

Colorado Industrial Hemp Program



- Registration
- Reports
- Testing/Inspection
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- Pesticides
- FAQs
- Contacts



COLORADO
Department of Agriculture
Division of Plant Industry



• Registration

- COMMERCIAL vs R&D
- DEADLINE
- PROCESSING TIME
- FEE STRUCTURE
- INCOMPLETE APPLICATIONS
- EXPIRATION
- BUSINESS ENTITY OR SOLE PROPRIETOR
- NO MARIJUANA
- BEFORE YOU APPLY

All industrial hemp grown in Colorado must be grown under an active registration which authorizes an individual or business to cultivate industrial hemp on the registered land area.

Commercial registrations are issued for the purpose of engaging in commerce, market development and market research by any person or legal entity other than an institution of higher education or those under direct control of the Colorado Department of Agriculture (CDA). R&D applications are granted to institutions of higher education or programs controlled directly by the CDA.

Industrial Hemp registrations are issued throughout the year. There is no deadline for submitting an application. The CDA has 30 days to process a complete and accurate application. Be sure to carefully follow the checklist provided online, and submit a complete and accurate application. Incomplete applications will be denied and all associated fees may not be refunded.

The Application fee is \$500 plus \$5 per each outdoor acre and/or 33 cents per 1000 sq. ft. for indoor grow sites per registration. There is no minimum or maximum acreage or square feet which can be registered.

Registrations expire 365 days from the date of issue. Registrants must reapply with a new application each year. You may register as a business entity or sole proprietor; however, all businesses must be registered and in good standing with the Colorado Secretary of State.

Before you apply

Check with your specific county, city, and homeowner association for any zoning restrictions they may have.

Understand your participation in federally sponsored programs; i.e. crop insurance, USDA certification, conservation reserve could be in jeopardy by participating in the Industrial Hemp Program.

Be aware. **No marijuana** can be grown on any of the registered land area covered by your registration. This includes any recreational or medicinal marijuana. No hemp plant can be covered under more than one registration simultaneously.

Prior to submission, follow the checklist provided and carefully review the application. Be sure to provide all requested information on your application in order to avoid your application from being delayed or returned.



- APPLICATION
- REPORTING
- COMPLIANCE



****Stay compliant****

Meet your Reporting deadlines.

Don't risk unnecessary compliance violation and sanctions.

Change of Contact Information:

Deadline: Within 10 days of any Change.

Includes: Updated contact information, including mailing address, phone, and email. Accurate and current contact information is CRITICAL.

What You'll Need to Include For a Complete Application

- Center GPS Coordinates. Decimal Degrees only!
 - (Yes→ 39.917769/ -105.112502. NO! → 39 55' 3.96 / 105 6' 45")
- Township, Section, and Range. Find at www.earthpoint.us.
- Clear satellite view map (photo Image, not a surveyor's map).
 - CDA prefers Google Earth Pro.
- Full address, including city, zip code, and county of the land area you are registering.
- Initials and signatures on all appropriate sections.
- Payment
- Statement of Verification that all hemp to be planted will produce a THC concentration of no more than 0.3% on a dry weight basis.

*****BE COMPLIANT*****

Pre- Planting Report

Deadline: Prior To Planting

(Can be submitted with application)

Includes: Information about the varieties you intend to plant and intended use of materials once harvested.

Planting Report

Deadline: Due within 10 days after planting.

Includes: Confirmation of varieties, location of each variety, actual acreage or sq. footage planted, and date planted.

Harvest Report

Deadline: Due at least 30 days PRIOR to harvest.

*An updated Harvest report is due immediately upon a change in anticipated harvest date in excess of +/- 5 days.

Includes: Confirmation of varieties, declaration of actual acreage or sq. footage to be harvested, GPS, and date of harvest.

****All Registered Land Areas are subject to inspection and sampling.**

Inspection and Testing

All registrations are subject to sampling to verify the THC concentration within a registered land area do not exceed 0.3% on a dry weight basis. Up to 100% of the registrants may be selected.

How do I know I'm selected?

You will receive notification from the CDA.

What's next?

A CDA inspector will contact you to schedule. Remember you or your authorized agent must be present during the inspection. Inspector must be allowed full unrestricted access.

What are the fees?

