



The Honorable David Scott
Chairman
Committee on Agriculture
U.S. House of Representatives
Washington, DC 20515

The Honorable Glenn Thompson
Ranking Member
Committee on Agriculture
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Scott and Ranking Member Thompson,

On behalf of the National Industrial Hemp Council (NIHC)—the only Washington, D.C.-based trade association in the hemp industry with a mission to protect consumer safety, the consumer’s right to know and to create a hemp economy that works for everyone—I respectfully submit these comments for the record for the November 3, 2021, hearing entitled “The Immediate Challenges to our Nation’s Food Supply Chain.”

Producers of industrial hemp are dedicated to utilizing hemp and its natural environmental qualities to employ sustainable farming methods that will enable the United States to produce plant-based foods and animal feeds for generations to come. Regenerative agricultural practices and hemp’s natural soil-building and carbon-sequestering properties will provide new tools for American Agriculture to deliver food for a growing population and bring stability to the Food Supply Chain in the United States. To this end, we applaud the Committee for holding this hearing and your ongoing leadership in ensuring all Americans have access to the food they need without compromising the health of American farmland.

One particular issue—and solution—we wish to draw this Committee’s attention to is the ongoing global feed and grain shortage, which has been largely caused by worldwide drought. Congress has the opportunity to alleviate this situation through the utilization of our country’s increasing supply of hemp grain and fiber (hereinafter “hemp”). As outlined in detail below and in Appendix A, we urge Congress to work with the appropriate regulators to authorize industrial hemp for use as a feed ingredient for animals *not* intended for human consumption or the creation of animal by-products for human consumption — especially in the short term to address the global feed shortage.¹ We further urge Congress to designate funding to better enable hemp producers and researchers to study the effects of hemp-based animal feed on livestock and animal products intended for human consumption, which, under this proposal, would still require approval by the U.S. Food & Drug Administration’s Center for Veterinary Medicine (FDA-CVM) to ensure all safety standards are met.

¹ Nat’l Feed Consortium, Hemp Animal Feed Proposal Overview (2021) [Appendix A].

Doing so would not only provide much needed relief to American farmers struggling to feed their livestock, but would also create jobs, support American farmers, and provide consumers access to healthy, affordable food.

A. Congress Must Act Now to Address Global Animal Feed Shortage

While Americans have only recently started to notice the increased prices of basic food staples like eggs, poultry, meat and milk, the writing has been on the wall for a long time among our nation's food suppliers. The winter storm that hit Texas this year wiped out about \$600 million in food, not to mention \$300 million in loss of livestock.² All of this is occurring while many Western states and regions—including West Texas—are engulfed in extreme or exceptional drought.³ These issues have only been exacerbated by the ongoing global pandemic, which itself has been a stress test for global food supply chains. These and other factors have collectively wreaked havoc on numerous supply chains and the effects will likely reverberate for years to come.

Few industries are feeling the impact more than the grain market, which is critical to maintaining the livestock Americans depend upon to keep affordable food on their tables. As highlighted recently by the *New York Times*, U.S. ranchers simply “can’t grow enough feed for their cattle, so they’re selling off the animals before they starve.”⁴ Simply put, the drought and resulting animal feed shortage is costing farmers their livelihoods, with ranchers that have spent their entire lives or generations building their cattle herds to now suddenly be forced to sell or cull herds because they simply don’t have enough feed to maintain them.

The issue is so dire that even the nation’s largest animal protein producers are struggling to find sufficient feed. In the effort to meet demand, many American protein producers and livestock farmers are importing vast quantities of grain. One leading poultry provider was forced to secure more than 30,000 metric tons of Brazilian soybeans in order to feed its livestock.⁵

B. Hemp Provides the Best Available Solution to Alleviating the Hardships U.S. Farmers and Consumers Are Facing Due to the Feed Shortage, While Greatly Benefiting the U.S. Economy and Environment.

Although the feed shortage is a global problem not unique to the United States, our nation is exceptionally situated to be a leader in solving the problem. And part of that solution can be found in the hemp plant—which ironically enough was illegal to grow in the U.S. until very recently. With a change in hemp’s legal status should come a more concerted effort to use hemp to address the global livestock feed shortage.

² See, e.g., Hope Ngo, *Food Prices Will Continue To Rise in 2021. Here’s Why*, MASHED (Mar. 5, 2021), <https://www.mashed.com/349212/food-prices-will-continue-to-rise-in-2021-heres-why/>.

