



# INDUSTRIAL HEMP PROGRAM

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Plant Industries Division

Missouri Department of Agriculture

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# Hemp Program Staff

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Email is best contact method

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A screenshot of the Missouri Department of Agriculture website. The browser address bar shows [Agriculture.mo.gov](http://Agriculture.mo.gov). The website header includes the Missouri Department of Agriculture logo, navigation links for MO.gov, Governor Parson, Find an Agency, and Online Services, along with a search bar and social media icons for YouTube, Twitter, Facebook, and email updates. A horizontal menu contains categories: Ag Business, Animals & Livestock, Grains, **Plants & Pests** (highlighted with a red box), Weights & Measures, and Consumers. Below the menu is a large banner image of a combine harvester in a field at dusk, with the text "Farm for life" overlaid in a white script font. The Missouri Department of Agriculture logo is in the bottom right corner of the banner. A red box highlights the "Industrial Hemp Program" link in the banner area. Below the banner is a "Recent News" section with the headline "Director Chinn Issues Statement on USMCA".



## Missouri's Industrial Hemp Law

The Missouri Department of Agriculture's Industrial Hemp Program regulates the production and sales of viable industrial hemp in accordance with the federal and state law. The Program reviews applications for persons interested in producing, selling, distributing or offering for sale viable industrial hemp in Missouri. The Program cooperates with the Missouri State Highway Patrol, USDA and other state and federal agencies in the administration of the Missouri Industrial Hemp Law. The Program also administers the Certified Industrial Hemp Sampler program certifying persons for the collection of compliance sampling for laboratory analysis.

On Oct. 31, 2019, the United States Department of Agriculture published an Interim Final Rule, which established the federal regulatory framework for industrial hemp growth in the United States. The guidance from USDA further provided states the opportunity to operate without an approved state plan for one year as an extension. Missouri will operate under the extension and, as a result, will not submit an official state plan to USDA for the 2020 growing season. Missouri's Industrial Hemp Program will operate under the authority granted by Missouri Senate Bill 133 and an extension of the 2014 Farm Bill. The full federal rule text is available from [USDA's website here](#) and was open for public comment Nov. 1 – Jan. 29, 2020.

- **Applications**
- **Registered Producers**
- **Permit Holders**
- **Certified Sampler**
- **Frequently Asked Questions**
- **Additional Resources**

- **Plants & Pests**
- **Feed**
- **Industrial Hemp**
  - **Applications**
  - **Registered Producers**
  - **Permit Holders**
  - **Certified Sampler**
  - **Frequently Asked Questions**
  - **Additional Resources**
- **Integrated Pest Management**
  - **Noxious Weeds**
- **Nurseries & Greenhouses**
- **Pesticide Control**
  - **Certification & Licensing**
  - **Database Searches**
  - **Endangered Species**
  - **Enforcement & Inspections**
  - **Registering Pesticides**
  - **Worker Protection**
- **Plant Pest**

More information available on these tabs

# Hemp Law

- **2014 Farm Bill**
  - Pilot programs; minimal regulatory uniformity across states
- **2018 Farm Bill**
  - Basic guidance of commercialized programs; wait for IFR
  - Federal IFR (Interim Final Rule) – Issued 10/31/2019
    - Implementation details stemming from 2018 Farm Bill guidance
    - Also gave states the option to operate under own rules until 10/31/2020
- **Missouri**
  - Operating under MO rules for 2020 growing season
    - Must adopt IFR requirements after 10/31/2020
  - Anticipate changes

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More information on <https://agriculture.mo.gov/plants/industrial-hemp/applications.php>

# APPLICATIONS

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# Applications

- **Producer Registration**
  - Produce hemp
- **Agricultural Hemp Propagule & Seed Permit**
  - Sales of viable hemp
    - Viable = capable of living, growing
      - Propagules (clones, cuttings, seedlings, transplants, etc.) and seed
    - “Sales” includes selling, distributing, or offering for sale
- Must have one of the above to **obtain or possess** viable hemp in MO
- Separate applications & fees if both needed

