

Industrial Hemp The Dawning of a New Day



NATIONAL HEMP
ASSOCIATION



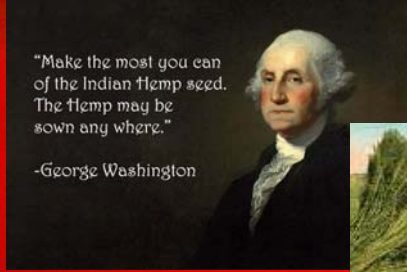
Did You Know?

- Literally thousands of products can be made with hemp
- Anything made from wood can be made from hemp
- Hemp composites can replace plastics
- Hemp has a high biomass and can be used to create bio-fuels
- Hemp is a nutritional powerhouse and is considered a super food
- Hemp building materials are fire, mold, mildew and insect resistant with a high R-Value
- Hemp aerates soil & is great for erosion control
- Hemp requires little to no pesticides or irrigation
- Hemp can be used to remediate brownfields & mines
- Proven to remove heavy metals, toxins and purifies water
- Can be grown organically and is one of the most efficient sustainable crops

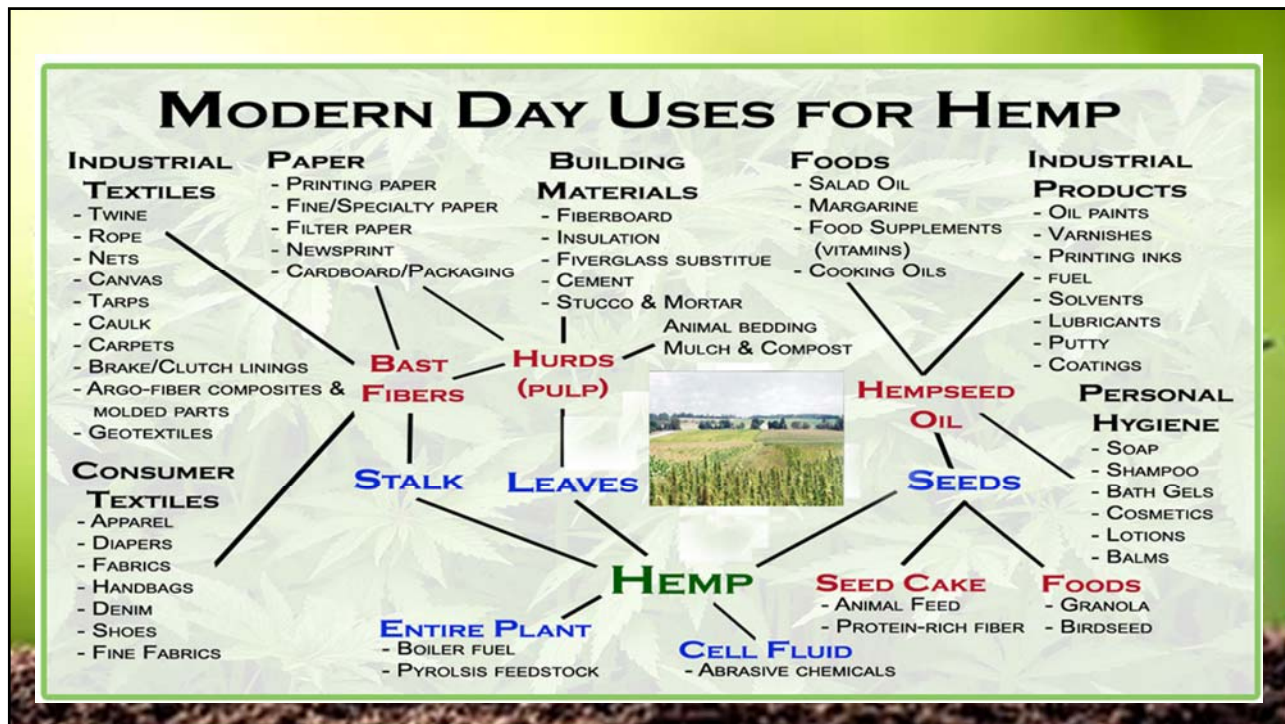
What's Old is New Again

"Make the most you can
of the Indian Hemp seed.
The hemp may be
sown any where."

-George Washington



Hemp Means Business



The Need for New Ways to Manufacture Sustainable Products

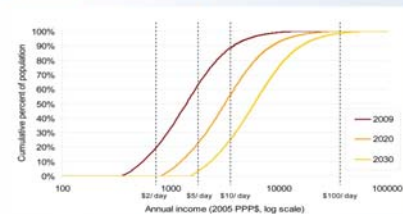
BROOKINGS

Conclusion

- The world is in the throes of a major expansion in the middle class, particularly in emerging Asia. The global middle class is expected to grow from under 2 billion consumers today to nearly 5 billion within two decades.
- Middle classes are an important key driver of growth, as the income elasticity for durable goods and services for middle class consumers is greater than one.
- China and India are at the forefront of the expansion of the global middle class. The world economy can be expected to increasingly rely on the middle classes of these two Asian powers as key sources of global demand.

