

WAC 16-306-075 Immature nonflowering hemp plants. Licensed hemp producers that grow hemp for certain purposes that do not bring plants to their flowering stage, like clones and microgreens, are not required to meet the same sampling and testing requirements as operations that grow flowering hemp, as these immature, nonflowering plants do not exceed 0.3 percent THC when the plants are harvested before reaching 12 inches in height. Immature plants must meet the following requirements for THC certification:

(1) The hemp producer licensee must notify the department of their intent to grow microgreens, lettuces, or cut immature plants in their license application, or email hemp@agr.wa.gov with their intent to grow upon the start of their first planting.

(2) At least seven days prior to a hemp producer licensee's immature hemp plant harvest, the licensee must notify the department and may be subject to inspection. An inspection may include:

(a) Visual inspection of all the hemp plants to be harvested to ensure they are immature plants of less than 12 inches; and

(b) Licensee compliance with chapter 15.140 RCW, Hemp Production, and this chapter.

(3) After visual inspection, the department may issue a THC certification required by WAC 16-306-120. This certification is specifically for immature cut hemp plants, and will expire one month after inspection. Certification permits the transport of immature hemp plants under WAC 16-306-130 for the time period of the certification.

[Statutory Authority: RCW 15.140.030. WSR 22-19-033, § 16-306-075, filed 9/14/22, effective 10/15/22.]