# Application Requirements

- **If filing as an individual:**
  - Applicant must be a Missouri resident
  - Applicant completes background check
    - Producer registration only

# Application Requirements

- **If filing as a business/entity:**
  - Business/entity must be domiciled in MO
    - Include Secretary of State certificate with application, or ensure business name is searchable on SOS website
  - Someone must still be listed as the applicant
    - This will be the contact person for the application
  - Applicant *and all key participants* must complete background check
    - Producer registration only

# Background Check

1) Set up online account with MACHS using MDA's code: **8249**

Will give you a TCN (account number)

2) Fingerprinting services – set up after account creation (\$41.75 at site)

**PRODUCER REGISTRATION APPLICATION**      **APPLICANT NAME:**

**BACKGROUND CHECKS**  
All Key Participants must be listed. Key Participant(s) defined as a sole proprietor, a partner in a partnership, or a person with executive managerial control in a corporation. A person with executive managerial control includes, but is not limited to, a chief executive officer, chief operating officer, or chief financial officer. This definition does not include non-executive managers such as farm, field, or shift managers.

Applicant	LAST NAME	FIRST NAME	TCN
	EMAIL	TITLE	
Key	LAST NAME	FIRST NAME	TCN

<http://www.machs.mo.gov>

\*Fingerprinting must be completed within 30 days of application submission



# Land Information

<b>LAND</b> A detailed map of proposed area must be included with this application. See the <i>Mapping Guidelines</i> for further instruction. If multiple parcels, use the primary area of operations to complete this section. This primary parcel will be referred to as Parcel A. Additional parcels are to be submitted as <i>Supplemental Parcel Attachment(s)</i> .			
PHYSICAL ADDRESS 123 N. Main Street			
CITY Jefferson City	STATE MO	ZIP CODE 65109	COUNTY Cole
LEGAL DESCRIPTION (or attach supporting document) N ½ SE ¼ SW ¼ EXC RW of S24, T32N, R18E			
GPS 38.5889      -92.23177		TOTAL AREA OF PARCEL 32 <input checked="" type="checkbox"/> ACRE <input type="checkbox"/> SQ.FT	
<input type="checkbox"/> I own this parcel. <input checked="" type="checkbox"/> I rent this parcel, and the owner is aware of my intentions to produce viable hemp on their property.			

Legal land description can be found on deeds, legal documents, & sometimes online with county assessor

Decimal format is required for all GPS  
41.40338  
41°24'12.2"N  
41-24.2028

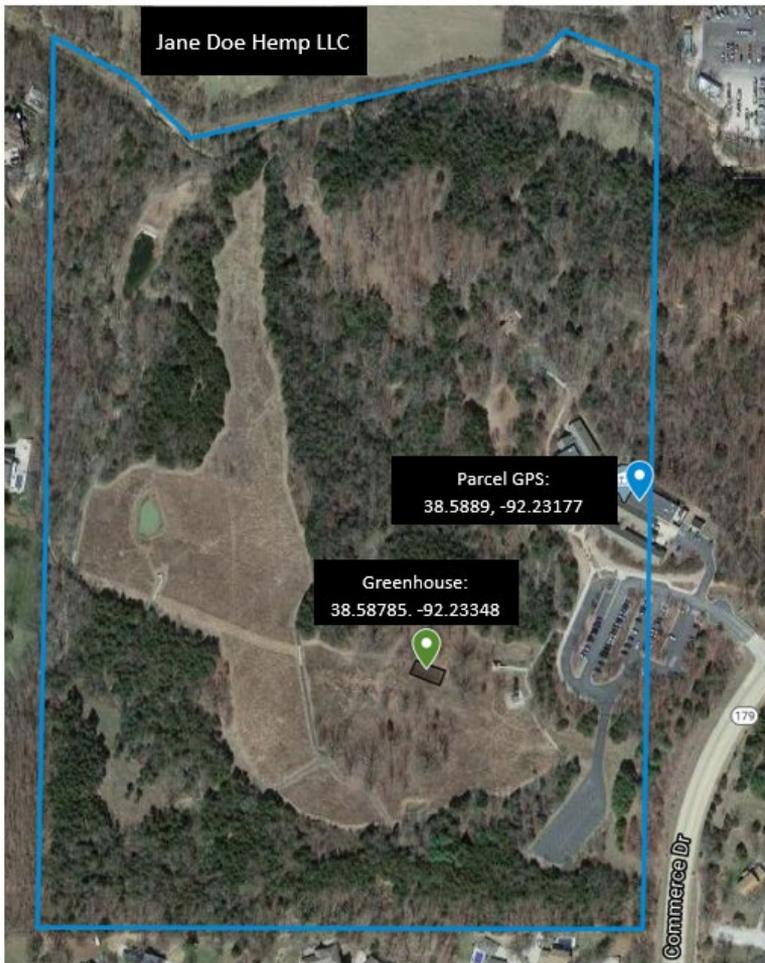
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## Maps