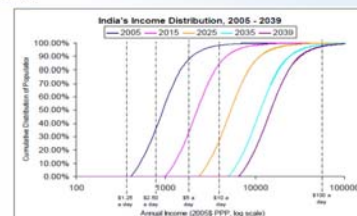
BROOKINGS

China is on the verge of becoming a middle class nation



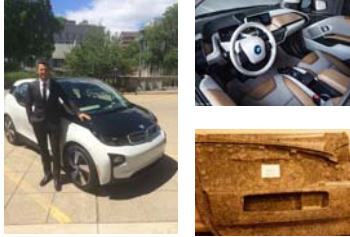
BROOKINGS

Dramatic Expansion of India's Middle Class



Hemp in Europe

BMW/Volvo/Mercedes/Audi are manufacturing
Hemp Car Parts



Hemp decortication plant



One of the UK's largest retailers, Marks & Spenser,
used hemp in construction for their Green Design



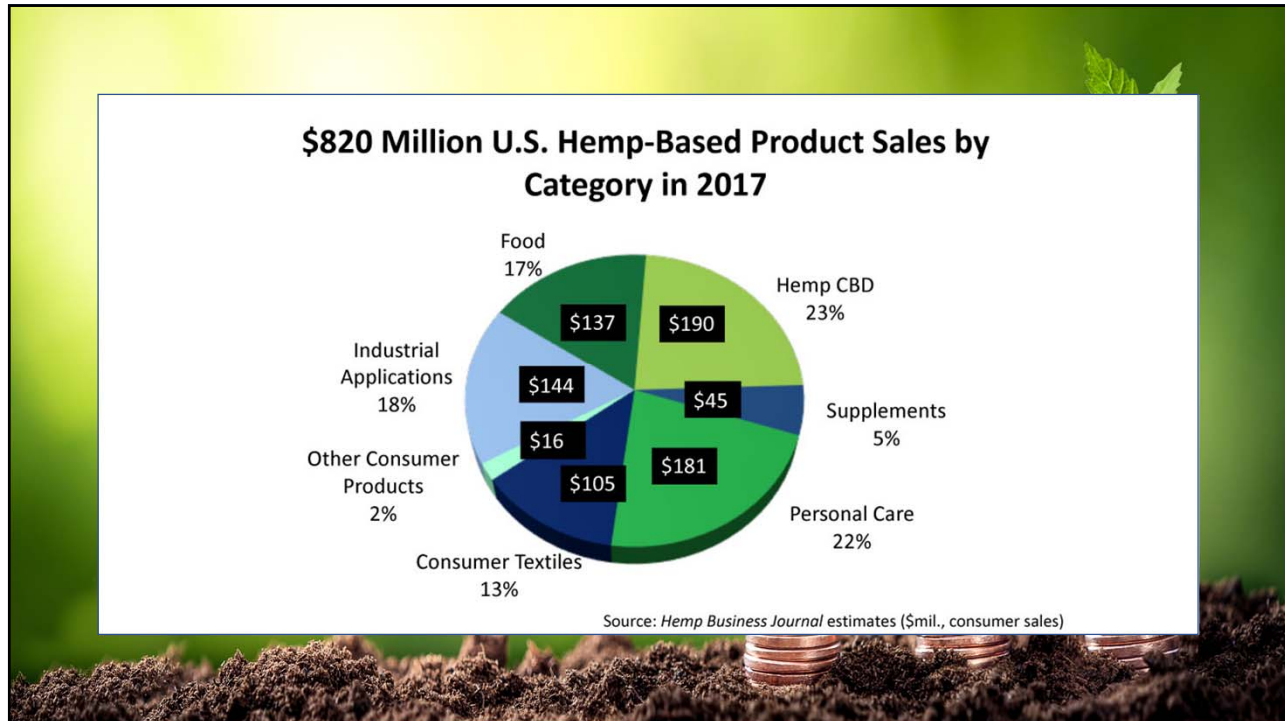
European Homes Built with Hemp



Why Hemp is in the National and Public Interest: Hemp industry & the American economy

The American Economy will benefit from:

- Increased contributions to GDP as value added jobs are added to the agriculture sector.
- Generation of higher revenues from exports of high value-added hemp products.
- Strengthening of America's knowledge base and expertise in hemp related research, hemp product development and product marketing.



