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# ‘Cannabis Crop Rescue Act’ ignites debate on supporting struggling New York cannabis farmers

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On the highest of high holidays – 4/20 – New York State Assemblywoman Donna Lupardo introduced the “Cannabis Crop Rescue Act” to provide relief for the state’s struggling cannabis farmers.

The bill would allow New York’s Adult-Use Conditional Cultivators to sell their own or another licensee’s cannabis products directly to consumers until Sept. 30, 2023. It would also authorize the Office of Cannabis Management to create a loan or grant program to help these farmers process cannabis into distillate.

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However, the bill caught many in the industry by surprise, with some concerned it may sow division between the state’s farmers and Conditional Adult-Use Retail Dispensaries, which are just now starting to get off the ground.

Brittany Carbone, a licensed cannabis grower, said she appreciates the legislative effort but is concerned about the potential conflicts it could create between cultivators and retailers.

Lupardo's "heart is in the right place, and we appreciate the effort," said Carbone, who is also the founder and CEO of TONIC and co-founder of Tricolla Farms. "But I just think that there's a lot of unforeseen consequences to this that were not fully fleshed out or given the consideration it really needs to figure out how this would impact the whole range of stakeholders in this space."



Brittany Carbone, founder and CEO of TONIC and co-founder of Tricolla Farms, speaks at a Cannabis Association of New York press conference at the Capitol Building on March 28, 2023.

Carbone added that some of the details within the bill aren't realistic. For example, while the legislation would allow cultivators to sell directly to consumers until Sept. 30, 2023, there's no way that distressed farmers are going to be able to stand up even a scaled-back retail-type presence on their farms within a matter of months – "just to have it shut down in a matter of months," she said.

Lupardo acknowledged to NY Cannabis Insider that the bill may not be perfect, but said she sees it as a conversation starter to address the big issue facing farmers – nowhere to sell their crop.

“As the legislator who introduced all the original hemp legislation, I feel a personal responsibility to these farmers,” Lupardo said.

“Our farmers are at risk – they can’t sell the products that they grew, and we’re risking the supply chain. Their mental health and fiscal responsibility are at risk, the crop is at risk, and something has to be done. So we just put some ideas out there,” Lupardo said.

She added that she’s “totally open to any solution” and welcomes feedback and potential amendments to the bill.



Assemblywoman Donna Lupardo spoke at a cannabis association press conference in Albany on March 28, 2023. Lupardo has championed both hemp and legal cannabis-related bills in New York State for years.

Allan Gandelman, another licensed grower and the president of the [Cannabis Association of New York](#) – the industry’s largest trade group – also said he believes Lupardo’s heart is in the right place, but that there are bigger issues to address to ensure the state’s farmers don’t go out of business.

“We support action being taken, and we fully support Donna’s idea,” said Gandelman, who is also a Cannabis Advisory Board member and co-owner of [Florist Farms](#), one of the state’s first legal cannabis brands. “But to move the market forward, we need the OCM to do its job: we need the potency tax removed, we need enforcement, and we need the CAURD stores open.”



Allan Gandelman stands among hemp plants at his greenhouse in Cortland. The plants are used to make CBD products for Head & Heal. Courtesy of Head & Heal

“CANY did not put forth the bill – even for us it was a surprise,” he said. “But now that it’s out there, we want to figure out how we work with her to make sure these farms don’t go out of business because of the delayed opening of the CAURD stores. We were promised by the governor and DASNY that the stores would be open, but they are not.”

The bill would also authorize the OCM to “create a loan or grant program” to help licensed farmers process cannabis into distillate. The OCM however said it has a policy not to comment on pending legislation.

*Note: The NY CAURD Coalition, which represents licensed and prospective CAURD applicants, is working on a statement in response to Lupardo’s bill. This story will be updated when it becomes available.*

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