

Hemp vs. Cannabis Cultivation

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High CBD Cannabis Cultivation

- High CBD Cannabis or Hemp is protected by law as a an agricultural, horticultural, floricultural crop.
- Requires a site visit from MDAR and a license to cultivate.
- Can be grown on a farm just like any other unregulated crop.
- Proviso is that the harvested THC level is below 0.3%



High THC Cannabis Cultivation

- Regulated much more than CBD Hemp.
- Is the same species as hemp which was selected for low THC from cannabis.
- High THC cannabis requires a license from the CCC in order to cultivate, process, or retail.
- “THC has the potential to rise in hemp plants. The only difference between hemp and marijuana is the level of THC.”

Taryn LaScola , Dir. Crop & Pest Services, MDAR.



High THC Cannabis Cultivation

- Has been regarded by MDAR as non agricultural crop.
- In a Massachusetts Land Court (Case:NO.18 MISC000483(RFB) the Judge ruled “the growth or cultivation of marijuana is, within the plain meaning of the word, an agricultural use.” based upon M.G.L. c. 128 section 1A and M.G.L. c. 61A sections 1-2.
- The Judge’s ruling therefore defined THC marijuana as agriculture for the purposes of local zoning bylaws.

Cannabis Cultivation

- All Hemp, including CBD flower hemp is the same species as High THC Cannabis.
- High THC Cannabis Cultivation is floriculture, just like hemp grown for high CBD flowers.



Our Experience with Hemp vs Cannabis

- Some neighbors object to us growing hemp on this field even though it is allowed under right to farm.
- Some neighbors also have objected to odors from our hemp field.
- Odors from hemp are protected like other farm odors.
- Cultivation of THC cannabis is in our view a simply much more regulated form of cultivation vs hemp.

Questions?