ECONOMIC IMPACT OF HEMP

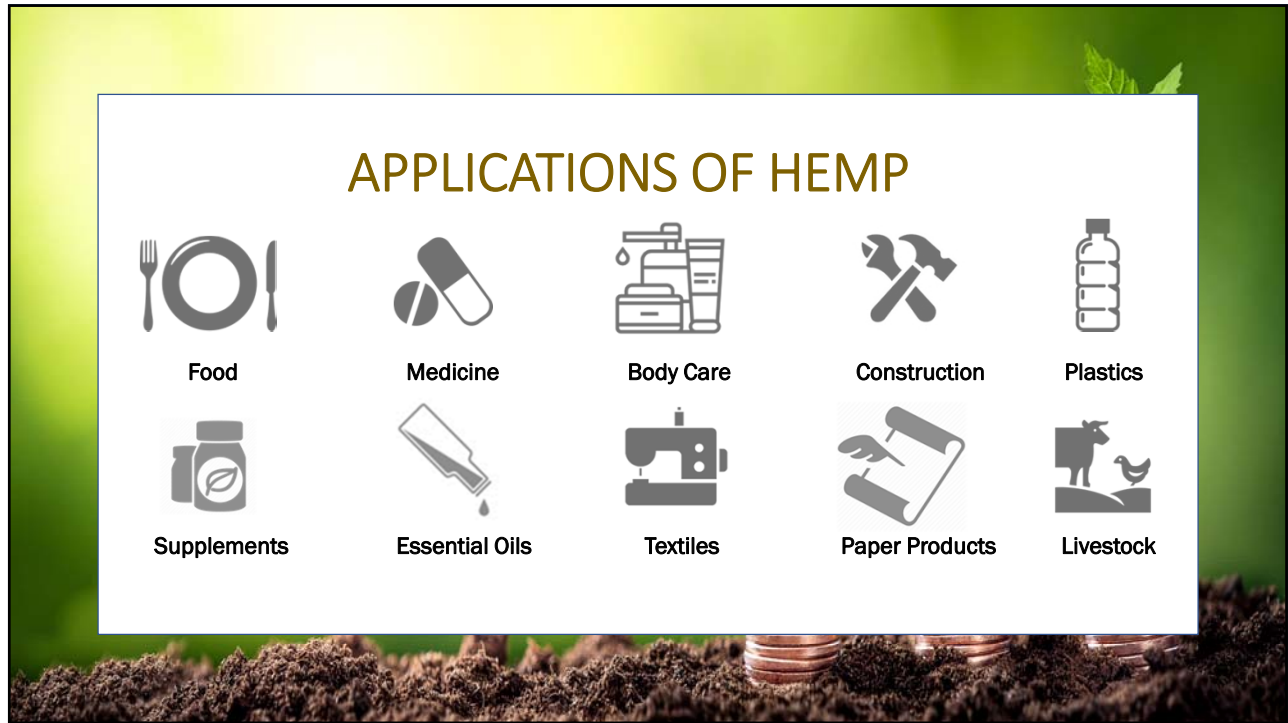
America is the largest global importer of hemp products with \$500 million of annual imports.

America is the only importing nation with a national program. Imports from other countries include textiles from China, food and seed products from Canada, and industrials from Europe.


Total sales for the US Hemp industry in 2017 were \$820 million. Sales are expected to reach \$1.9 billion in 2022, a 14.4% compounded annual growth rate (CAGR)


US Hemp Sales

Category	2017 (\$mm)	2022 Projection (\$mm)
Food	\$137mm	\$212mm
Supplements	\$235mm	\$700mm
Personal Care	\$181mm	\$259mm
Consumer Textiles	\$105mm	\$183mm
Industrial Applications	\$144mm	\$527mm
Other	\$16mm	\$23mm
Total	\$820mm	\$1,900mm



Hemp is a Super Food!





Nutrition Facts

Serving Size 2 scoops (30g)
Servings per container = approx. 15

Amount Per Serving	
Calories 134	Calories from Fat 54
% Daily Value*	
Total Fat 6g	11%
Saturated Fat 0.6g	1%
Trans Fat 0g	
OMEGA-3 Polyunsaturates 1.2g	**
OMEGA-6 Polyunsaturates 3.3g	**
OMEGA-9 Monounsaturates 0.9g	**
Cholesterol 0mg	0%
Sodium 15mg	1%
Total Carbohydrates 5g	2%
Dietary Fibre 4g	16%
Sugars 1g	
Protein 15g	30%
Vitamin A	0%
Vitamin C	1%
Calcium	0%
Iron	4%

*Daily Value based on a 2,000 calorie diet.
**Daily Value not established.

APPLICATIONS – HEALTH Products

Hemp Protein Powder

Hemp protein powder is made from crushed hemp seeds and contains all the healthy substances that the hemp plant offers. It's an abundant source of healthy plant proteins and many other nutrients that contribute to a healthy, fit and active life.



Hemp Hemp Seeds

Hemp seeds are a super food by themselves. In addition to the fact that they are simply delicious, they are also one of the healthiest foods out there and are full of essential fatty acids (Omega 3, 6 & 9), essential amino acids and dietary fiber: the basis for a fit body.



Hemp Hemp Seed Oil

Hemp seed oil is pressed from the seeds of the fibre plant and is ultra healthy. Hemp seed oil consists for 75-80% of polyunsaturated fatty acids (the good fats!). This oil is chock full of antioxidants and valuable minerals. Hemp seed oil is considered to be the most balanced vegetable oil available.