### MOST COMMON DEFICIENCY

- Name
- *Whole* parcel boundaries
  - Must reconcile with county records
- GPS pinpoint/ coordinates for:
  - Parcel
  - Facilities that will contain viable hemp (include GH, hoop house)

Refer to last section on Applications tab for how-to instructions & more mapping details

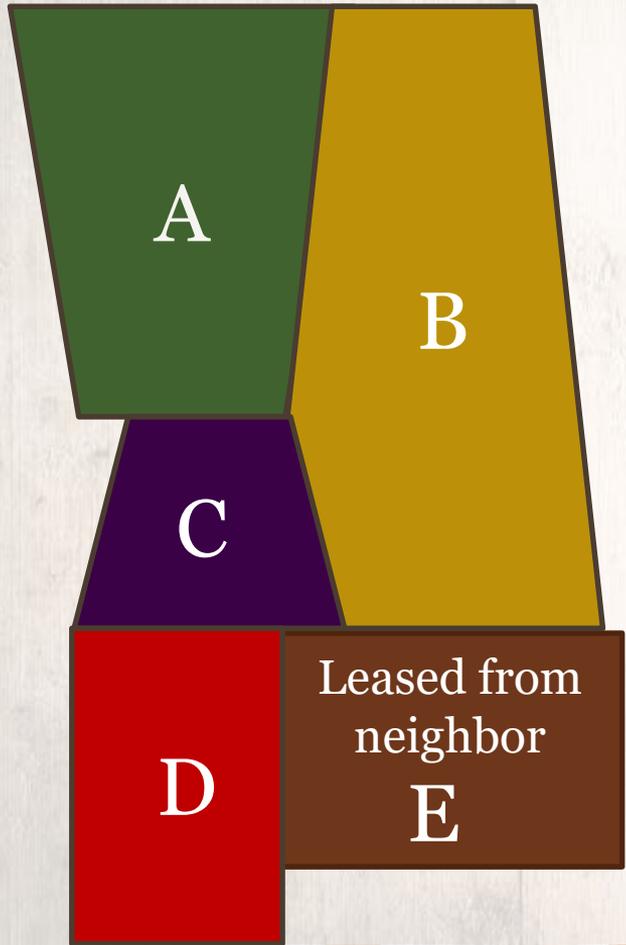


This is an example for mapping purposes only. There is no hemp at this site.

# Applications

- **\$750 per application**
  - *A registration & permit for the same site is two separate applications*
- Valid for **three (3) years**, with:
  - Continued compliance
  - \$750 per application *annual fee*
    - Year 1 paid as application fee; years 2, 3: due at end of anniversary month
- No submission deadline
- No limit on number issued
- No minimum or maximum acreage





- **Multiple parcels may be on the same application, if:**
    - Owned by the same person
    - Contiguous (adjacent, sharing border)
  - **No acreage limit per application**
- 
- **Parcel A on main application form**
    - *B, C, D on Supplemental Parcel Attachments\**
  - **Parcel E is on a separate application because it is owned by a different person**

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**AFTER APPROVAL**

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# Once Approved

- Law enforcement notified
- List available online – main page

## Registered and Permitted Operations

- March 1, 2020 

# Seed/Propagules

- **Can be purchased from:**
  - MO permit holder
  - Supplier with hemp license in another state/territory
  - Supplier approved by USDA for international import
- No approved varieties list
- No certified seed required

