

THCA Meets Legal Definition of Hemp, Operators Say – but Not Everyone Agrees

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Member **Heidi Urness** (Seattle) was interviewed in an *MJBizDaily* article titled “THCA Meets Legal Definition of Hemp, Operators Say—but Not Everyone Agrees.” She discussed tetrahydrocannabinolic acid (THCA) and legislation that could impact its legality by state.

The USDA does not, however, require testing after flower has been packaged or at the retail level, said Heidi Urness, the Seattle-based co-chair of the cannabis practice group at the McGlinchey Stafford law firm.

As long as pre-combustion delta-9 THC levels are beneath the federal limit of 0.3%, the product qualifies as federally legal hemp, she said.

“When you get to the retail side, is it legal to sell? This is an academic debate. Folks like myself, we say yes. Under federal law, it’s OK to sell at that point because we are limited only to the delta-9 THC definition. THCA is not delta-9,” Urness explained.

Meanwhile, Urness noted that Georgia has had a thriving THCA market, but two legislators drafted bills “that are going to gut that industry” by implementing a total THC limit.

“It can go very quickly from a legal free-for-all to being totally prohibited under a 0.3% limit. You’re going to gut the industry just by that one stroke of the pen,” she said.

California, Urness noted, sent hundreds of cease-and-desist orders to hemp-derived cannabinoid businesses, and further action is being taken against those that haven’t complied.

[Read the full article.](#)

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Heidi Urness