

Ag Law Weekly



Top Headlines in Agricultural & Food Law News

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USDA announces changes to Payment Limitation & Eligibility rules

USDA published a final rule changing Payment Limitation & Payment Eligibility rules for farm programs and the adjusted gross income limitation for certain conservation program contracts tailored to environmentally sensitive lands. The final rule states that it is carrying out changes required by the 2018 Farm Bill, among other changes. The primary thrust is that the final rule expands the definition of "family member" to include first cousins, nieces, & nephews. But, it also restricts any members (including family members) to, for example, those who perform an annual minimum of 500 hours of management or 25 percent of a farm's management hours. Read more [here](#). Find the rule [here](#).

Interim final hemp rule concerns CBD industry

On August 21, the Drug Enforcement Agency released an interim final rule related to the legalization of hemp. Although the rule states that it "does not add additional requirements" to hemp regulations, it does clarify that hemp derivatives cannot exceed 0.3 percent total THC potency on a dry weight basis. This clarification could potentially cause issues for the CBD and CBG industries, as part of making CBD and CBG products requires manufacturers to concentrate hemp derivatives. Although the final products are of a legal THC potency, there are steps in the CBD and CBG making process where some derivatives exceed the 0.3 percent requirement. Read the interim final rule [here](#).

Roundup settlements stall

In June, Bayer announced a settlement for ongoing litigation claiming its Roundup herbicide causes cancer. However, last week the company acknowledged that settlement could be stalled, stating "There are often some bumps in the road in implementing a resolution of this magnitude, but we remain confident that a comprehensive settlement will be finalized and executed." The delay in settlement comes after the plaintiffs' attorneys expressed concern that Bayer has "gone back on its deal, or maybe there was no deal in the first place." Read the details [here](#).

From the NALC

Innovative State Approaches to Hemp Regulations Under the 2018 Farm Bill: Over the last few years, the agricultural sector has been buzzing with excitement about the potential of a new crop - industrial hemp. This paper, written by Ellen Essman, is the result of a collaborative effort between the NALC and The Ohio State University Agricultural & Resource Law Program. It examines the requirements for state hemp programs prescribed by the 2018 Farm Bill. Even within these requirements, there is room for states to innovate, and this paper focuses on how they have done so, summarizing the unique aspects of state hemp programs that go beyond the USDA's minimum requirements. Find the publication [here](#).