Ohio, Let's Talk About C-B-D, Let's Talk About Hemp Baby

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It's official — with Governor DeWine's signature, Senate Bill 57 legalized hemp-derived products like cannabidiol (CBD) oil in the state of Ohio. With this law, Ohio catches up to several other states and the federal government in making products from this type of cannabis plant legal to sell and use without a recommendation from a physician and without purchase from a licensed medical marijuana dispensary.

The State of Ohio Board of Pharmacy also recently released an FAQ to provide guidance on the new legislation. Some of the items discussed are as follows:

- Hemp and hemp-derived products containing less than 0.3% tetrahydrocannabinol are removed from the definition of "marihuana" under Ohio's Revised Code.
- Ohio must submit a plan to the United States Department of Agriculture to lawfully authorize the cultivation of hemp under federal law. The Ohio Department of Agriculture needs to establish a "hemp cultivation and processing program" which will license hemp cultivators and processors.
- A "hemp product" under Ohio law is "[a]ny product, containing a delta-9 tetrahydrocannabinol concentration of not more than three-tenths per cent, that is made with hemp." Hemp products include "cosmetics, personal care products, dietary supplements or food intended for animal or human consumption, cloth, cordage, fiber, fuel, paint, paper, particleboard, and any other product containing one or more cannabinoids derived from hemp, including cannabidiol."

As discussed above, those looking to grow hemp will need to be on the lookout for further guidance from the state. The Ohio Department of Agriculture is required to come up with a regulatory scheme to grow the plant. The enactment of this law is sure to catch the attention of entrepreneurs trying to enter the hemp-derived product business, especially in the CBD oil industry, which many predict to be poised for incredible growth.

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Our Frost Brown Todd hemp team has been advising clients in the industrial hemp business for years. Further, our government relations subsidiary, CivicPoint, has been instrumental in hemp lobbying efforts leading to the development of groundbreaking hemp legislation at the state and federal level, including Congress' 2018 Farm Bill.

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