Hemp CBD

Industrial hemp fibre is virtually THC free and therefore has no psychoactive effect. CBD (cannabidiol) is one of several substances which is extracted and has great health-promoting properties. A small selection: CBD reduces stress, ensures a good night's sleep, provides energy and increases resistance.



HEMP FIBER FOR A SUSTAINABLE FUTURE

Hemp fiber is the natural and environmentally friendly alternative for industrial applications. It's quite simple: hemp fiber with a supplement of biodegradables can be used as an alternative to plastic, cotton, wood, steel and synthetics. You name it, and a hemp version can be produced: from clothing to paper, from tableware to automotive and scooter parts, from musical instruments to bird feed, from yoga mat to furniture. There are literally endless possibilities.



BENEFITS OF HEMP-BASED INDUSTRIAL APPLICATIONS

Automotive interior parts from hemp are lighter and safer compared to glass fiber. In addition, they are lighter and more durable than steel and won't rust. Hemp based construction materials are more user-friendly than materials based on glass or rock wool. Hemp paper lasts many times longer than paper from trees. Hemp fiber-based bioplastic is many times stronger than oil-based plastic. And biodegradable! The production of petrochemical plastics creates tremendous CO₂ emissions. Hemp actually absorbs CO₂! The production of cotton requires huge amounts of pesticides. Hemp requires virtually none! With the development of hemp nano materials, hemp fiber even becomes suitable for use in batteries and accumulators.

ANIMAL CARE

HEMP PRODUCTS FOR HEALTHY ANIMALS

Animal care products from Hemp are sustainably produced without any chemical additives. Virtually dust-free, therefore much less chance of allergic reactions and respiratory problems! And the natural antibacterial properties of the hemp plant prevent diseases and infections.



BENEFITS OF HEMP ANIMAL CARE PRODUCTS

Hygienic and dust-free, less chance of respiratory issues and allergic reactions, Shock absorbing and no clotting, ideal for hoofed animals, Anti-bacterial and anti-fungal effects, For animal enclosures of all sizes, Stimulates natural behavior, such as nesting, Absorbs moisture and odors, 100% natural, fully compostable - For happy pets!

ANIMAL CARE - Products

Natural bedding for the horse stable and other enclosures. Healthy for airways and hoofs!



Stable bedding with added eucalyptus oil, especially for horses with respiratory problems.



Natural bedding and nesting material for cages of small animals such as guinea pigs and birds.



Bedding mats for small animals. Hygienic, warm and stimulates natural nesting behaviour.



HORTICULTURE - Products

[Hemp Garden Mulch](#)

Hemp mulch that prevents weed formation and dehydration without chemical substances.



[Hemp Growing Medium](#)

Natural, compostable mats of hemp fibre, ideal for the growing of micro greens.



[Hemp CanTop](#)

A protective, all-natural topping made of out hemp shives to prevent moss and weed formation.



[Hemp Tree Discs](#)

These degradable discs of hemp fibers suppress weed and protect the plant from cold.



Where we are today

- USDA Regulations
- FDA Regulations
- Federal Vs State Regulations
- Banking Regulations
- Crop Insurance



NATIONAL HEMP
ASSOCIATION







Arthritis Foundation CBD Guidance for Adults

The Issue:

The Arthritis Foundation is aware of the growing popularity and availability of CBD (cannabidiol)-based products. Industry reports show that people with arthritis are among the top buyers, and pain is the leading reason for purchase. Our July 2019 survey of 2,600 people with arthritis shows significant use of and interest in CBD.* Earlier surveys have shown repeatedly that pain is the most burdensome arthritis symptom.

The Arthritis Foundation Position:

As the largest organization representing the voice and needs of people with arthritis, the Arthritis Foundation has always welcomed new treatment options because no single drug, supplement or therapy works for everyone. We believe patients should be empowered to find safe management strategies that are appropriate for them. The more options available, the likelier it is that more people will benefit.

We are intrigued by the potential of CBD to help people find pain relief and are on record urging the [FDA](#) to expedite the study and regulation of these products. While currently there is limited scientific evidence about CBD's ability to help ease arthritis symptoms, and no universal quality standards or regulations exist, we have listened to our constituents and consulted with leading experts** to develop these general recommendations for adults who are interested in trying CBD.

Key Takeaways:

- CBD may help with arthritis-related symptoms, such as pain, insomnia and anxiety, but there have been no rigorous clinical studies in people with arthritis to confirm this.
- While no major safety issues have been found with CBD when taken in moderate doses, potential drug interactions have been identified.
- CBD should never be used to replace disease-modifying drugs that help prevent permanent joint damage in inflammatory types of arthritis.
- CBD use should be discussed with your doctor in advance, with follow-up evaluations every three months or so, as would be done for any new treatment.
- There are no established clinical guidelines to inform usage. Experts recommend starting with a low dose, and if relief is inadequate, increase in small increments weekly.
- Buy from a reputable company that has each batch tested for purity, potency and safety by an independent laboratory and provides a certificate of analysis.

