STATE OF COLORADO

OFFICE OF THE GOVERNOR

136 State Capitol
Denver, Colorado 80203
Phone (303) 866-2471
Fax (303) 866-2003

John W. Hickenlooper
Governor

The Honorable Tom Vilsack
Secretary, U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

February 20, 2014

Dear Secretary Vilsack:

We are writing to seek your assistance in helping Colorado obtain safe, verifiable seed for the cultivation of industrial hemp.

As you know, Coloradans approved the cultivation of industrial hemp, defined as containing .3% or less THC on a dry weight basis, with the passage of Amendment 64 in November 2012. The Colorado Department of Agriculture, at the direction of the Colorado General Assembly, has been developing a strict and rigorous regulatory scheme to ensure that industrial hemp is grown in accordance with state constitutional and statutory limitations while helping facilitate the emergence of this exciting crop in our state. The registration program created by the Colorado Department of Agriculture gets under way very soon, commencing March 1, 2014.

However, we are encountering problems with the availability of viable hemp seed. As hemp has been strictly regulated under the Federal Controlled Substances Act, seed availability is severely limited within the United States. Further, the importation of viable seed from countries where cultivation is permitted, such as Canada, is prohibited. Therefore, the ready availability of safe seed that is certified to reliably produce plants that meet the .3% THC cap is limited. One fear is that this seed shortage will unreasonably suppress the number of registered growers, stifling the wishes of Colorado voters to begin hemp production. A more troubling concern is that seed from unknown and unreliable sources will be located and used, producing unpredictable results. We are hoping to avoid these outcomes.

We are requesting your assistance in easing import restrictions on viable hemp seed. The need for this help is heightened by the inclusion in the 2014 Farm Bill of a provision in Title VII recognizing the legitimacy of industrial hemp research in the U.S. in those states that have legalized hemp cultivation. Clearly, Congress has now recognized the potential of hemp as an important agricultural crop. Unfortunately, this opportunity cannot be embraced and the prospects adequately explored without access to certified seed.

We are open to working with you to establish the conditions under which viable certified seed can be imported and made available to our state's cultivators. We look forward to your response and hope that we can help our hemp industry move forward in a regulated and productive way.

Sincerely,

John W. Hickenlooper
Governor of Colorado