

**WAC 16-305-150 Industrial hemp seed and propagules.** (1) A licensee must use approved varieties of certified industrial hemp seed or propagules.

(2) A licensee may only obtain industrial hemp capable of propagation as follows:

(a) From a licensed distributor of industrial hemp seed or propagules under WAC 16-305-090; or

(b) Directly from the department as outlined in subsection (3) of this section.

(3) If an approved industrial hemp seed variety cannot be acquired within the state of Washington, a licensee may request in writing that the department import the approved seed under the department's DEA registration number. If the licensee does not currently hold an importer certificate (WAC 16-305-100), the licensee must request such a certificate in writing from the department.

(4) If the department agrees to request the importation of industrial hemp seed on behalf of the licensee, the licensee agrees to the following conditions:

(a) That the department is not liable for and does not warrant that the seed is fit for any purpose;

(b) That the industrial hemp seed shall be a certified seed variety;

(c) That the licensee must pay when due all costs associated with the importation of such industrial hemp seed; and

(d) That upon suspension, revocation, expiration or nonrenewal of a licensee's license, any industrial hemp seed that is not used by a licensee must be transported to a DEA approved storage facility without charge or reimbursement. Continuous licensing is required. If a licensee fails to renew their license, any industrial hemp seed in the licensee's possession will become the property of the department without charge or reimbursement. At the department's discretion, and before the termination of the licensing period, the licensee may request in writing the department hold, on behalf of the licensee, the viable industrial hemp seed at a DEA approved storage location for a period of no greater than six months from the expiration of the license.

(5) Industrial hemp seed imported under the department's DEA registration number may either be stored in a DEA approved storage facility under the industrial hemp research program or it may be delivered directly to the licensee's address as identified on the license.

(6) Industrial hemp seed delivered directly to the grower's address must be planted immediately upon receipt or transported to a DEA approved storage facility.

(7) Industrial hemp seed collected by a grower from a DEA approved seed storage facility must be planted or returned to a DEA approved storage facility within twenty-four hours of receipt. The grower must provide a signed declaration on a form provided by the department declaring all the seed will be planted, returned to a DEA approved storage facility or destroyed within twenty-four hours of receipt.

(8) Before collecting from storage or receiving industrial hemp seed at the licensee's address, a licensee must make arrangements with the department to have a department representative present to verify the receipt of the industrial hemp seed.

(9) During industrial hemp seed collection, the licensee must present to the department:

(a) A valid industrial hemp license;

(b) A valid form of photo identification;

- (c) A signed declaration on a form provided by the department declaring the grower will take all steps necessary to prevent diversion;
- (d) If applicable, a valid industrial hemp importer certificate (WAC 16-305-100);
- (e) Copies of all seed importation documents; and
- (f) Other documents as required by the department.

[Statutory Authority: RCW 15.120.030 and chapter 34.05 RCW. WSR 17-09-034, § 16-305-150, filed 4/13/17, effective 5/14/17.]