

# Industrial Hemp: The Road Ahead

Cheyenne County  
Farm Bureau  
July 23, 2019



Dana Ladner  
Compliance Education Coordinator  
Kansas Department of Agriculture

# 2014 Federal Farm Bill

(7 U.S.C. Code 5940. Legitimacy of industrial hemp research)

1. Gave states the ability to establish “agricultural pilot programs” to study the growth, cultivation or marketing of industrial hemp
  - authorized State departments of agriculture to promulgate rules and regulations.
2. Defined industrial hemp as “the plant *Cannabis sativa* L. and any part of such plant, whether growing or not, with a delta-9 tetrahydrocannabinol (delta-9-THC) concentration of no more than 0.3 percent on a dry weight basis.”
3. Opportunity to study and report the economic viability of domestic production and sale of industrial hemp.

# Federal Farm Bill Comparisons

## 2014 Federal Farm Bill

1. Research projects only
2. Commercial restrictions
3. Only allowed by states that adopt programs
4. Fairly undefined testing standards
  - inconsistent among states.

## 2018 Federal Farm Bill (signed Dec. 20, 2018)

1. Legalizes hemp production
2. Lifts commercial restrictions
3. Program based on state proposal as accepted by USDA
4. Requires testing to be post-decarboxylated THC or equivalent standard.

# Alternative Crop Research Act

- ✓ Passed by the Senate (SB 263) 2018
- ✓ Passed by the House (HB 2173) 2019
- ✓ Signed by the Governor — became law on April 20, 2018

And April 18, 2019.

- ✓ Published in the Kansas Register
  - Effective May 3, 2018
  - 2018 Kansas Session Laws Ch. 62
- ✓ Arranged and published as a statute by the Revisor of Statutes
  - K.S.A. 2-3901, K.S.A. 2-3902, K.S.A. 2-3903

# Research Outlined by the Alternative Crop Research Act

- Oversight and analysis of industrial hemp (IH) relating to its performance in soils, growth, development, and exploration of different harvesting methodologies
- Analysis on the economic feasibility of developing an IH market and various types of IH that can be grown in Kansas.
- Analysis on the value-added benefits, including environmental, that the state would reap by having Kansas-grown IH varieties.
- A study on the worldwide agronomy research relating to IH varieties, production and utilization.
- A study on the feasibility of attracting funding for IH research.
- Pilot programs for economic development, research, cultivation, market analysis, manufacturing and transportation of IH and IH products.

# What's in the Law

- Section 1 — Definitions
- Section 2
  - The Department, alone or in coordination with a state educational institution, may cultivate industrial hemp and promote its research and development.
  - An advisory board, appointed by the Secretary, reviews and recommends applications and research proposals for a pilot project.
    - Reviewed approximately 328 research proposals to date.

# Industrial Hemp State Advisory Board

- Current Members (9):
  - **Jeff Ochampaugh**, Agrilead, Inc. (Chair)
  - **Willie Dove**, Representative 38<sup>th</sup> House District
  - **Steven Johnson**, Representative 108<sup>th</sup> House District
  - **Troy Waymaster**, Representative 109<sup>th</sup> House District
  - **Kerri Ebert**, Extension Assistant, Kansas Center for Sustainable Ag and Alternative Crops, Kansas State University
  - **Andrew Tucker**, Ph.D, Fort Hays State University, Agronomy
  - **Kelly Rippel**, Vice President, Kansans for Hemp
  - **Steve Schuler**, Executive Director, Kansas Crop Improvement Association
  - **Katie Whisman**, Executive Office, Kansas Bureau of Investigation

# What's in the Law

- Section 2 — (continued)
  - The Department will oversee and license all individuals participating in the research program.
  - The Department will require anyone seeking a license
    - To be fingerprinted
    - To submit to state and national criminal history record check.
  - The Secretary will develop rules and regulations.

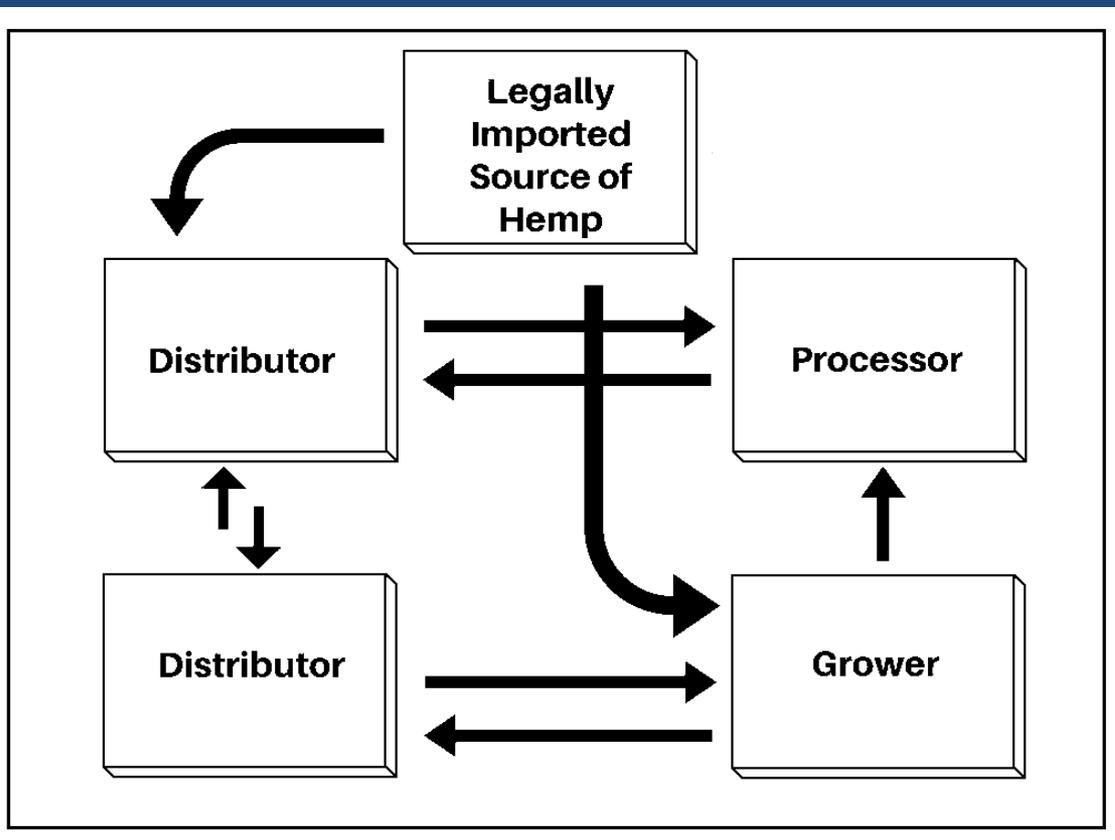
# Regulations

- As determined by the Secretary with input from stakeholders including a working group committee — May 11, 2018 public meeting, 5 working group meetings, an informal public comment period and public hearing.
  - License Approval Process
  - State Advisory Board
  - Requirements for Licensees
    - Grower, Distributor, Processor, Administrative License, State Education Institutions
  - Fee Schedule
  - Pre-and Post-Harvest Inspection, Sample Collection, Testing and Post-Testing Actions
  - Reports

# Research License Application Approval Process

- Submit completed research license application, including research proposal
  - All individuals participating
  - Maps identifying location
  - Acknowledgments of restrictions.
- Submit to and pass the state and national criminal history record check.
- Submit appropriate application and background check fees.
- Research license applications and proposals are reviewed by State Advisory Board and Secretary and are either denied or conditionally approved.

