlights the seriousness with which industry leaders are approaching this legal battle and underscores the potential consequences of the new regulations for both established businesses and consumers.

Cheech and Chong's cannabis company, along with other businesses, argue that the new regulations are not only harmful to the hemp industry but also represent an infringement on consumers' rights to access legal and safe hemp products. Their participation in the lawsuit brings significant public attention to the issue and is likely to galvanize further opposition to the state's hemp policies.

Legal and Legislative Battle Expected to Intensify

The lawsuit is likely to mark the beginning of a protracted legal battle over California's hemp regulations. The outcome of the case could have far-reaching implications for the state's hemp industry and may set a precedent for how other states approach the regulation of hemp-derived products, particularly those containing cannabinoids like Delta-8 THC.

As the lawsuit progresses, the hemp industry is expected to continue its advocacy for fair and reasonable regulations that allow businesses to operate while ensuring that products are safe for consumers. Industry trade groups and individual companies are likely to ramp up lobbying efforts, calling on state lawmakers to revisit the issue and create a more balanced regulatory framework.

The Future of Hemp Regulation in California

The current conflict over hemp regulation in California highlights the complexities of managing the rapidly evolving cannabis and hemp industries. While the state seeks to protect public safety and prevent unregulated products from entering the market, the hemp industry argues that the new rules go too far and threaten to stifle innovation and growth.

As the legal challenge moves forward, the outcome will be closely watched by stakeholders across the country. For California, a state that has often been at the forefront of cannabis and hemp legalization, finding a path t

hat balances safety with industry growth will be crucial.

For now, the hemp industry remains focused on fighting what it views as overreaching regulations, and businesses across the state will be eagerly awaiting the results of the lawsuit as they determine the future of their operations.

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