



January 21, 2021

MAP 21-002

United States
Department of
Agriculture

Trade and Foreign
Agricultural Affairs

Foreign
Agricultural
Service

SUBJECT: Eligibility of Hemp and Hemp Products under the Market Access Program

TO: All Program Participants

1400
Independence
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Washington, DC
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BACKGROUND: The Agriculture Improvement Act of 2018 (Farm Bill) amended the Agricultural Marketing Act of 1946 and outlined provisions for the Department of Agriculture (USDA) to approve plans submitted by States and Indian Tribes for the domestic production of hemp. The Farm Bill also established a Federal plan for hemp producers in States or territories of Indian Tribes that do not have their own USDA-approved plan. Secretary of Agriculture Sonny Perdue tasked all USDA agencies with looking at how they could participate in the implementation of the Farm Bill provisions by supporting the cultivation and production of hemp through their own efforts and programs, in accordance with existing laws and regulations.

GUIDANCE: The Foreign Agricultural Service (FAS) has determined that hemp and hemp products are eligible agricultural commodities that may be promoted through the FAS Market Access Program (MAP). Any activities to promote hemp and hemp products that are funded through MAP must adhere to the terms outlined below. These measures are designed to help ensure that the use of MAP funding to promote hemp remains consistent with all U.S. statutes governing hemp and products and with relevant international obligations.

The following provisions apply to the use of MAP funding for the promotion of hemp, hemp products, and products containing hemp ingredients:

1. An activity that promotes a hemp product whose delta-9 tetrahydrocannabinol concentration (THC) exceeds the established, allowable THC threshold of the country in which the activity will take place or at which the activity is aimed will not be funded.
2. No activity, including market research and non-consumer facing trade servicing, may involve cannabidiol (CBD), hemp cigarettes or hemp intended for smoking, including product labelling with overt recreational imagery and/or slogans, or wellness claims unrecognized by the U.S. Food & Drug Administration.

3. Market research and non–consumer facing trade servicing activities may be funded for any country, including countries where THC is considered a controlled substance.
4. Activities other than market research and non–consumer facing trade servicing will not be funded in any country in which any amount of THC is considered a controlled substance.
5. Promotion of hemp biomass on a dry weight basis must be approved by the FAS Post in the target market in advance of the activity being conducted.

/s/

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