# Activities Conducted by Licensed Individuals



Grower - cultivate, plant, grow, handle, harvest, condition, store, distribute, or transport IH plants, plant parts, grain, or seeds.

Distributor - handle, condition, store, distribute, or transport IH plants, plant parts, grain, or seeds.

Processor - handle, store, or process IH plants, plant parts, grain, or seeds.

State educational institutions - may conduct any of the activities listed above.

# Identifying Research Section and Areas



## S12-T19S-R13E

Research Area 1  
West Field  
6 acres  
38.12345  
-97.12345

Building 1  
Industrial Hemp Storage  
1,700 sq ft

Research Area 2  
Home Field  
7 acres  
38.12345  
-97.11904

Building 2  
Transportation Vehicle Storage  
800 sq ft

Research Area 3  
East Field  
14 acres  
38.12356  
-97.08346

# Research License Application

## Land-Use

- All industrial hemp research must be conducted at locations listed on the license application.

RESTRICTIONS \*may be granted permission

- In or within 50 feet of a residential structure; or
- With one-quarter mile of any public or private K-12 school or public recreational area.

# Research Proposal

**SECTION A:** Identify your research question and objective, including a statement of the type of research to be conducted and its purpose.

**SECTION B:** Identify your experimental design.

# Research Proposal

**SECTION C:** Explain what will be measured and what data will be collected.

**SECTION D:** Explain how the project will be implemented, including location and size of your anticipated research areas (in acres or square feet), duration of your research operations, and variety of industrial hemp that will be used in your research.

# Research Proposal

**SECTION E:** Explain how research data will be collected, recorded and analyzed.

**SECTION F:** Explain how the data will be interpreted and how conclusions will be drawn, including anticipated results.

# Research License Application Approval Process

- If conditionally approved, a license payment must be remitted within 15 days of the notice for licensure to occur.
- Once license fees are received, the research license application shall be officially approved and the Department shall issue the appropriate licenses.
- Applications are required to be submitted on an annual basis.
  - For the 2019 growing season, the deadline was March 1, and a second application period was open until June 1
  - For other growing seasons, **November 30 deadline.**

# Research License Application Approval Process

- License information to include the name of the primary licensee, county of operation and license number is public and can be found on the IHRP webpage
  - These lists change as more licenses are issued and as licenses are voluntarily withdrawn from the program.
- License information is forwarded to appropriate law enforcement agencies for their records.

# Fees Schedule

Fee Type	Program Fees	Fee Due Date
Application	\$200 (nonrefundable)	At time application is submitted
GROWER	\$1,000 License Fee (per licensed research section)	Within 15 days of receipt of notice of conditional approval
DISTRIBUTOR	\$2,000 License Fee (per licensed research section)	
PROCESSOR	License Fee per Processing End-Use <ul style="list-style-type: none"> <li>Fiber Processor - \$3,000</li> <li>Grain Processor - \$3,000</li> <li>Floral Material Processor - \$6,000</li> </ul> NOTE: License holders working with multiple harvestable components will be required to pay a fee for EACH component.	
<b>Each license fee shall include one sample collection and one laboratory test</b>		
Sampling	\$45 per hour, plus transportation time and mileage	
Testing	\$250 per laboratory test	
Modification	\$750 per requested change to license previously issued. July 1 reduced to \$50.	

# Signage K.A.R. 4-34-14(f)

- Each primary licensee shall post and maintain at least one sign at each research area listed on the license.
- Sign shall measure at least 36 inches per side, shall be clearly visible and legible from the public road.
- Signage will include the following:
  - Kansas Department of Agriculture Industrial Hemp Research Program;
  - Primary Licensee's Name;
  - Primary Licensee's License Number; and
  - KDA Telephone Number.

# Pre-Harvest Inspection, Sample Collection, Testing, and Post-Testing Actions K.A.R. 4-34-18

- Licensee shall notify the department of harvest dates in pre-harvest report 30 days before harvesting.
- Department shall collect a sample of industrial hemp and initial testing requires no payment or additional fees.
  - Licensees can request separate samples be taken but requires additional sampling and testing fees.
- Sample tested to determine delta-9-tetrahydrocannabinol (THC) concentration
  - Must not exceed 0.3% to warrant a passing report of analysis.
  - If higher than 0.3%, it warrants a failing report or analysis and testing results and location **may** be reported to KBI. **If higher than 2.0%, testing results and location shall be reported to KBI.**

# Pre-Harvest Inspection, Sample Collection, Testing, and Post-Testing Actions K.A.R. 4-34-18

- Licensees shall receive a passing report analysis prior to harvesting and have 10 days to fully harvest industrial hemp after issuance of passing report of analysis.
- If licensee receives a failing report of analysis:
  - Licensee may request a subsequent pre-harvest sample and pay sampling and testing fees or licensee shall destroy all industrial hemp within seven days.

# Post-Harvest Inspection, Sample Collection, Testing, and Post-Testing Actions K.A.R. 4-34-18

- The department may conduct inspections any time after harvest.
- Same requirements and pre-harvest inspection.
- If a sample is collected, the licensee must be issued a passing report of analysis to handle, condition, distribute, transport or process the sampled industrial hemp plants, plant parts, grain or seeds.

# Harvest Certificate K.A.R. 4-34-17(f)

- No more than five days after the licensee completes harvest of industrial hemp, the licensee shall notify the department that harvest has been completed.
- The department shall not issue a harvest certificate until the following information is provided:
  - The **official name of the industrial hemp variety** that was cultivated, planted or grown.
  - **Each date the licensee harvested** the industrial hemp plants, plant parts, grain or seeds.

# Harvest Certificate K.A.R. 4-34-17(f)

- The **global positioning system coordinates** for each **research area** where the industrial hemp was harvested.
- A statement of **intended end-use** for all industrial hemp harvested.
- After harvest, a copy of the harvest certificate shall accompany the industrial hemp plants, plant parts, grain or seeds.

# Reports K.A.R. 4-34-20

- **Field Planting Report** – Licensed research growers within 15 days after every planting.
- **Voluntary Withdrawal Report** – Licensed research growers
  - On or before June 1 if no industrial hemp was planted or
  - Within 15 days if a licensee conducts a voluntary destruction.

