Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 17—Industrial Hemp

PROPOSED AMENDMENT

2 CSR 70-17.010 Definitions The department is amending sections (1), (7), (8), (17), (26), and adding new section (25), and renumbering thereafter.

PURPOSE: This amendment updates the list of definitions for Chapter 17.

PURPOSE: This rule lists definitions for Chapter 17. The terms defined in sections 195.010 and 195.740, RSMo, in addition to other relative terms pertaining to the industrial hemp program will be applied for use in 2 CSR 70-17.010 to 2 CSR 70-17.130.

(1) Acceptable industrial hemp THC level (acceptable THC level)—when the application of the measurement of uncertainty to the reported delta-9 THC (also referred to as ‘Total THC’ or ‘Total Potential THC’) content concentration level on a dry weight basis produces a distribution range that includes three-tenths of one percent (0.3%) or less. [Any certificate of analysis that does not include a measurement of uncertainty, the measurement of uncertainty is deemed zero percent (0.00%).]

(7) Certificate of analysis—a certificate from a testing laboratory describing the results of the laboratory’s testing of a sample. Any certificate of analysis that does not include a measurement of uncertainty, the measurement of uncertainty is deemed zero percent (0.00%).

(8) Certified industrial hemp sampler (certified sampler)—a natural person that meets the requirements established by the department for conducting [field] compliance sampling of industrial hemp.

(17) Lot—a group of plants of the same cannabis variety or strain in a contiguous area in a field, greenhouse, or indoor [growing structure] cultivation facility.

(25) Remediation—the process of rendering non-compliant hemp compliant in accordance with the MDA Remediation Protocol.

[(25)](26) Testing laboratory—a laboratory—

(A) Is registered with the Drug Enforcement Agency (DEA) or other requirements established by the United States Department of Agriculture by December 31, 2022; [or] and

(B) Is accredited [or has begun the process of accreditation] as a testing laboratory to International Organization for Standardization (ISO/IEC) 17025 by a third-party accrediting body such as the American Association for Laboratory Accreditation (A2LA), ANSI-ASQ National Accreditation Board (ANAB), or American Society of Crime Laboratory Directors (ASCLD). [The laboratory must be accredited and also have the cannabis testing they perform on their scope of accreditation by December 31, 2023.]


PUBLIC COST: This amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Missouri Department of Agriculture, Plant Industries Division, Hemp Program, PO Box 630, Jefferson City, MO 65102, or online at Agriculture.Mo.Gov/proposed-rules/. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.