# Planting

- **Planting may begin as soon as you receive your approval certificate**
- **Planting must be reported**
  - More information in later slides

# Pesticide Use on Hemp

- **EPA has approved 26 pesticides as of 3/13/2020**
  - 25 bio-pesticides
    - 1 herbicide\*
    - Common active ingredients: *Bacillus*, potassium derivatives, Azadirachtin/neem
  - 1 conventional pesticide
    - Active ingredient: Potassium Salts of Fatty Acids
- **All labels must first be approved by EPA and then registered for use in Missouri**
  - Only 24 out of 26 have been registered in MO
  - \*The one herbicide has not been registered as of 3/13/2020

# Compliance Sampling

Each lot must be sampled prior to harvest

- Lot = group of plants of the same variety in a contiguous area
- Lots must be *clearly defined* and *physically separated* throughout production, sampling, harvest, and confirmation of test results



More information available in the *Lot Identification Guidance* on the Registered Producers webpage

# Compliance Sampling

- **Sampled within fifteen (15) days prior to harvest**
  - Can harvest immediately after sampling, up through the 15<sup>th</sup> day
  - Must resample if not harvested in allotted window
  
- **By a *Certified Industrial Hemp Sampler***
  - MDA Sampling Protocol is available on the Registered Producers and the Certified Samplers page

# Certified Industrial Hemp Sampler

- **Third-party** individuals who contract with producers
- Cannot collect samples for registrations:
  - In their name
  - In their employer's name
  - In which they are a key participant

# Certified Industrial Hemp Sampler

- **Requirements for certification:**
  - Training course
  - Pass exam (80%+)
  - Application (+ \$50 application fee)

# Certified Industrial Hemp Sampler

- **Available on Certified Sampler webpage:**
  - *List of available Certified Samplers*
  - Requirements to become certified
  - Certified Sampler forms & records

<https://agriculture.mo.gov/plants/industrial-hemp/certified-sampler.php>

# Testing

- **Testing laboratories**

- DEA-registered; **OR**
- ISO/IEC 17025 accredited

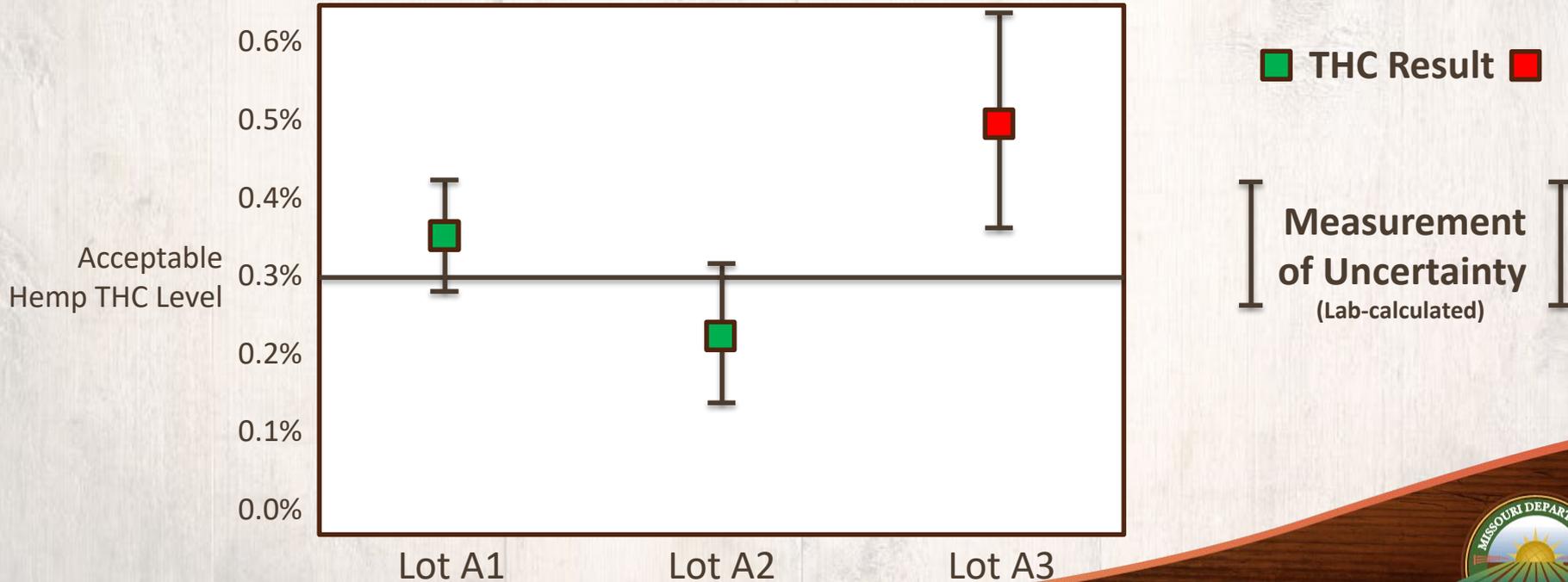
The USDA announcement to “drop” the DEA lab requirement **does not change Missouri hemp rules for 2020.**