# Reports K.A.R. 4-34-20

- **Pre-Harvest Report** – Licensed research growers at least 30 days prior to intended harvest dates.
- **Production Report** – Licensed research growers within 30 days after last harvest date for every harvest.
- **Distribution Report** – Licensed research distributors by November 30.
- **Processing Report** – Licensed research processors by November 30.
- **Research Report** – All licensees by November 30.

# KDA Final Report

- Acknowledge successes, opportunities, roadblocks, common issues and level of interest in the state.
- Review proposals and identify common themes/objective of interest from growing season 2019.
- Provide accessibility of the results/information.
- Future – The Economics of Hemp Production in Kansas.

# 2019 Growing Season Information



The screenshot shows the Kansas Department of Agriculture website. The header includes the state logo with the motto "AD ASTRA PER ASPERA" and the text "KANSAS DEPARTMENT OF AGRICULTURE Serving the State's Largest Industry". A navigation bar contains links for Home, About Us, News & Events, Divisions & Programs, Services, Public Information, FAQs, and Contact Us. A sidebar on the left lists various services, with "Industrial Hemp Applications" highlighted. The main content area features a breadcrumb trail: Home > Divisions & Programs > Plant Protection and Weed Control > Industrial Hemp. The title is "Industrial Hemp Research Program". The text states that the application window for a license to participate in the Industrial Hemp Research Program as a grower, processor or distributor has been re-opened. **The deadline for license applications is now Saturday, June 1, 2019.** A note specifies that the KDA office will not be open on June 1 to accept hand-delivered applications, and applications must be postmarked by June 1 or hand-delivered by May 31. A list of links is provided, with "Program Regulations" highlighted by a red box.

**Kansas**  
Department of Agriculture

**APPLICATION INFORMATION**

[Home](#) [About Us](#) [News & Events](#) [Divisions & Programs](#) [Services](#) [Public Information](#) [FAQs](#) [Contact Us](#)

[Industrial Hemp Applications](#)  
[State and National Criminal History Record Check](#)  
[Industrial Hemp Varieties](#)  
[Industrial Hemp forums and outreach events](#)  
[Industrial Hemp Advisory Board](#)  
[Active Licenses](#)  
[FAQs](#)  
[Contact](#)

[Home](#) > [Divisions & Programs](#) > [Plant Protection and Weed Control](#) > Industrial Hemp

## Industrial Hemp Research Program

The application window for a license to participate in the Industrial Hemp Research Program as a grower, processor or distributor has been re-opened. **The deadline for license applications is now Saturday, June 1, 2019.** \*Note that the KDA office will **not** be open on June 1 to accept hand-delivered applications. Applications must be postmarked by June 1 or hand-delivered by May 31. Applications that are complete and that meet all regulatory requirements will be forwarded to the Advisory Board for review. The advisory board will then make recommendations to the Secretary, and all applicants that have are conditionally approved will be contacted via email. they will then have 15 business days to submit their license fees; licenses will be issued upon receipt of the license fees.

[Program Regulations](#)  
[Approved Varieties of Industrial Hemp](#)  
[Summary of Fees](#)  
[Request for Modification of License](#)  
[Field Planting Report](#)  
[Industrial Hemp Important Deadlines](#)

[agriculture.ks.gov/industrialhemp](http://agriculture.ks.gov/industrialhemp)



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[agriculture.ks.gov/industrialhemp](http://agriculture.ks.gov/industrialhemp)



# Business Opportunities



# Distributor

- Distribute, transport, condition, handle, store, laboratory testing, sell seed



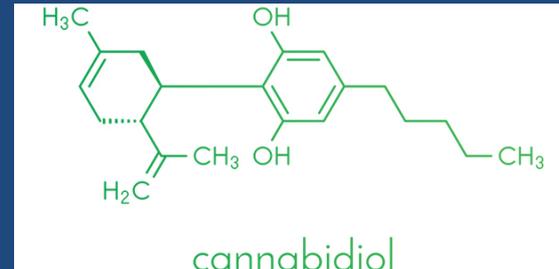
# Types of Processors

- Floral processor- Cannabidiol (CBD)

- Currently, largest market for industrial hemp products.
- Production in leading states

(NASDA 2018 Farm Bill Implementation Hemp Provisions Briefing, May 15, 2019)

- 2018 Montana - approximately 95% IH production (19,000 acres) was for floral material.
- 2019 Kentucky - projecting approximately 75% IH production (22,500 acres) for floral material.



# Types of Processors

- Grain processor
  - Hemp seed oil, hulled seed, and hemp protein.
  - Market in U.S. not currently established compared to CBD.



# Types of Processors

- Fiber processor
  - Biomass.
  - Building materials, fabrics, animal bedding, injected molds, plastics.
  - Market in U.S. not currently established compared to CBD
    - Lack of processing infrastructure.



# 2019 Growing Season Information



**Kansas** Department of Agriculture  
Serving the State's Largest Industry

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## Industrial Hemp Research Program

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# Active Licenses

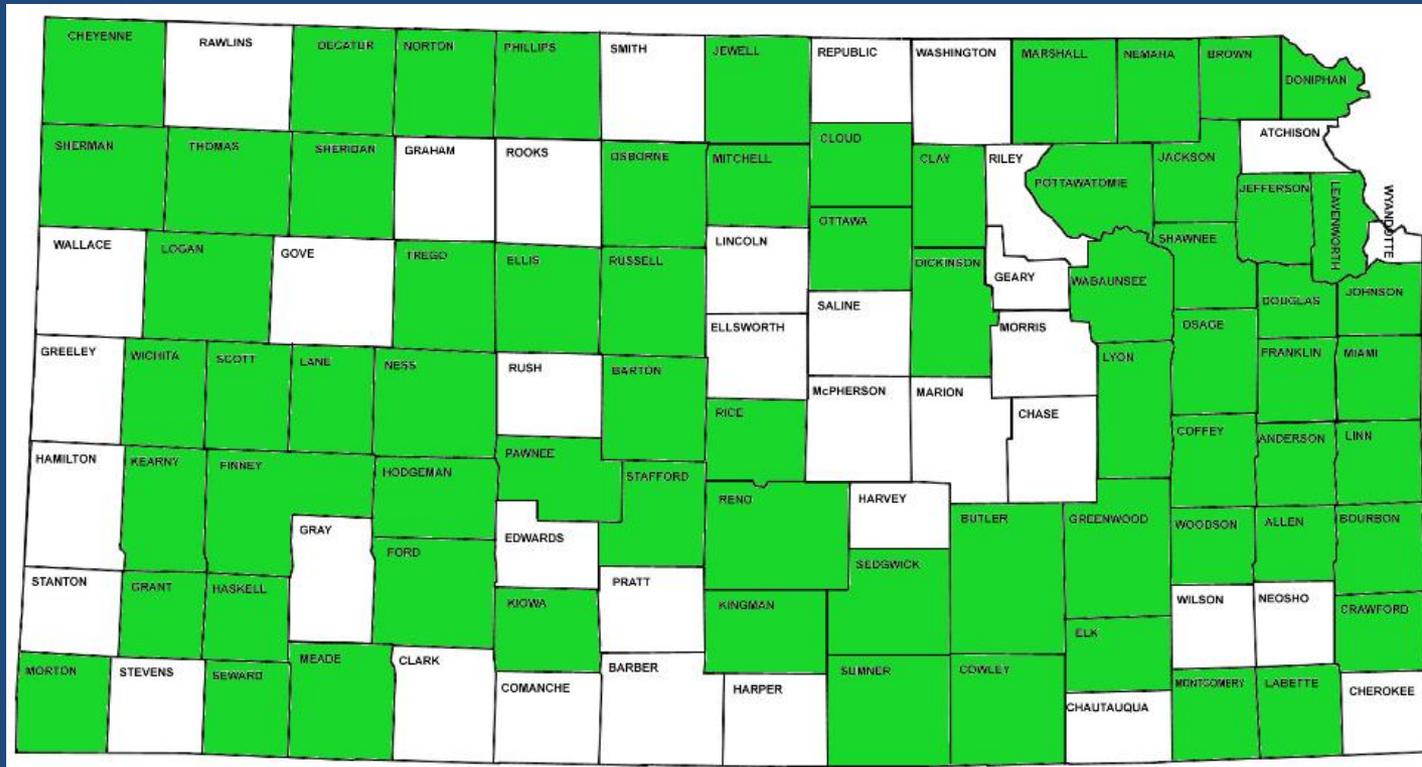
Total Active Licenses (Excluding Administrative Licenses); July 19, 2019