³ See Danny Dougherty & Peter Santilli, *Drought’s Toll on U.S. Agriculture Points to Even Higher Food Prices*, WALL STREET JOURNAL (July 1, 2021), <https://www.wsj.com/articles/droughts-toll-on-u-s-agriculture-points-to-even-higher-food-prices-11625137201>.

⁴ Henry Fountain, *The Worst Thing I can Ever Remember: How Drought Is Crushing Ranchers*, N.Y. TIMES (Aug. 29, 2021) [Appendix B].

⁵ See Fabiana Batista, Michael Hirtzer, & Isis Almeida, *Soy Buyers ‘Left With Virtually Nothing’ in U.S. Turn to Brazil*, BLOOMBERG (May 20, 2021), <https://www.bloomberg.com/news/articles/2021-05-20/soy-buyers-left-with-virtually-nothing-in-u-s-turn-to-brazil>.

It is projected that there will be *201 million pounds* of excess biomass in the supply chain prior to the 2021 planting season.⁶ Thus, while the nation's farmers face a feed and grain shortage, there are literally millions of pounds of hemp plant material available right now to help feed cattle and other livestock.

Hemp has all the nutritional traits of other grains used for animal feed — and then some. To start, the FDA already evaluated and recognized hemp seed oil, hemp hearts, and hemp protein powder as “Generally Recognized as Safe” (GRAS) for human consumption.⁷ Not only is it safe, but it is also one of the only complete plant proteins on the planet and is richer in nutrients than many compounds already consumed by our livestock, which is why you'll find hemp-based nutritional supplements and food products for human consumption in just about any grocery store.⁸ Hemp feed is high in protein, contains high amounts of omega-3 and omega-6 fatty acids, and can be made into different forms of animal feed, including seed, oil, cake, meal, silage, and roughage. Several studies show that animals' health improved when fed hemp-based diets.⁹

Lastly, the hemp plant is uniquely situated to withstand the very droughts that created the grain and feed shortage now endangering our nation's food supply chain. Hemp needs little water, and therefore requires far less irrigation than corn, wheat, or soybeans.¹⁰ The crop needs half as much water as cotton, and significantly less than almonds.

The industrial hemp industry stands ready to work with Congress, the U.S. Department of Agriculture, the Food and Drug Administration, and all relevant stakeholders to ensure that U.S.-grown hemp can safely and effectively help address the global feed shortage and provide much needed relief to U.S. meat producers. We all share the Committee's goal of ensuring that all Americans have access to sufficient food to meet their nutritional needs, and that consumers can trust that all hemp-derived animal feed is safe and nutritious.

Sincerely,



Graham Owens
Co-Chair, NIHC Government Affairs Committee
President, Delta Agriculture

cc: Members of the U.S. House of Representatives' Committee on Agriculture

⁶ Riley Rice, *Growers in Wasco County navigate a young and dynamic hemp industry*, The Time-Journal (Aug. 30, 2021), <https://timesjournal1886.com/growers-in-wasco-county-navigate-a-young-and-dynamic-hemp-industry/>.

⁷ See U.S. Food & Drug Admin, FDA Responds to Three GRAS Notices for Hemp Seed-Derived Ingredients for Use in Human Food (Dec. 20, 2018), <https://www.fda.gov/food/cfsan-constituent-updates/fda-responds-three-gras-notices-hemp-seed-derived-ingredients-use-human-food>.

⁸ See Cathleen Crichton-Stuart, *Health Benefits of hemp seeds*, MEDICAL NEWS TODAY (Sept. 11, 2018), https://www.medicalnewstoday.com/articles/323037#_noHeaderPrefixedContent.

⁹ See, e.g., L. KARLSSON, M. FINELL, & K. MARTINSSON, EFFECTS OF INCREASING AMOUNTS OF HEMPSEED CAKE IN THE DIET OF DAIRY COWS ON THE PRODUCTION AND COMPOSITION OF MILK, ANIMAL 4:11, pp 1854-1860 (2010), <https://doi.org/10.1017/S1751731110001254>.

¹⁰ See David Silverberg, *New heights but no high – why hemp sales are soaring*, BBC (Mar. 7, 2019), <https://www.bbc.com/news/business-47400789>.

