

North Carolina Industrial Hemp Commission

MINUTES

December 19, 2019 at 10:00 a.m.
Telephone / Internet Conference Call

Commissioners in attendance:	Other official attendees:
Dr. Tom Melton, Chair	Paul Adams, Plant Industry Division, NCDA&CS
Dr. Sandy Stewart, Vice-Chair	Tien Cheng, Department of Justice
Mr. Guy Carpenter	Janyne Kizer, EIT, NCSU
Chief Tony Godwin	Beth Farrell, General Administration, NCDA&CS
Mr. Billy McLawhorn	Phil Wilson, Plant Industry Division, NCDA&CS
Sheriff Tim Manning	Jon Lanier, Asst. General Counsel, NCDA&CS
Mr. Fen Rascoe	
Mr. Pat Short	
Dr. Guochen Yang	

Call to Order – Dr. Tom Melton, Chairman

Roll Call of Attendees – Dr. Tom Melton, Chairman

Chairman **Melton** initiated a roll call to determine if a quorum of Commissioners were present. Nine Commissioners as listed above were in attendance, meeting the requirement of a quorum.

Statement Concerning Conflicts of Interest – Dr. Tom Melton, Chairman

Chairman **Melton** read the statement concerning conflicts of interest and asked members to identify any potential conflicts of interest. No conflicts of interest were identified.

Recognition of Conference Call – Dr. Tom Melton, Chairman

Chairman **Melton** noted that the purpose of this meeting is to approve applications to cultivate industrial hemp in North Carolina and to finalize the Commission's comments to USDA regarding the interim final rules for the domestic hemp production program. Under state and federal laws, individuals must be issued a license to participate in the North Carolina Industrial Hemp Pilot Program. Growers in the state who wish to cultivate industrial hemp must submit an application for a license to the Industrial Hemp Commission. Applications that have been vetted seriously by N.C. Department of Agriculture and Consumer Services staff will be reviewed at this meeting. There is no public comment period for this meeting.

Recognition of Special Guests – Dr. Tom Melton, Chairman

Chairman **Melton** noted there were no special guests at this meeting.

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Industrial Hemp Program Update – Mr. Paul Adams, NC Industrial Hemp Program Manager,
Plant Industry Division, NCDA&CS

Chairman **Melton** called on Paul Adams, NC Industrial Hemp Program Manager, to provide a program update.

- Mr. **Adams** reported that as of December 19, 2019, North Carolina has 1,387 licensed industrial hemp growers, representing 17,401.54 licensed acres and 6,751,380.59 square feet of licensed greenhouse production. There are currently 969 registered processors in the state.

Old Business

- Commission comments to the Federal Register regarding USDA's interim final rule for the establishment of a domestic hemp production program – Dr. Tom Melton, Chairman
 - A draft letter was circulated in advance of the meeting for Commissioners to review. Chairman **Melton** called for a motion to approve the comments for submission to the federal register. Motion to approve these minutes was made by Commissioner **McLawhorn** and seconded by Commissioner **Short**. Motion passed on a voice vote.

New Business

- Review and Approval of Research Pilot Program Applications – Dr. Tom Melton, Chairman
 - Chairman **Melton** read the names of the applications under consideration at this time: Jeffrey Lyn Whitehurst; Todd M. Tessman; Larry D. Gabriel; Bryan Tate Mayo; Walter Eugene Hundley; Lynn Carroll Matthews Young; Jimmy Ronald Huffman; John Jacob Odom; Mary B. Maness; Richard Brantley Moye; Sharon Harper; Gary Spivey; Damian Patreag Porter; James Michael Hocutt; Randy Lynn Edwards; Rhonda Barham Edwards; Yvonne Earnhardt Welton; David Shannon Ledbetter; Robert David Ledford; Charles William Schieren; Qua Huu Nguyen; Israel Shachia; Marcia Fountain Brown; Daniel Rodney Finch; Worth Timothy Haithcock; Calvin Cornelius Mooney, Jr.; Connie Forester Brisendine; Stewart Allison Robbins; Vickie J. Garland; Randolph Pope Nicholson; Debra Martin Miller; Tony Scott Turner; Ricardo Hernandez; and George Swendell Butts, Sr.
 - Chairman **Melton** asked if there was a motion to approve the applications presented. Commissioner **Short** made a motion to approve the applications. Commissioner **Carpenter** seconded the motion to approve.
 - Commissioners discussed October 2020 sunset of the N.C. Industrial Hemp Pilot Program and implications it may have on licenses that are being issued or may be issued in the future. Consensus was to include a statement regarding the uncertainty of the future of any licenses that have been issued during the pilot program and notation that the program is subject to change in cover letters and invoices to those approved to receive license.
 - Counsel to the Commission noted that if an applicant meets all requirements, Commission would need a strong reason to not approve an application. Ultimately this is a business decision and an applicant can decide to apply for a license or not during current time of uncertainty.

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- Additional discussion was held regarding the number of processors registered in North Carolina. It was noted that even with a large number of registered processors, there are farmers not having contracts honored, being paid and/or unable to sale hemp material. Uncertainty of the market was noted.
 - It was also noted that there are questions with the USDA's interim final rule regarding total THC below 0.3% and what exactly that will mean to farmers.
 - After roll call vote, all applications were approved.
- Approval of Minutes from the November 12 and November 22, 2019 meetings – Dr. Tom Melton, Chairman
 - Chairman **Melton** called for a motion to approve the minutes from the November 12 and November 22, 2019 meetings. Motion to approve these minutes was made by Commissioner **Manning** and seconded by Commissioner **Carpenter**. Motion passed on a voice vote.
- Update on 2019 Farm Act and USDA State Plan for North Carolina – Mr. Jon Lanier, Asst. General Counsel, NCDA&CS
 - Mr. **Lanier** noted that only development since the last meeting is the extension for the public comment period to USDA regarding interim final rules for the domestic hemp production program.
- Warning about the grey areas of existing law - Dr. Tom Melton, Chairman
 - Chairman **Melton** noted that this topic had been covered throughout the meeting. No other comments regarding the topic were provided.
- Adjourn: Being no further business, Commissioner **McLawhorn** made a motion to adjourn which was seconded by Commissioner **Carpenter**.

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