License Type	License Count
Grower	207
Distributor	20
Processor	34
University	9
<b>Total</b>	<b>270</b>

Total Licenses by Status (Excluding Administrative Licenses); July 19, 2019

License Status	License Count
Returned	29
Advisory Board Recommended	6
Denied	19
Voluntary Withdrawal	55
Conditional Approval	14
Active	270
<b>Total</b>	<b>392</b>

# Counties with Licensed Growers



Kansas counties with active grower licenses as of July 19, 2019; this figure will change as more licenses are issued and licenses are voluntarily withdrawn from the program.

# Counties with Licensed Growers

County	Licenses <sup>y</sup>	Total Acres <sup>z</sup>		County	Licenses	Total Acres
Allen	1	1.06		Cowley	2	10.28
Anderson	1	2.65		Crawford	1	5.06
Barton	3	90.65		Decatur	2	73.93
Bourbon	3	64.73		Dickinson	4	75.73
Brown	2	28.51		Douglas	3	20.83
Butler	4	10.60		Elk	1	10.52
Cheyenne	2	67.68		Ellis	2	80.08
Clay	3	19.82		Finney	3	65.96
Cloud	4	124.27		Ford	4	239.32
Coffey	3	10.83		Franklin	3	24.54

<sup>y</sup> values refer to the number of licenses; will change as more licenses are issued and as licenses are voluntarily withdrawn from the program.

<sup>z</sup> values refer to the number of licensed acres; these values do not represent number of acres planted or harvested.



# Licensed Acres by Growers

County	Licenses	Total Acres		County	Licenses	Total Acres
Grant	1	80.00		Kiowa	12	744.48
Greenwood	2	62.63		Labette	1	27.79
Haskell	13	689.41		Lane	2	102.37
Hodgeman	1	30.00		Leavenworth	5	85.93
Jackson	3	57.00		Linn	2	12.31
Jefferson	1	10.51		Logan	1	20.00
Jewell	2	81.06		Lyon	1	4.00
Johnson	9	192.04		Marion	1	2.00
Kearny	1	25.00		Marshall	1	.70
Kingman	2	83.00		Meade	2	64.05

# Licensed Acres by Growers

County	Licenses	Total Acres		County	Licenses	Total Acres
Miami	7	113.57		Pawnee	1	60.00
Mitchell	6	365.42		Phillips	1	6.06
Montgomery	2	11.00		Pottawatomie	2	85.67
Morton	3	.62		Reno	12	125.44
Nemaha	1	32.23		Rice	3	67.27
Ness	1	80.00		Russell	5	311.18
Norton	1	10.00		Scott	1	2.40
Osage	5	63.13		Sedgwick	8	8.93
Osborne	1	6.04		Seward	1	3.22
Ottawa	1	68.76		Shawnee	5	35.21

# Licensed Acres by Growers

County	Licenses	Total Acres		County	Licenses	Total Acres
Sheridan	3	155.40				
Sherman	3	68.42				
Stafford	2	6.79				
Sumner	5	46.09				
Thomas	2	25.73		<b>TOTAL</b>	<b>207</b>	<b>5,731.71</b>
Trego	1	29.24				
Wabaunsee	7	405.62		<b>Total Planted</b>		
Wichita	1	60.00		<b>Acres July 22, 2019</b>		<b>1170</b>
Woodson	1	5.17				

# Licensed Acres by Growers

- 1170 acres planted thus far
  - Roughly 90% of growers have indicated they will be growing for floral material
  - The KDA is expecting to receive more planting reports
  - Why?
    - Precipitation
      - » Significant rain events.
      - » The total amount of precipitation locations have received is not necessarily indicative of the issue. Additional rainfalls when the ground was already saturated is more telling issue.

# Licensed Acres by Growers

- Is it too late to plant?
  - » Ultimately must look at the intended end use
    - Seed/grain production - these varieties may take 110-130 from seed to harvest
    - Fiber - looking for enough biomass
    - Floral - some varieties may be harvested from seed after 90 days.
  - » Modifications of planting equipment.
  - » Planting depths vary depending on the size of the seed generally drilled  $\frac{1}{2}$  to 1 in depth.
  - » Inexperienced growers may plant too deeply, which could result in poor emergence.