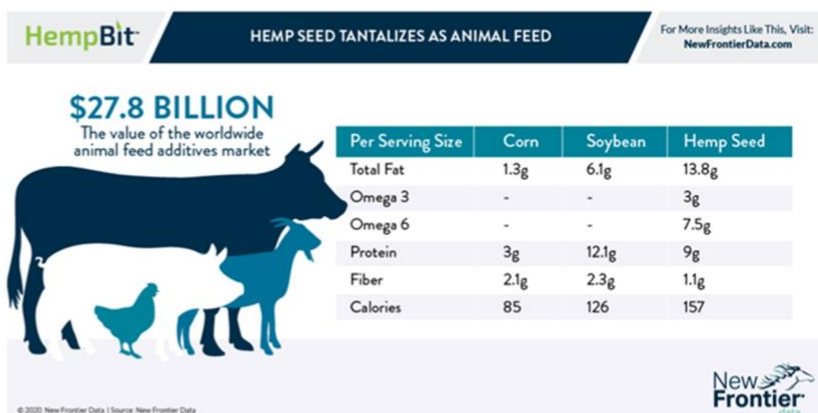
The National Feed Consortium (NFC) is a collection of businesses and thought leaders working together in a post-partisan fashion to advance policies that address the global animal feed shortage." NFC advocates for authorizing industrial hemp grain and fiber (hereinafter "hemp") for use as ingredients in animal feed and bedding in the United States. Hemp provides the best available solution to alleviating the hardships U.S. farmers and consumers are facing due to the feed shortage, while greatly benefiting the U.S. economy and environment.

OVERVIEW

- **NFC proposes policymakers start authorizing hemp for use as feed ingredients for animals not intended for human consumption** (e.g. pets; specialty pets; exotic pets; ornamental fish; horses; livestock not intended for human consumption). Feed for livestock intended for human consumption would continue to require FDA-CVM approval to ensure all safety standards are met.
- **The global feed shortage is creating unprecedented competition for feed sources.** Animal feed is becoming so expensive it's upending global trade flows. Absent action from policymakers, consumers will feel it soon in increased prices.
- **This proposal furthers the development of feed regulations and does not avoid them.** Authorizing hemp as feed for non-production animals will enable U.S. regulators and industry stakeholders the opportunity to fully study its effects, fund additional research and develop long-term regulations based on sound science.

WHY HEMP?

- **Hemp is a superfood!** Hemp has all the nutritional traits of other grains used for animal feed and then some. It is richer in nutrients than many compounds consumed by livestock. Hemp feed is high in protein, contains high
- **Abundance of hemp in the United States.** There are millions of pounds of hemp grown over the past two years are bagged and ready for sale.



WHAT ARE THE ADDITIONAL BENEFITS OF HEMP AS ANIMAL FEED & BEDDING?

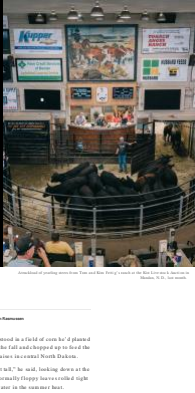
- **Dual cost benefit.** Use of domestic hemp for feed enables U.S. farmers to directly support U.S. ranchers while keeping food costs for consumers low.
- **Drought resistant.** Hemp needs little water, and therefore requires far less irrigation than corn, wheat or soybeans.
- **Increase U.S. competitiveness against global competitors.** China currently exports over 60% of the world's industrial hemp. In a struggle to meet traditional feed demand, many American operators are importing vast quantities of feed grain.

DISPELLING COMMON HEMP FEED MYTHS

- **Hemp feed is not marijuana, cannabinoids, or even CBD.** While hemp has long been associated with its psychoactive cousin, marijuana, industrial hemp has none of the psychoactive traits. Under U.S. law, hemp cannot contain more than 0.3% THC (the compound most associated with getting a person "high"). *Animal feed comes from hemp grain and fiber and not from cannabinoid or CBD hemp.*
- **Yes, hemp has been found safe for consumption.** The U.S. Food & Drug Administration evaluated and recognized hemp seed oil, hemp hearts, and protein powder as "Generally Recognized as Safe" (GRAS) for human consumption.

'The Worst Thing I Can Ever Remember': How Drought Is Crushing Ranchers

North Dakotans can't grow enough feed for their cattle, so they're selling off the animals before they starve.



Around of selling starts from Tom and Kim Fetting's ranch at the Kim Livestock Auction in Mandan, N.D., last month.

By [Shelby Wallis](#) Photographs by [Benjamin Rosenman](#)
Published 11/11/2021 Updated 11/23/2021

TOWNER, N.D. — [Darril Rice stood in a field of corn he'd planted in early June, to be harvested in the fall and chopped up to feed the hundreds of cows and calves he raises in central North Dakota.