Frequently Asked Questions

The Basics: What Adults Should Know About CBD

What is CBD? CBD, short for cannabidiol, is an active compound found in the cannabis plant. CBD is not intoxicating but may cause some drowsiness. The CBD in most products is extracted from hemp, a variety of cannabis that has only traces (up to 0.3%) of THC, the active compound that gets people high.

Does CBD work for arthritis? Animal studies have suggested that CBD has pain-relieving and anti-inflammatory properties, but these effects have not been validated in quality studies in humans. Anecdotally, some people with arthritis who have tried CBD, but not all, report noticeable pain relief, sleep improvement and/or anxiety reduction.

Is CBD safe to use? Research evaluating the safety of CBD is underway. At this point very little is known. So far, no serious safety concerns have been associated with moderate doses. CBD is thought to have the potential to interact with some drugs commonly taken by people with arthritis. Talk to your doctor before trying CBD if you take any of the following: corticosteroids (such as prednisone), tofacitinib (*Xeljanz*), naproxen (*Aleve*), celecoxib (*Celebrex*), tramadol (*Ultram*), certain antidepressants, including amitriptyline (*Elavil*), citalopram (*Celexa*), fluoxetine (*Prozac*), mirtazapine (*Remeron*), paroxetine (*Paxil*), sertraline (*Zoloft*), and certain medications for fibromyalgia, including gabapentin (*Neurontin*) and pregabalin (*Lyrica*).

Are CBD products legal? CBD products derived from hemp are no longer considered Schedule I drugs under the federal Controlled Substances Act, but they still remain in a legal gray zone. There are changes underway on federal and state levels that will ultimately clarify the laws and regulations related to CBD-based products and sales. Despite that, they're widely available in nearly every state and online. People who want to use CBD should check their state laws.

Taking the First Step

Should I give CBD a try? Without quality clinical studies on CBD and arthritis, doctors have not been able to say who might benefit from CBD, at what dose and in which form, who likely won't benefit and who should avoid it. Still, there is agreement on several points:

- CBD is not a substitute for disease-modifying treatment for inflammatory arthritis.
- Patients who are interested in trying CBD should first talk to the health care provider who treats their arthritis before trying CBD. Together, they can review what has worked or not worked in the past, whether there are other options to try first, how to do a trial run, what to watch for and when to return for a follow-up visit to evaluate the results. Keep a symptom and dose diary to track effects.
- Quality CBD products can be expensive, especially when used for prolonged periods. To avoid wasting money, be completely sure that the product is truly having a positive effect on symptoms.

What type of product should I consider? CBD-based products can be taken orally, applied to the skin or inhaled. There are pros and cons for each.

By mouth. CBD that is swallowed, whether in capsules, food or liquid, is absorbed through the digestive tract. Absorption is slow and dosing is tricky due to the delayed onset of effect (one to two hours), unknown effects of stomach acids, recent meals and other factors.

Capsules can work for daily use after a safe, effective capsule dose has been established. Experts discourage taking CBD via edibles, like gummies and cookies, because dosing is unreliable, and they are appealing to children but do not come in childproof containers. Like any medicine, edibles should be secured out of sight and reach of children.

CBD can also be absorbed directly into the bloodstream by holding liquid from a spray or tincture (a liquid dosed by a dropper) under the tongue (sublingual) for 60 to 120 seconds. The taste may not be pleasant. Effects may be felt within 15 to 45 minutes.

On the skin. Topical products, like lotions and balms, are applied to the skin over a painful joint. Whether these products deliver CBD below the skin is unknown. Topical products may also include common over-the-counter ingredients such as menthol, capsaicin or camphor, making it difficult to determine if a positive effect is due to the CBD or another ingredient.

Inhaled. CBD can be inhaled via a vaporizing, or vape, pen. However, inhalation of vapor oils and chemical byproducts carry unknown risks, particularly for people with inflammatory arthritis. For this reason and because the Centers for Disease Control and Prevention is investigating vaping in association with widespread hospitalizations and deaths from severe pulmonary disease, vaping is not recommended.

How much CBD should I use? While there are no established clinical guidelines, the medical experts consulted by the Arthritis Foundation recommend the following for adults:

- When preparing to take a liquid form, be aware that the CBD extract is mixed with a carrier oil, so there are two measures to know: the amount of the liquid product to take (the dose) and the amount of CBD in each dose.
- “Go low and slow.” Start with just a few milligrams of CBD in sublingual form twice a day. If relief is inadequate after one week, increase the dose by that same amount. If needed, go up in small increments over several weeks. If you find relief, continue taking that dose twice daily to maintain a stable level of CBD in the blood.
- If CBD alone doesn't work and you are in a state where medical or recreational marijuana is legal, talk to your doctor about taking CBD with a very low-dose THC product. Be aware that THC, even at low levels, may get you high, creating cognitive, motor and balance issues. Try THC-containing products at home or at night first, so you can sleep off any unwanted effects.
- After several weeks, if you don't find relief with CBD alone or with a combination of CBD and very low THC, CBD may not be right for you.
- If you experience any unwanted side effects when using a CBD product, immediately discontinue use and inform your doctor.