# Outdoor Licensed Areas



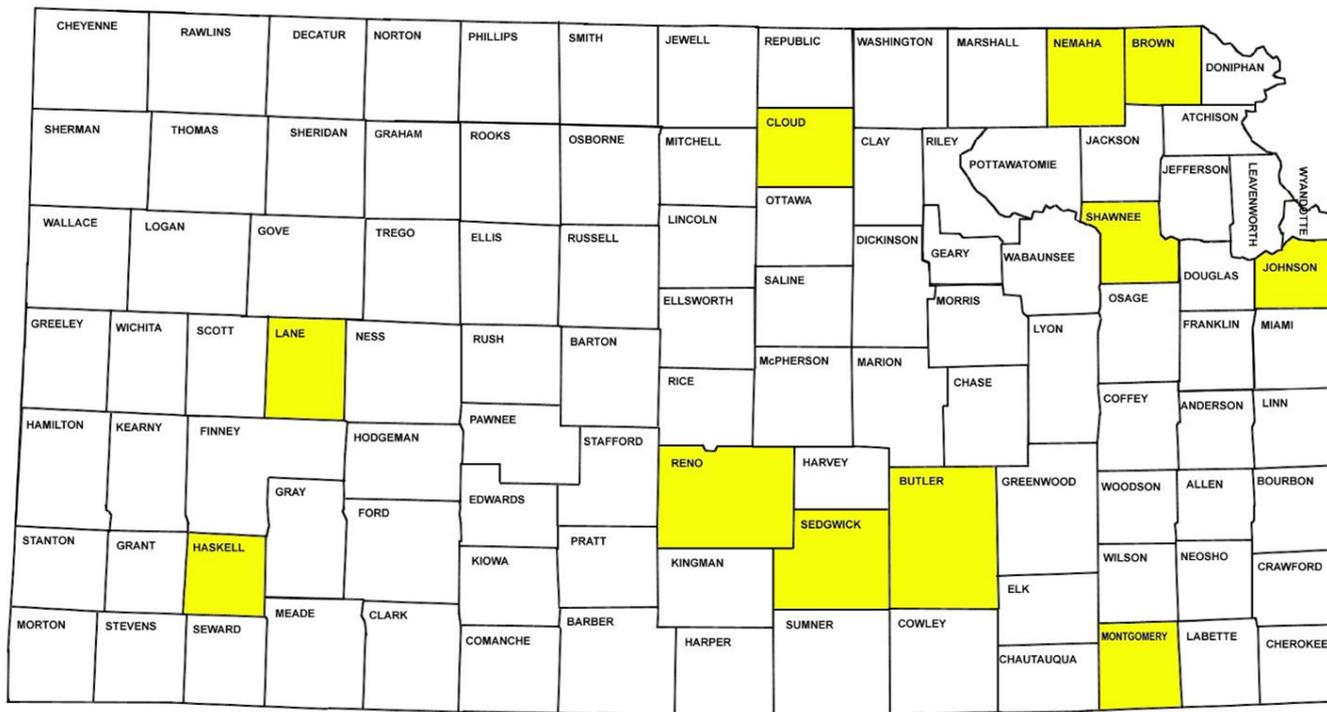
Licensed outdoor grow area on July 9, 2019.

# Indoor Licensed Areas



Licensed indoor grow area on July 16, 2019.

# Counties with Licensed Distributors

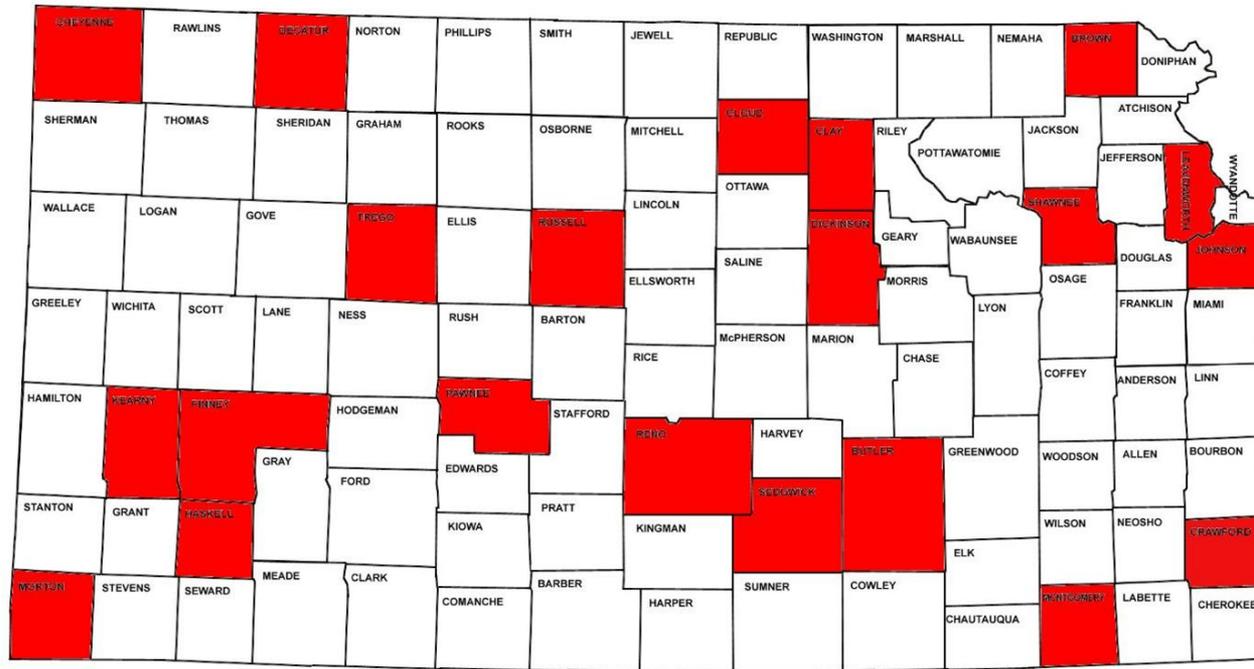


Kansas counties with active distributor licenses as of July 16, 2019

County	Licenses
Brown	1
Butler	2
Cloud	1
Haskell	2
Johnson	3
Lane	1
Montgomery	1
Nemaha	1
Reno	5
Sedgwick	2
Shawnee	1
<b>Total</b>	<b>20</b>

Kansas counties with active distributor licenses as of July 16, 2019; this figure will change as more licenses are issued and licenses are voluntarily withdrawn from the program.

# Counties with Licensed Processors



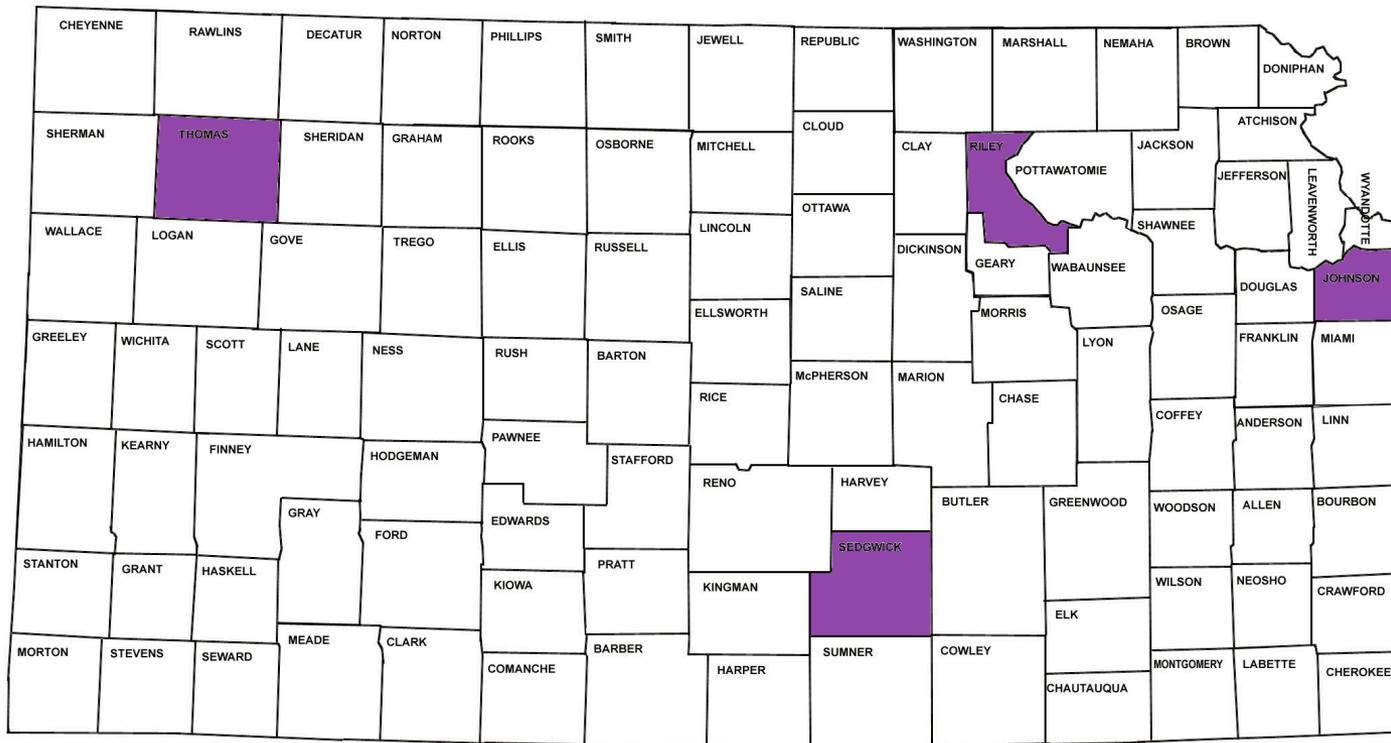
Kansas counties with active processor licenses as of July 16, 2019