The fee is currently set at \$150 per sample, \$35 per hour for drive time and sample time, plus 25 cents per mile.

Will the CDA's lab test my crop if I'm not selected?

No. The CDA's laboratory does not provide private testing. State certified cannabis labs can provide non-compliance testing services to assist you in the monitoring of the crop. Visit our website for more information on how to locate a state certified laboratory.



What type of sample is collected?

To ensure the highest THC levels are measured, the top 2 inches of material is collected from the female flower or foliage leaf material and buds. Male plants are not included.

Stems and seeds may be collected during sampling process; however, they are removed and discarded prior to testing. Samples can be of individual varieties or a composite. Specimens are sealed and transported to the lab for processing. Testing is only for THC. The CDA does not test for CBD levels.

How long does it take for test results to return?

Results typically are available within 2-3 weeks.

What is considered a failing test result?

A result greater than 0.3% THC is evidence that at least one plant or part of plants contains THC on a dry weight basis of more than 0.3% THC and, therefore, is out of compliance. Results may be provided to law enforcement.

What are my options?

If a test is above 0.3% but less than 1% THC, a registrant shall not be subject to revocation or suspension of their registration if the crop is destroyed or utilized in a manner approved of by the Commissioner. This waiver only protects against civil penalty. CDA has no authority over material above 0.3% because the crop technically is then marijuana with potential for criminal penalties and is outside of CDA's jurisdiction.

- CDA does not mandate destruction.
- CDA wants you to be aware of potential for criminal penalties if not destroyed.
- CDA wants to assist you in documenting disposition/destruction if elected.
- Seed from plants testing high cannot be sold.
- No consumption of plants testing high even for personal use.
- Plants cannot enter stream of commerce.
- Plants cannot leave the site.

Seed



The first Colorado Department of Agriculture Approved Certified industrial hemp seed harvested in October 2016 will be available for the 2017 season in limited quantities. A CDA approved certified seed label will identify this seed. While Colorado open source hemp seed is available on a limited basis but is not certified to produce a plant with THC content below 0.3%. Industrial hemp registrants seeking seed should be aware of this challenge and additional risk.

Availability of Seed



A small amount of hemp seed is being produced in Colorado after the passage of the Hemp Act in 2013. The variability of this seed is high and the THC levels can be uncertain. A list of those registered to sell industrial hemp seed in Colorado, (either seed they grew themselves or seed obtained from others), can be obtained through a Colorado Open Records Act (CORA) request made in writing to the seed program. Seed is sold as "buyer- beware".

Any individual registered to cultivate industrial hemp who wishes to also sell the seed stock must obtain a seed registration for the seed label through the CDA. This application is available at www.colorado.gov/pacific/agplants/seed.

Seed sellers are subject to comply with all the rules and regulations of the Colorado Seed Act and violations will be penalized. If you register with the CDA to sell your hemp seed, remember that your seed label must include:

- Name, kind of seed, variety if known
- Lot number
- Origin
- Purity
- Name and address of labeler
- Net weight

WATER-LESS TURF MIX		LOT: M147-14-WL182	
VARIETY	PURSE SEED	GERM	ORIGIN
ESCALANTE TALL PEPPER	33.33%	90.00%	OREGON
HAWAIIAN TALL PEPPER	32.98%	90.00%	OREGON
PANAMA TALL PEPPER	32.89%	90.00%	OREGON
OTHER CROP SEED		0.30%	
DIRT MATTER		0.42%	
WEED SEED		0.01%	
NOXIOUS WEEDS		90.00%	OREGON
NET WEIGHT:		90.00%	OREGON
TEST DATE:		01/14	
POUDRE VALLEY COOP 225 NW FRONTAGE RD. FORT COLLINS, CO 80524 AMS 4804			

- % of germination
- % by weight of inert matter
- % by weight of weed seeds
- % of hard or dormant seeds
- Noxious weeds
- Month and year test completed

THC level is not required by seed rules and regulations to be included on the label although many seed labelers are voluntarily electing to do so. Seed labelers cannot in any way misrepresent seed as Certified or CDA Approved. Please report violations to the CDA.

