

USDA Is Giving Some Farmers an Ultimatum: Grow Hemp or Marijuana

November 22, 2023

Politico quoted associate **Brittany Adikes** (New York City) in an article detailing the United States Department of Agriculture's (USDA) recent revocation of hemp licenses from farmers who are also growing marijuana.

...it seems like USDA is "reaching far to claim that there is a regulation that clearly prohibits having both licenses." Instead, Adikes said, the statute language and rules USDA cites to defend its position could easily be interpreted to specify that a farmer cannot grow hemp and cannabis on the same land under the same license — not that a farmer is barred from holding both a state marijuana license and a federal hemp license.

Adikes, the cannabis lawyer, says USDA's actions could pave the way for a lawsuit.

"It could possibly be a violation of the [Administrative Procedures Act], and I'm curious to see what comes of this, in terms of litigation in the states that are being affected by this," she said.

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