County	Licenses	County	Licenses
Brown	1	Kearny	1
Butler	2	Leavenworth	2
Cheyenne	1	Montgomery	1
Clay	1	Morton	1
Cloud	1 <sup>z</sup>	Pawnee	1
Crawford	1	Reno	5
Decatur	1	Russell	1 <sup>y</sup>
Dickinson	2	Sedgwick	3
Finney	1	Shawnee	1
Haskell	1	Trego	1
Johnson	5		
<b>Total</b>			<b>34</b>

Kansas counties with active processor licenses as of July 16, 2019; this figure will change as more licenses are issued and licenses are voluntarily withdrawn from the program.

<sup>z</sup>grain and floral processor  
<sup>y</sup>fiber processor

# Counties with State Educational Institutions Licenses



Kansas counties with state educational institution licenses as of July 16, 2019.

County	Licenses
Johnson	2
Riley	5
Thomas	1
Sedgwick	1
<b>Total</b>	<b>9</b>

Kansas counties with active state educational institution licenses as of July 16, 2019.

# Federal Farm Bill 2018

1. Legalizes industrial hemp production - removed industrial hemp that has a tetrahydrocannabinol (THC, the psychoactive component of marijuana) concentration of no more than 0.3% from Schedule I of the Controlled Substances Act.
2. Lifts commercial restrictions - industrial hemp producers are eligible for the federal crop insurance program and certain USDA research grants.
3. Program based on state proposal as accepted by USDA
  - Maintain information regarding land on which IH is produced in a state record for >3 years.
4. Requires testing to be post-decarboxylated THC or equivalent standard.
5. A procedure for the effective disposal of products that are produced in violation.
6. Violations; rough guideless are provided; ultimately decided by the state.

# Federal Farm Bill 2018 cont.

- Industrial Hemp (*Cannabis sativa* L.) defined within the 2018 Federal Farm Bill as: “(1) HEMP.—means the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9- tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.”
- Did not grant the right to use hemp and hemp products in food for humans and animals. The FDA has regulatory authority over food and feed products.

# 2019 Senate Substitute for HB 2167

Effective April 18, 2019

1. Commercial Industrial Hemp Program in Kansas (not yet implemented)
  - Senate Substitute for HB 2167 establishes a means to create a Commercial Industrial Hemp Program in the least restrictive manner under federal law.
  - Requires the Kansas Department of Agriculture (KDA), in consultation with the Governor and Attorney General, to submit a plan to the U.S. Department of Agriculture (USDA) regarding how the KDA will monitor and regulate the commercial production of industrial hemp within the state, in accordance with federal law.