Importation of industrial hemp seed requires a Drug Enforcement Administration (DEA) registration and import permit. The most recent Farm Bill contains a provision under SEC. 7606 which provides for state departments of agriculture and institutions of higher education to obtain a registration and import permit for industrial hemp seed for research purposes as long as all definitions outlined in the provision are met. SEC 7606, however, does not provide a provision for the DEA to issue registration and import permits for individual farmers to import the seed.

CDA Approved Certified Seed Program

Certified seed is not just a variety; it is a controlled production environment that ensures farmers are getting seed varieties that produce mature plants below 0.3% THC and that the seed has been conditioned by a state Approved Conditioner and Certified by the CSU Colorado Seed Lab for germination rate and to be free of pests, diseases, and noxious weeds. To ensure Colorado farmers have varieties that meet the THC standard the CDA will test mature plants in a broad range of cultural and geographical regions for THC levels. Varieties that consistently produce low THC levels will then be grown according to National Seed Certification standards by members of the Colorado Seed Growers Association. Only seed produced under these standards may be labeled and sold as CDA Approved Certified Seed in Colorado.



2017 (June)





PESTICIDES



VISIT:
www.colorado.gov/pacific/agplants/pesticides

The Colorado Pesticide Applicator Act prohibits use of a pesticide in a manner inconsistent with the product labeling. 35-10-117(1)(i) C.R.S. provides that unless otherwise authorized by law, it is unlawful and a violation of this article for any person to use, store or dispose of pesticides, pesticide containers, rinsates, or other related materials, or to supervise or recommend such acts, in a manner inconsistent with labeling directions or requirements, unless otherwise provided by law, or in an unsafe, negligent, or fraudulent manner.



The CDA reviews pesticide labels upon request and maintains a list of products whose labels have been reviewed and which are allowed to be used on industrial hemp without violating the Colorado Pesticide Applicator Act. Review has been concentrated on insecticides, fungicides, and miticides. Visit www.colorado.gov/pacific/agplants/pesticides for the most current list. You can also find the products which have been removed from the list.

Commercial producers of industrial hemp who hire employees must adhere to the requirements of the Federal Pesticide Worker Protection Standard. If you hire workers who are working in an area where plants have been treated with pesticides and/or who mix or apply pesticides, then specific WPS requirements should be followed. These standards are established by the federal EPA. The CDA holds Worker Protection Standards training seminars aimed at the industrial hemp industry. Visit our website to learn of planned upcoming seminars.

For questions regarding Cannabis and Pesticides visit the CDA website. You will find a Cannabis Pesticide Education page at the following address: <https://www.colorado.gov/pacific/agplants/cannabis-pesticide-education> website

Frequently asked questions...



Are there any in-state processors?

Yes. However, because the CDA is not the regulatory agency for processing does not keep a list of in-state processors. Access to this information is limited and primarily anecdotal acquisition from other registrants.

Does the CDA regulate processing?

The CDA is not the regulatory agency for the processing of hemp. We regulate the cultivation of industrial hemp. Our jurisdiction stops at the "farm gate." If you are interested in processing, reach out to the regulatory agency specific to your type of processing.

Can I sell my hemp plants out of state?

The CDA only has jurisdiction over the cultivation of industrial hemp. Shipping anything across state lines with domestic or international destinations remains federal jurisdiction. Due to the fluid nature of federal positions, as well as conflicting statements from various federal agencies the CDA can not advise registrants regarding shipping beyond our jurisdiction. The CDA would note that industrial hemp remains a Schedule I drug and shipping viable material without proper permits remains a federal concern.

What information does CDA share?

Under a Colorado Open Records Act (CORA) written request, CDA will provide name, mail address, phone, email, and county information. A list of registrants by county, and their contact information is available on the CDA Website. We do not release grow site locations or size unless subpoenaed to do so by law enforcement. We do share contact information for hemp seed labelers and farmer seed labelers.

Can my hemp be certified organic, and, if so, will CDA certify it?

Organic crops must be certified organic to the National Organic Program (NOP) regulations. A complete list of certifying agencies is available at the USDA National Organic Program website, <http://www.ams.usda.gov/resources/organic-certifying-agents>. Not all agencies certify all products.

Remember to...

- Register
- Report
- Communicate
- Test
- Document
- Comply



Contacts

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VISIT us at:
www.colorado.gov/pacific/agplants/industrial-hemp



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