Shopping Smart

What to look for when shopping? There is good reason to be a cautious shopper. CBD products are largely unregulated in the U.S. market. Independent testing has shown mislabeling and lack of quality control. The biggest issues are strength of CBD (significantly more or less than the label says), the presence of undeclared THC, and contamination with pesticides, metals and solvents.

- Look for products manufactured in the U.S. with ingredients grown domestically.
- Choose products made by companies that follow good manufacturing practices established by the FDA for pharmaceuticals or dietary supplements (a voluntary quality standard because CBD products are not federally regulated under either category) or required by the state where they are manufactured.
- Buy from companies that test each batch and provide a certificate of analysis from an independent lab that uses validated, standardized testing methods approved by the American Herbal Pharmacopoeia (AHP), the U.S. Pharmacopoeia (USP) or the Association of Official Agricultural Chemists (AOAC).
- Avoid companies that claim their products have disease benefits.
- Be aware that marketers and people behind retail counters are not health professionals; they are salespeople. That's why your doctor is your best source for guidance and monitoring when using an unregulated product.

*Read the survey results, "[Patients Tell Us About CBD Use.](#)"

**Our gratitude to the following experts for their guidance and review:

Kevin Boehnke, PhD, a researcher at the Chronic Pain and Fatigue Research Center at the University of Michigan, focuses on medical cannabis as an analgesic and opioid substitute in chronic pain.

Daniel Clauw, MD, a professor of anesthesiology, rheumatology and psychiatry at the University of Michigan and director of the Chronic Pain and Fatigue Research Center, leads research on arthritis pain and fibromyalgia, and the effects of cannabis, particularly CBD, in pain.

Mary Ann Fitzcharles, MD, an associate professor of medicine in the Division of Rheumatology at McGill University in Montreal, Quebec, conducts research on pain and rheumatic diseases. She is the lead author of the 2019 Canadian Rheumatology Association (CRA) position statement for medical cannabis.

AGRICULTURE CODE (3 PA.C.S.) - INDUSTRIAL HEMP RESEARCH**Act of Jul. 20, 2016, P.L. 822, No. 92****Cl. 03**

An Act

No. 2016-92

HB 967

AN ACT

Amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, providing for industrial hemp research; imposing powers and duties on the Department of Agriculture and the Legislative Reference Bureau; imposing criminal and civil penalties; abrogating a regulation; and making a related repeal.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Title 3 of the Pennsylvania Consolidated Statutes is amended by adding a chapter to read:

**CHAPTER 7
INDUSTRIAL HEMP RESEARCH**

Sec.

- 701. Scope of chapter.
- 702. Definitions.
- 703. Administration.
- 704. Growth and cultivation.
- 705. Control orders.
- 706. Noncriminal offense.
- 707. Criminal and civil penalties.
- 708. Disposition of funds.
- 709. Abrogation of regulation.
- 710. Expiration.

§ 701. Scope of chapter.

This chapter relates to industrial hemp research.

§ 702. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Agricultural pilot program." A pilot program to study the growth, cultivation or marketing of industrial hemp.

"Control order." A written order issued by the department to a person establishing required treatment measures, including destruction, for a violation of a provision of this chapter or a regulation, permit or order issued under this chapter.

"Department." The Department of Agriculture of the Commonwealth.

"Industrial hemp." The plant *Cannabis sativa* L. and any part of the plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3% on a dry-weight basis.

"Institution of higher education." As defined by section 101 of the Higher Education Act of 1965 (Public Law 89-329, 79 Stat. 1219).

"Secretary." The Secretary of Agriculture of the Commonwealth.

§ 703. Administration.

(a) Department.--The department has the following duties:

(1) Implement this chapter.

(2) Establish, through permits, a certification and registration program under this chapter and, when the program is operative, transmit notice of that fact to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.

(b) Powers and duties.--The department shall have the following powers and duties:

(1) Notwithstanding any other law to the contrary, to regulate and permit industrial hemp under this chapter in a manner consistent with the provisions of this chapter and all Federal laws, regulations and orders.

(2) To establish, implement and administer an agricultural pilot program to the extent funds are available.

(3) To develop and implement permitting requirements, and regulations if necessary, to carry out the provisions of this chapter.

(4) To issue, renew, deny, revoke, suspend or refuse to renew permits to conduct an agricultural pilot program.

(5) To develop an application for registration.

(6) To develop an application for permits.

(7) To create and maintain a database of permitted institutions of higher education and sites used to grow or cultivate industrial hemp.

