



# COMMONWEALTH of VIRGINIA

## Department of Agriculture and Consumer Services

PO Box 1163, Richmond, Virginia 23218

Phone: 804/786-3501 • Fax: 804/371-2945 • Hearing Impaired: 800/828-1120

[www.vdacs.virginia.gov](http://www.vdacs.virginia.gov)

May 16, 2019

Dear Registered Industrial Hemp Processor:

Thank you for your interest in industrial hemp and your efforts to advance Virginia's industrial hemp industry. This is certainly an exciting time as new industries and opportunities for Virginians develop around industrial hemp.

As you know, both federal and state hemp-related laws have recently been amended to allow for the cultivation of industrial hemp crops on a commercial scale. It is important to be aware, though, that the production of hemp products and the products themselves may be subject to other federal or state laws. At the present time, the U.S. Food and Drug Administration (FDA) maintains that it is unlawful to introduce or deliver for introduction into interstate commerce any food or dietary supplement to which cannabidiol (CBD), including hemp-derived CBD, has been added. Many of Virginia's food safety regulations have adopted by reference regulations related to the production and sale of food for human consumption that FDA has promulgated. Compliance with Virginia's Industrial Hemp Law, which requires registration for Virginia industrial hemp processors, does not exempt those registered processors from compliance with other applicable laws or regulations, including Virginia's Food and Drink Law and regulations.

The Virginia Department of Agriculture and Consumer Services (VDACS) is aware that many businesses are interested in offering hemp-derived CBD to their customers or adding hemp-derived CBD to food products currently manufactured and that many Registered Industrial Hemp Processors are interested in producing hemp-derived CBD oil. However, at this time, VDACS's Food Safety Program is not able to approve the manufacture, distribution, or sale of (i) a food product or dietary supplement containing a hemp-derived extract, including CBD oil, or (ii) a hemp-derived extract intended for human consumption that is produced by a Registered Industrial Hemp Processor.

We recognize many Registered Industrial Hemp Processors are interested in producing hemp-derived extracts, including CBD oil, and will advise you of any relevant changes in law, regulation, or policy that might impact your ability to produce hemp-derived extracts intended for human consumption.

Sincerely,

A handwritten signature in black ink that reads "Jewel H. Bronaugh".

Jewel H. Bronaugh, Ph.D.  
Commissioner