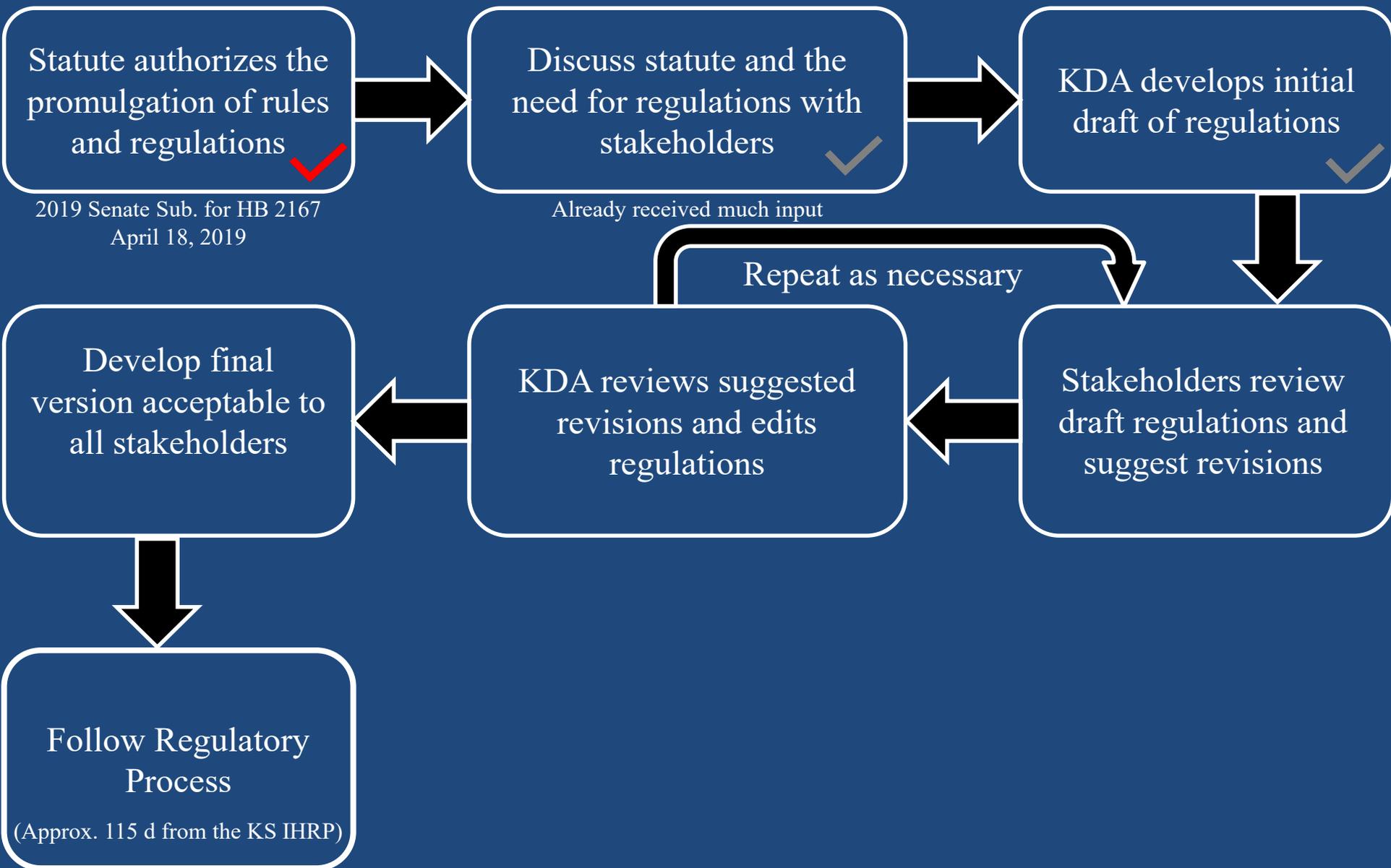
# 2019 Senate Sub. for HB 2167

1. Commercial Industrial Hemp Program
  - Established commercial plan requirements.
  - Violations.
  - Ineligibility from the program.
  - Fingerprinting requirements and background checks.
  - Rules and regulations (currently being drafted by the KDA).
  - Fees.

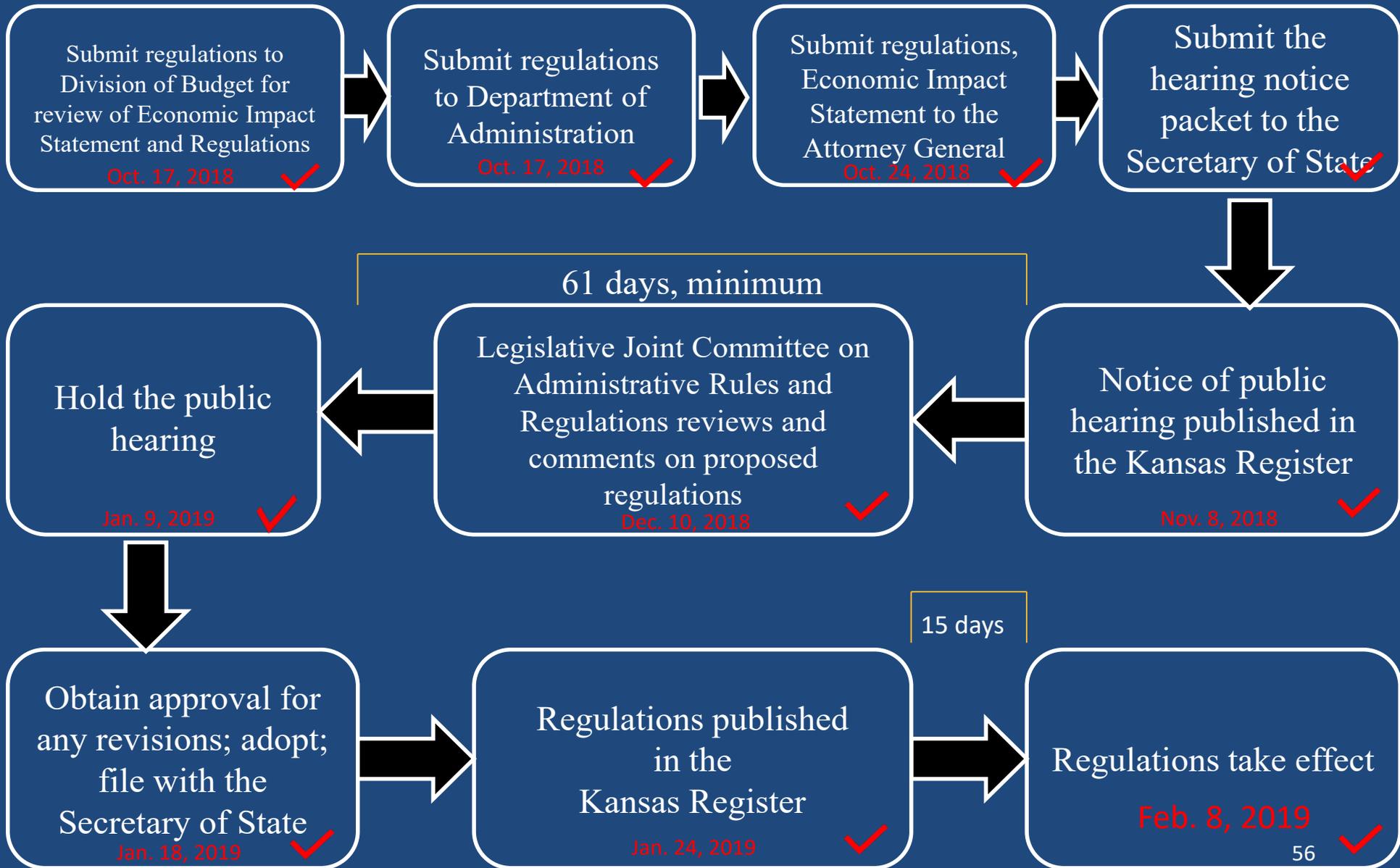
# 2019 Senate Sub. for HB 2167

2. Makes changes to the Kansas Industrial Hemp Research Program.
3. Establishes hemp processors registration.
4. Prohibitions on specific products and sentencing guidelines.