(8) To inspect the facilities, growing areas, fields, seeds, plants and other items used by each permitted entity to ensure compliance with this chapter and permitting requirements and regulatory standards if promulgated, including conducting or requiring testing of seeds, plants and plant materials at the permit holder's cost.

(9) To establish, through permit, restrictions for the use or reuse of seeds, crops or products produced as the end result of an agricultural pilot program.

(10) To establish reasonable permitting and inspection fees to cover the cost of administration of this chapter.

(11) Notwithstanding any provision of Chapter 71 (relating to seed) and its attendant regulations, to regulate the labeling and testing of industrial hemp and industrial hemp seeds within this Commonwealth.

(12) To establish, through permitting standards or regulation, recordkeeping requirements necessary to administer the provisions of this chapter.

(c) Secretary.--If the secretary determines that a Federal agency is authorized to regulate industrial hemp, the secretary shall transmit notice of that authorization to the bureau for publication in the Pennsylvania Bulletin.

§ 704. Growth and cultivation.

(a) Authorization.--Industrial hemp may be grown or cultivated by the department or an institution of higher education for the purposes of research conducted under an agricultural pilot program in compliance with subsection (b), notwithstanding:

(1) The Controlled Substances Act (Public Law 91-513, 84 Stat. 1236, 21 U.S.C. § 801 et seq.).

(2) (Reserved).

(3) 41 U.S.C. Ch. 81 (relating to drug-free workplace).

(4) Section 4(1)(vii)1 of the act of April 14, 1972 (P.L. 233, No. 64), known as The Controlled Substance, Drug, Device and Cosmetic Act.

(5) 18 Pa.C.S. § 7508(a)(1) (relating to drug trafficking sentencing and penalties).

(6) Any other Federal law or State law.

(b) Manner.--Industrial hemp shall be grown or cultivated in a manner that complies with all of the following:

(1) Except as provided under subsection (c), only institutions of higher education and the department may grow or cultivate industrial hemp.

(2) Sites used for growing or cultivating industrial hemp must be certified, inspected and permitted by and registered with the department. The failure to permit inspection by the department shall be a violation of this chapter.

(c) Contracted growers.--

(1) The department, to the extent necessary to carry out the provisions of an agricultural pilot program, may contract

with a person to grow or cultivate industrial hemp.

(2) An institution of higher education holding a permit from the department, to the extent necessary to carry out the provisions of an agricultural pilot program, may contract with a person to grow or cultivate industrial hemp.

(3) A contract between an institution of higher education and a person must incorporate the provisions of the permit issued to the institution of higher education and must require written approval from the department.

(4) A person with a contract to grow or cultivate industrial hemp must provide the following information:

(i) The name and mailing address of the person.

(ii) The legal description and global positioning coordinates sufficient to locate each site to be used to grow or cultivate industrial hemp.

(iii) A signed declaration indicating whether the person has ever been convicted of a felony or misdemeanor.

(5) A person with a contract under this subsection is subject to a grant of necessary permissions, waivers or other form of valid legal status by the United States Drug Enforcement Administration or other appropriate Federal agency pursuant to Federal laws relating to industrial hemp. The department may seek all-inclusive permissions, waivers or other forms of valid legal status from the United States Drug Enforcement Administration or other appropriate Federal agency pursuant to Federal laws relating to industrial hemp for all persons with a contract to grow or cultivate industrial hemp.

(6) Each contracted grower shall submit fingerprints to the Pennsylvania State Police for the purpose of obtaining criminal history record checks. The Pennsylvania State Police or its authorized agent shall submit the fingerprints to the Federal Bureau of Investigation for the purpose of verifying the identity of the applicant and obtaining a current record of any criminal arrests and convictions. Any criminal history record information relating to contracted growers obtained under this paragraph by the department may be interpreted and used by the department only to determine the applicant's character, fitness and suitability to serve as contracted growers under this chapter.

(7) A person with a felony drug conviction within the past 10 years may not contract to grow or cultivate industrial hemp under this subsection.

§ 705. Control orders.

(a) Authority of department.--

(1) The department may issue a control order:

(i) Requiring any person registered and permitted to grow industrial hemp to implement treatment measures for industrial hemp if the department finds that the person has violated a provision of this chapter or a regulation, order or permitting requirement issued under this chapter.

(ii) Upon finding industrial hemp growing on any premises or property without a valid registration or permit.

(2) A control order shall set forth the general factual and legal basis for the action and shall advise the affected person that within 15 days of receipt of the control order the person may file with the department a written request for an administrative hearing.

(3) The hearing under paragraph (2) shall be conducted in accordance with 2 Pa.C.S. (relating to administrative law and procedure). The written control order of the department shall be served upon the affected person by personal service or by registered or certified mail, return receipt requested. The control order shall become final upon the expiration of the 15-day period for requesting an administrative hearing unless a

timely request for a hearing has been filed with the department.

