

WAC 16-305-230 Industrial hemp noncompliance for THC concentration. (1) If a licensee's industrial hemp tests higher than three-tenths of one percent THC concentration, the licensee may be subject to suspension or revocation of the license. The crop must be destroyed or utilized on-site in a manner approved by the department. If determined to be appropriate, the department may give notice of noncompliance to appropriate law enforcement agencies and the Washington state liquor and cannabis board, with a summary of the actions taken to destroy the noncompliant industrial hemp.

(2) If a licensee's industrial hemp tests higher than three-tenths of one percent but less than one percent THC concentration, the department may run appropriate genetic tests, at the licensee's expense, to verify the industrial hemp was from a variety of approved seed. If the industrial hemp was from a variety of approved seed, at the licensee's expense the licensee may either request a THC retest within thirty days or resampling of the same field.

(3) If at any time a licensee's industrial hemp tests higher than one percent THC concentration, the licensee may be subject to revocation or suspension of the license. The licensee, or any legal entity subsequently employing the licensee, may be ineligible for a license to grow or process industrial hemp for a period of three years from the termination date of the license held at the time of noncompliance.

[Statutory Authority: RCW 15.120.030 and chapter 34.05 RCW. WSR 17-09-034, § 16-305-230, filed 4/13/17, effective 5/14/17.]