"It should be six, seven, eight feet tall," he said, looking down at the stunted plants at his feet, their normally floppy leaves curled tight against their stalks to conserve water in the summer heat.

Like ranchers across the state, Mr. Rice is suffering through an epic drought that's had no worse than anywhere else in this season of extreme weather in the Western half of the country.

THE EVENT

Transport and Logistics for a Post-Covid, Net-Zero World

Thursday, September 23
1:30pm E.T. | 10:30am P.T. | 6:30pm B.S.T.

GO TO ATTEND

Following the past year of travel restrictions, all international flights make a comeback, or in the most cheap mobility case 75% that most solutions and business models are changing how people, goods and data move around a net zero world. Join us on Sept. 23 at 1:30 p.m. E.T. for the debate.

Presented by **ELLE DECOR**

A lack of snow last winter and almost no spring rain have created the driest conditions in generations. Ranchers are being forced to sell off portions of herds they have built up for years, often at fire-sale prices, to stay in business.



Since December, in the weekly maps produced by the [United States Drought Monitor](#), all of North Dakota has been colored in shades of yellow, orange and red, symbolizing various degrees of drought. And since mid-May, McHenry County, where Mr. Rice ranches and farms, has been squarely in the middle of a swath of the darkest red, denoting the most extreme conditions.

The period from January 2020 to this June has been the driest 18 months in McHenry and 11 other counties in the state since modern record keeping began 126 years ago, according to the National Oceanic and Atmospheric Administration.



"I've been ranching for 47 years and then this year had to come along," said John Marshall, who ranches with his son, Lane, not far from Mr. Rice in this sprawling county where Mr. Rice ranches and farms, bills itself as the cattle capital of North Dakota. "It's the worst thing I can ever remember."

Drought conditions that are affecting [up to half the land area of the lower 48 states](#) are helping send beef prices higher in America's grocery stores. But ranchers here say they aren't seeing that money — slaughterhouses and other middlemen are. If anything, the ranchers said, they are losing money because they are getting less from the forced sale of their animals.

The Marshalls have already sold about 100 cows and plan to sell at least another 120, which would leave them with about two-thirds of their usual herd. "Never had to do it before," Mr. Marshall said.

Mr. Rice's corn, which is stored as silage to feed his animals later in the year, is so short that if he tried to harvest now it he couldn't. "It's unchoppable," he said.



Darril Rice, in an ear field on his ranch outside Towner, N.D., in June, shows how high the crop would normally have been.



Corn fields, mostly stunted and without color because of drought, in McHenry County, Marshall's ranch.

If he gets some rain — a big if, as the forecast into the fall is for continued heat and drought — the corn may reach six feet, or half its usual height. Even then he would be looking at a shortage of feed, and would very likely have to have his cows weighed at the commercial ranchers' scale off Main Street in Towner and then sold to a buyer elsewhere.

"If we don't get silage," he said, "the cows are going to starve."

Rachel Wald, who works for North Dakota State University advising and supporting ranchers, said that livestock auction houses, called cash buyers, had been very busy this spring and summer. "We've got 2,000 critters heading down the road each week" in the county, she said. By some estimates, half the cattle in the state may be gone by fall.

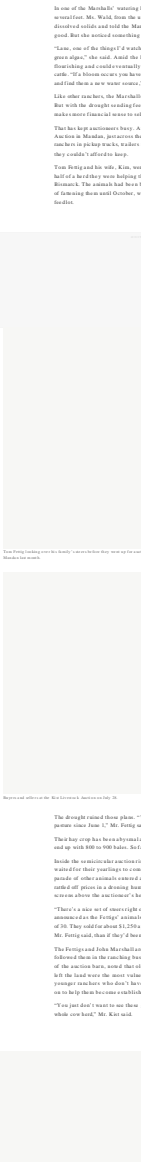
For ranchers who have spent years building up the genetics of their herd, that can mean a giant step backward. "Every year we try to better our breed," said Shelby Wallman, who with her husband, Daryl, has been ranching for decades in Rhame, in the southwestern corner of the state.

"It's a calling," she said. "You spend your entire life with these cattle. I can tell you, there's going to be tears."