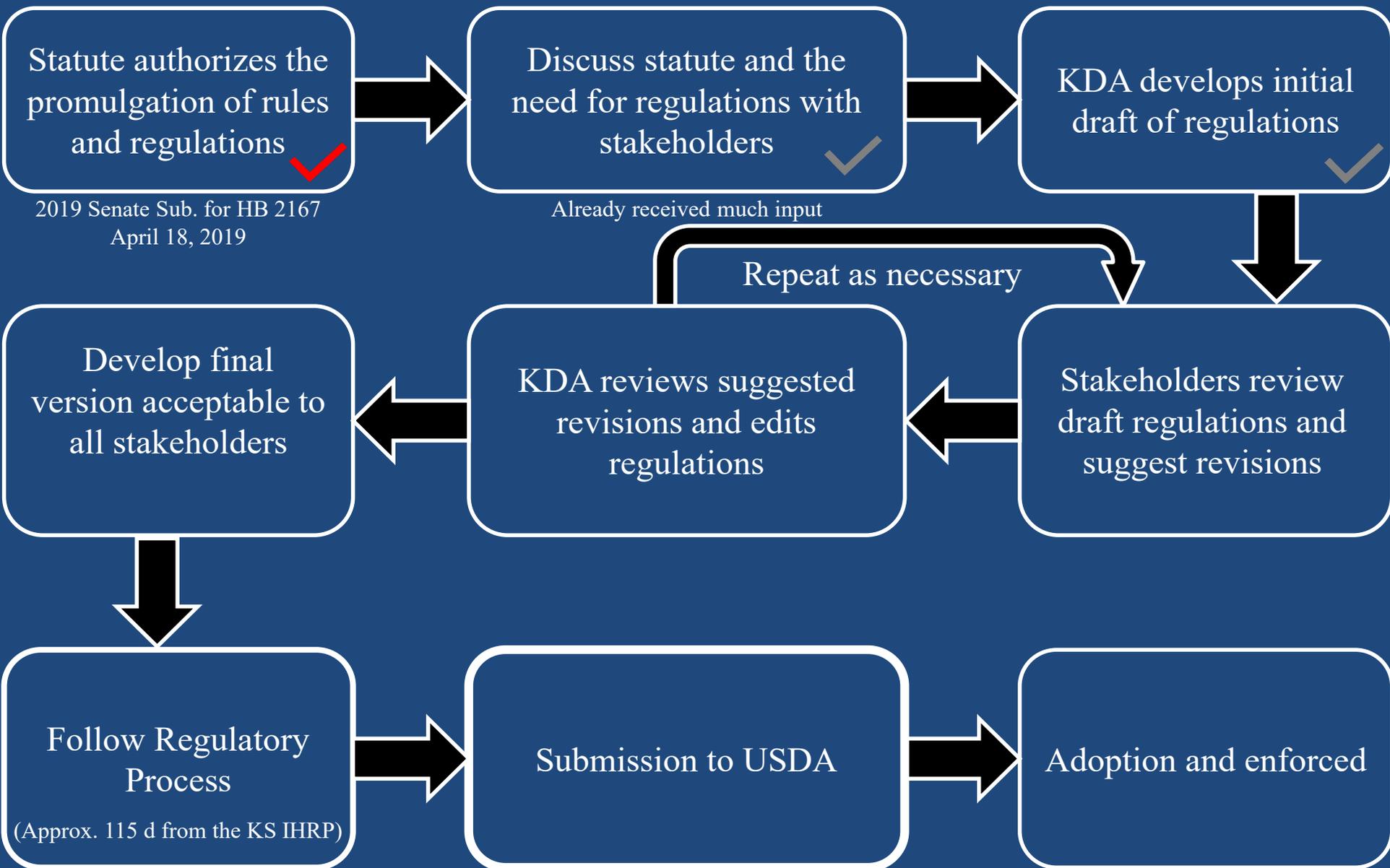
# Developing Commercial Regulations



# Kansas Regulatory Process- IHRP (115 d)



# Developing Commercial Regulations



# Changes to the IHRP

- Reopened the application window until June 1, 2019
  - Original window: Feb. 8 - Mar. 1, 2019/Second window: Apr. 18 - June 1, 2019.
- Use of authorized seed and clones - July 1, 2019 changed from certified seed to certified seed and authorized seed and clones.
- \$50 modification fee reduced from \$750.
- 10 year look-back for drug felonies (including convictions in other states)  
July 1, 2019 - Rather than lifetime look-back.
- KDA cannot require participants to divulge license plate information- July 1, 2019.
- Research program discontinuation once a commercial program is finalized.

# Changes to the IHRP

Reopened the application window until June 1, 2019

- Realistically, those applying for 2019 KS IHRP grower licenses are extremely late unless industrial hemp cultivation (CBD varieties) occurs within a controlled environment.
- Created another opportunity for potential processors and distributors to apply; the majority of their activities will occur later in the season.

# Changes to the IHRP

## Use of Authorized Seed and Clones

- **Beginning July 1, 2019**, the use of authorized seed and clone plants will be allowed to be planted in addition to certified seed by those holding an active Grower License. Authorized industrial hemp seed or clone plants means those seeds or clone plants that have been:
  - produced from plants that were tested during the active growing season;
  - found to produce industrial hemp having a percentage of delta-9 tetrahydrocannabinol (THC) concentration, as defined in the bill, that does not exceed 0.3%; and
  - certified in writing by the grower or distributor of that such seeds or clone plants possess such qualities; or
  - certified to Association of Official Seed Certifying Agencies (AOSCA) standards; or
  - that meet any other authorized standards approved by the Kansas Department of Agriculture through rules and regulations.



# Changes to the IHRP

## Use of Authorized Seed and Clones continued:

- Therefore, when KDA personnel conduct a pre-harvest inspection of licensed industrial hemp fields, it will be the responsibility of the primary licensee to present documentation that proves either certification to Association of Official Seed Certifying Agencies (AOSCA) standards or a Certificate of Analysis (COA) from a reputable laboratory showing that the industrial hemp being inspected was grown from seeds or clone plants meeting the requirements as outlined above.
- A failure to present either of these proofs will result in a violation and be addressed in a manner outlined in K.A.R. 4-34-21.

# Changes to the IHRP

## \$50 modification fee

- Reduces the modification fee of an active license from \$750 per license modification to \$50.
  - Possible modifications
    - Research sections
    - Research areas
    - Participants (still requires a background check that meets the salutatory requirement)
    - Vehicles
    - Industrial hemp varieties
    - Or any other possible change
  - Changes must not divert from the research proposal recommended by the Kansas Industrial Hemp Advisory Board.

# Changes to the IHRP

## 10 year look-back for drug related felonies

- Previously, statute was life-time look back.
- Now, the statute disqualifies an individual who has been convicted of a controlled substances felony violation or a substantially similar offense in another jurisdiction within the preceding ten years from initial or continuing licensure as a hemp producer.

# Hemp Processors Registry

- Once the commercial program is functioning, it creates the Hemp Processors Registry.
- Establishes violations.
- Responsible for Fingerprinting and Criminal Record History Checks.
- Rules and Regulations developed by the KDA.

# Prohibition on Products and Sentencing Guidelines

- Prohibition on certain products containing industrial hemp
  - Cigarettes, cigars, chew, dip, smokeless tobacco, teas, use in vaporized devices, or intended for human or animal consumption.
- Sale of industrial hemp floral or ground material to anyone who is not a registered hemp processor.
- Created certain sentencing guidelines.
- Gives state educational institutions leeway for activities that would otherwise be considered prohibited.

# Industrial Hemp Program Future

- Commercialization
  - Rules and regulations are in process
  - Submission to the Attorney General's Office and other state agencies
  - Advisory Board input
  - Public/stakeholders meeting
  - Clarification from USDA (early September)
  - Submission to USDA when regulations are being approved at the state level.

# Questions?

## **Braden Hoch**

Industrial Hemp Specialist

Plant Protection and Weed Control Program

785-564-6789

[braden.hoch@ks.gov](mailto:braden.hoch@ks.gov)

Plant Protection and Weed Control

785-564-6700

[kda.industrialhemp@ks.gov](mailto:kda.industrialhemp@ks.gov)

## **Dana Ladner**

Compliance Education Coordinator

785-564-6660

[Dana.ladner@ks.gov](mailto:Dana.ladner@ks.gov)