(b) Required contents.--The control order shall prescribe the required remediation, control, eradication or treatment measures and the date by which the measures must be completed.

(c) Expenses and costs.--The department may recover any expenses and costs incurred in enforcing and carrying out the measures established in the control order from the person that was the subject of the department's control order.

§ 706. Noncriminal offense.

An activity conducted in compliance with this chapter shall not be in violation of the laws of the Commonwealth including:

(1) The act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act.

(2) 18 Pa.C.S. § 7508(a)(1) (relating to drug trafficking sentencing and penalties).

(3) Any other law of the Commonwealth regulating the growth or cultivation of industrial hemp.

§ 707. Criminal and civil penalties.

(a) Penalties authorized.--In addition to any criminal penalty that may apply if a person is operating outside the requirements of this chapter or a permit, rule or regulation promulgated under this chapter, the department may impose the penalties under this section.

(b) Criminal penalties.--The following shall apply:

(1) A person commits a summary offense if the person:

(i) violates a provision of this chapter or a permit, rule or regulation promulgated under this chapter; or

(ii) impedes, obstructs, hinders or otherwise prevents or attempts to prevent the department in the performance of its duty in connection with a provision of this chapter or a permit, rule or regulation promulgated under this chapter.

(2) Upon conviction of an offense under paragraph (1), the person shall be sentenced to pay a fine of:

(i) Not less than \$100 nor more than \$300 for the first violation.

(ii) Not less than \$500 nor more than \$1,000 for a subsequent violation that occurs within one year of the first conviction.

(c) Civil penalties.--The following shall apply:

(1) In addition to any other remedy available at law or in equity for a violation of this chapter or a permit, rule or regulation promulgated under this chapter, the department may assess upon a person a civil penalty of not more than \$5,000, plus the cost of remediation, containment or eradication, for each violation of this chapter, a permit, rule or regulation promulgated under this chapter or an order issued under the authority of this chapter.

(2) A civil penalty assessed under this subsection shall be payable to the department.

(3) The amount of the civil penalty under this subsection shall be collectible in a manner provided by law for the collection of debt, including referral of the collection matter to the Office of Attorney General, which shall recover the amount by action in the appropriate court.

(4) A civil penalty may not be assessed unless the person subject to the penalty has been given notice and an opportunity for a hearing on the assessment in accordance with the provisions of 2 Pa.C.S. Ch. 5 Subch. A (relating to practice and procedure of Commonwealth agencies) and Ch. 7 Subch. A (relating to judicial review of Commonwealth agency action).

(d) Civil remedy.--The following shall apply:

(1) In addition to any other remedy provided for in this chapter, at the request of the secretary, the Attorney General

may initiate, in the Commonwealth Court or the court of common pleas of the county in which the defendant resides or has a place of business, an action in equity for an injunction to restrain a violation of this chapter, a permit, rule or regulation promulgated under this chapter or an order of the department from which no timely appeal has been taken or sustained on appeal.

(2) In a proceeding under paragraph (1), upon motion of the Commonwealth, the court shall issue a preliminary injunction if it finds that the defendant is engaging in conduct that is causing immediate or irreparable harm to the public. The Commonwealth shall not be required to furnish bond or other security in connection with the proceeding. In addition to an injunction, the court may levy a civil penalty as provided for under this chapter.

§ 708. Disposition of funds.

(a) Deposit of funds.--All fees, fines and penalties collected under this chapter shall be paid into a subaccount in a special restricted account in the General Fund known as the Plant Pest Management Account and shall be appropriated by the General Assembly to the department for the purpose of this chapter. The money in the subaccount shall not replace revenues appropriated to the fund as allowed under subsection (b).

(b) Supplement to account.--The subaccount in the Plant Pest Management Account may be supplemented by:

(1) Funds appropriated from the General Assembly to the department for purposes of this chapter.

(2) Federal funds appropriated to the department for purposes of this chapter.

(3) Gifts and other contributions from public or private sources for purposes of this chapter.

§ 709. Abrogation of regulation.

The provisions of 7 Pa. Code § 110.1(1) (relating to noxious weed control list) are abrogated.

§ 710. Expiration.

This chapter shall expire upon publication in the Pennsylvania Bulletin of the notice under section 703(c) (relating to administration).

Section 2. Repeals are as follows:

(1) The General Assembly finds and declares that the repeal under paragraph (2) is necessary to effectuate the addition of 3 Pa.C.S. Ch. 7.

(2) Section 8(1) of the act of April 7, 1982 (P.L.228, No.74), known as the Noxious Weed Control Law, is repealed.

Section 3. This act shall take effect as follows:

(1) The following provisions shall take effect immediately:

(i) The addition of 3 Pa.C.S. § 703(a).

(ii) Section 2(1) of this act.

(iii) This section.

(2) The remainder of this act shall take effect upon publication of the notice under 3 Pa.C.S. § 703(a)(2).

APPROVED--The 20th day of July, A.D. 2016.

TOM WOLF