

House Panel OKs Bill to Ban Intoxicating Hemp Products

U.S. House Committee Advances Controversial Hemp Provision in 2026 Budget Bill

Spending Package Aims to Redefine Hemp and Ban Intoxicating Derivatives

The U.S. House Appropriations Committee has approved a fiscal year 2026 appropriations bill that includes sweeping new provisions targeting hemp-derived cannabinoid products. The legislation, which passed in a 35–27 party-line vote on June 23, includes a redefinition of hemp that would significantly narrow the legal scope of products made from the plant.

Packaged within the 138-page Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Bill, the measure would grant new authority to regulate hemp-derived finished goods particularly those containing intoxicating compounds like THC and THCA, as well as synthetic cannabinoids.

Proposed Changes Would Eliminate Legal Protections for Many Hemp Products

The updated language embedded in the bill would eliminate legal protections extended by the 2018 Farm Bill to a wide range of hemp-derived cannabinoid products. Specifically, it seeks to:

- Ban any finished product containing **quantifiable amounts** of THC or THCA.
- Prohibit the sale of **synthetic or chemically altered cannabinoids**, such as delta-8 THC and delta-10 THC.
- Limit permissible hemp-derived cannabinoids to **non-intoxicating compounds** only.

This provision, drafted by Rep. Andy Harris (R-Md.), chair of the subcommittee overseeing agriculture and FDA funding, aims to “close the hemp loophole” many lawmakers and public health officials argue has led to the unregulated sale of intoxicating cannabis-like products in gas stations, online marketplaces, and convenience stores.

Public Health and Safety Concerns Drive Efforts to Curb Market Growth

Lawmakers backing the provision cite growing concerns over the public health implications of synthetic and psychoactive hemp products, especially in states without adult-use cannabis laws. The proliferation of hemp-

derived intoxicants following the 2018 Farm Bill’s passage has led to increased scrutiny from law enforcement, parents, and state governments.

While that bill legalized industrial hemp with less than 0.3% delta-9 THC by dry weight, it did not provide federal regulations for finished products. The result has been an influx of edible, smokable, and vaporized hemp products that legally skirt the law due to gaps in language around cannabinoids like THCA, which converts into intoxicating THC when heated.

CBD Industry Fears the Provision Could Also Target Non-Intoxicating Products

Critics from within the hemp industry argue that the proposed definition change could have unintended consequences for legitimate, non-intoxicating products—particularly those containing cannabidiol (CBD).

The **U.S. Hemp Roundtable**, a national advocacy group, has raised alarms over the bill’s language, claiming it would ban the majority of legal, safe hemp products, including full-spectrum CBD formulations that contain trace amounts of THC or THCA within legal thresholds.

Although an initial **Congressional Research Service (CRS)** report released June 13 supported those concerns, a revised version published a week later omitted direct mention of CBD, suggesting potential clarification or political response to mounting industry pressure.

Revised Language Aims to Exclude Non-Intoxicating Hemp Applications

To address concerns from industrial hemp growers and producers, Rep. Harris included a manager’s amendment on June 11 clarifying that the new restrictions are not intended to impact hemp used for fiber, grain, or other non-cannabinoid purposes.

Further, the amendment empowers the U.S. Secretary of Health and Human Services to determine what qualifies as a “quantifiable amount” of THC or THCA, providing some flexibility and regulatory discretion that may protect low-potency formulations.

Hemp Industry Remains Divided Over Regulation of Intoxicating Compounds

While many hemp businesses and advocacy groups have denounced the bill as an existential threat to the industry, not all voices are opposed to tighter regulations.

The **American Trade Association for Cannabis and Hemp (ATACH)** has expressed conditional support, arguing that oversight of synthetic and intoxicating compounds is essential for public safety and for the growth of a credible hemp industry. The organization believes distinguishing natural cannabinoids from synthetics and establishing unified regulations across all THC products could benefit both consumers and legitimate producers.

Political Path Forward Is Unclear Amid Industry Pushback and Divided Opinion

The inclusion of this provision in a must-pass appropriations bill significantly increases the likelihood of congressional debate over hemp regulation in the coming months. However, whether the final bill will retain this language as it advances to the full House floor remains uncertain.

Rep. Harris attempted to insert similar language into last year’s appropriations bill for fiscal year 2025, but it was ultimately removed before the package passed. This year’s effort appears more calculated and more forcefully advanced—but it is already drawing resistance from stakeholders across the hemp supply chain.

As Congress continues deliberation, the future of the U.S. hemp-derived cannabinoid market hangs in the balance, with thousands of businesses and millions of consumers awaiting clarity on whether many of today's most widely available products will remain legal under federal law.

Email: info@cannabisriskmanager.com | Phone: +415-226-4060

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