- **Testing methods**

- **Total THC** = Delta-9 THC + (THCa \*.877); or
- Delta-9 THC *measured post-decarboxylation*
  - Includes the conversion of THCa into Delta-9

# Acceptable Hemp THC Level

*Results that contain (or are below) the 0.3% THC threshold are compliant lots.*



# Test Results

- **Compliant ( $\leq 0.3\%$ )**
  - Submit test results to MDA within thirty (30) days
  - Once non-viable, it may *enter commerce*
    - Harvested; not capable of living or growing
  - MDA Hemp Program no longer regulates
    - Products themselves may be regulated by other programs and agencies, depending on the use
      - Ex: human use/consumption by FDA, Dept. Health & Senior Services; or
      - Ex: animal use/consumption by MDA Bureau of Feed & Seed, AAFCO

# Test Results

- **Not compliant (>0.3% )**
  - Submit test results to MDA within three (3) days
  - Producer may request for the lab to retest the sample (resampling is not permitted)
  - Initiates destruction process
  - National anticipated average: 20%+

# Destruction

1. MDA issues Order of Destruction
2. Producer completes destruction by approved method
  - On-site farm practices (disking, plowing, etc.) that render the crop unusable & non-retrievable
3. Producer completes applicable sections of *Destruction Report*
4. Remainder of *Destruction Report* completed by law enforcement, including certification that the crop is destroyed
  - May be MSHP or local, depending on location
  - Producer invoiced for certification fee
5. Copy of *Destruction Report* sent to MDA

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# REPORTING

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# Reporting

## to Missouri Department of Agriculture (MDA)

- **Lot Identification Form**

- Due **thirty (30) days** after production starts
- Includes map & GPS of planted crops

Review *Lot Identification Guidance* on Registered Producers webpage for additional clarification

- **Annual Report**

- Due November 1
- Registered producers: number of acres planted, harvested, destroyed

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# Reporting to USDA Farm Service Agency (FSA)

- **USDA-FSA – Acreage Report**

- FSA recommends reporting as soon as possible after planting
  - Due date varies based on production
  - Aug. 15 for most ‘traditional’ outdoor/field producers (harvest after Aug 15)
- Includes number of acres planted, by lot & intended use
- *Please note, this is a separate reporting requirement and information cannot be shared between MDA and FSA*

<https://www.farmers.gov/service-center-locator>

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## Recordkeeping

- **Hemp Plant Monitoring System**
  - Not submitted, but *reviewed at inspection*
  - Retained for 3 years after activity
  
  - Registered Producers: **Lot Report**
  - Permits: **Distribution and Sales Report**

## MDA Inspections

- **Inspections/Audits**

- Minimum of 1 inspection per 3-year term
  - Randomly selected
  - Appointment scheduled
- Review of records – “desk audit”
- Field/crop inspection

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**REMINDER**



**QUESTIONS?**

[hempprogram@mda.mo.gov](mailto:hempprogram@mda.mo.gov)

See *Application Guide* on Applications tab for more help on completing the application

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