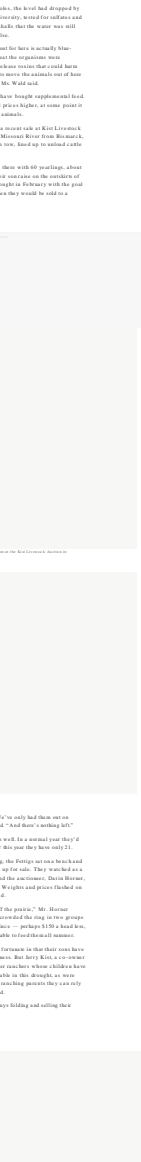
North Dakotans have seen drought many times before. One in 1988 was particularly bad, although John Marshall and others who made it through that year said the current drought is worse.

Ranchers point to the variable nature of the climate here — when a dry year or two may easily be followed by a wet period — instead of talking about [climate change](#). Yet climate change is occurring in North Dakota, as it is everywhere else.

"We're at the epicenter of a changing climate," said Adnan Akyun, the state's climatologist and a professor at North Dakota State University. The state has warmed by 2.4 degrees Fahrenheit (about 1.3 degrees Celsius) over the past century, he said. That's one of the largest increases in the United States.



Rachel Wald of North Dakota State University said levels of cattlemen and total drought in which some ranchers are seeing up hills on John Marshall's ranch.



Tom Fetting looking over his family's acres before they went up for auction at the Kim Livestock Auction in Mandan last month.

North Dakota's climate is expected to become even more variable, with more extreme rainfall and heat. And as elsewhere, droughts are expected to grow in intensity and frequency.

Conditions are highly variable in large part because North Dakota is so far from the oceans, which have a moderating effect on climate. When the state doesn't get moisture from them, it relies on local sources, including lakes, rivers and reservoirs, along with moist air that funnels into the region in late spring and summer from the Gulf of Mexico.

But that Gulf moisture did not arrive this year. And heat has dried up many of the local water sources. The result is air that sucks all the moisture it can from the soil and from plants.

Signs of drought-stressed vegetation can be seen across McHenry County. Stunted silage corn like Mr. Rice's is called pineapple corn, because the tight leaves make it look more like a pineapple plant. Elsewhere, soybean plants have flipped their leaves over to reduce photosynthesis and thus the need for water, giving them a pale green appearance.

And in the Marshalls' pasture, grass that would normally be green and reach the knee is brown and stubby.

The Marshalls rely on clean well water pumped into troughs for most of their cattle. But they and other ranchers also use watering holes, which collect snow runoff and rain. And as watering holes dry up, nutrients and other compounds in the water become more concentrated, which can sicken animals.

In one of the Marshalls' watering holes, the level had dropped by so much that Mr. Wald, from the university, bent for cullies and dissolved solids and told the Marshalls that the water was still good. But she noticed something else.

"Lane, one of the things I'd watch out for here is actually blue-green algae," she said. Amid the heat the organisms were flourishing and could eventually release toxins that could harm cattle. "If a bloom occurs you have to move the animals out of here and find them a new water source," Ms. Wald said.

Like other ranchers, the Marshalls have bought supplemental feed. But with the drought sending feed prices higher, at some point it makes more financial sense to sell animals.

That has kept auctioneers busy. At a recent sale at Kim Livestock Auction in Mandan, just across the Missouri River from Bismarck, ranchers in pickup trucks, trailers in tow, lined up to unload cattle they couldn't afford to keep.

Tom Fetting and his wife, Kim, were there with 40 yearlings, about half of a herd they were helping their cousin on the outskirts of Bismarck. The animals had been bought in February with the goal of fattening them until October, when they would be sold to a feedlot.

The drought ruined those plans. "We've only had them out on pasture since June 1," Mr. Fetting said. "And there's nothing left." Their hay crop has been abysmal as well. In a normal year they'd end up with 800 to 900 bales. So far this year they have only 21.

Inside the semicircular auction ring, the Fettings sat on a bench and waited for their yearlings to come up for sale. They watched as a parade of other animals entered and the auctioneer, Darin Horner, called off prices in a droning boom. Weights and prices flashed on screens above the auctioneer's head.

"There's a nice set of steer right off the pair," Mr. Horner announced as the Fetting's animals crowded the ring in two groups of 20. They sold for about \$1,250 a piece — perhaps \$150 a head less, Mr. Fetting said, than if they'd been able to feed them all summer.

The Fetting and John Marshall are fortunate in that their sons have followed them in the ranching business. But Jerry Kier, a co-owner of the auction barn, said that older ranchers whose children have left the land were the most vulnerable in this drought, as were younger ranchers who don't have ranching parents they can rely on to help them become established.

"You just don't want to see these guys folding and selling their whole cow herd," Mr. Kier said.

Washing livestock in preparation for the North Dakota State Fair in Minot last month.

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