



# MONTANA STATE HEMP PLAN

January 3, 2023

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## 1. Authority

Title 80, Chapter 18, Sections 101 - 111, Montana Code Annotated (MCA), the Administrative Rules of Montana (ARM), Chapter 4.19.101 - 202, and the Agriculture Improvement Act (Farm Bill) of 2018. This authority does not extend to hemp grown within the boundaries of the reservations located in Montana:

- Blackfeet Tribe of the Blackfeet Reservation
- Chippewa Cree Tribe of the Rocky Boy's Reservation
- Confederated Salish & Kootenai Tribes of the Flathead Reservation
- Crow Tribe of the Crow Reservation
- Fort Belknap Tribes of the Fort Belknap Reservation
- Fort Peck Tribes of the Fort Peck Reservation
- Little Shell Chippewa Tribe
- Northern Cheyenne Tribe of the Northern Cheyenne Reservation

## 2. Definitions

1. Acceptable Hemp THC Level: the application of the measurement of uncertainty to the reported total delta-9 tetrahydrocannabinol (THC) content concentration level on a dry weight basis producing a distribution or range that includes 0.3 percent or less.
2. AOSCA: The Association of Official Seed Certifying Agencies is an organization of agencies that provide internationally recognized seed certification.
3. Certified: as it relates to certification of seed, certification from AOSCA, OECD or another department recognized official certifying agency that the variety of hemp is true to its genetic traits and testing has been completed to determine compliance in regard to THC levels.
4. Corrective Action Plan: a plan proposed by a licensed hemp producer and approved by the department to correct a negligent violation of or noncompliance with a United States Department of Agriculture (USDA) approved state hemp production plan, Montana Statutes, or any other provision of this chapter. This may include a similar USDA approved tribal document from a Montana based Tribal Government.
5. Crop: a group of plants or Lots in a similar stage of growth that will be harvested within the same allowed time-frame period (e.g., 3 weeks). Plants or Lots that cannot be sampled (relative to harvest) at the same time as other plants or Lots would be considered a separate crop.
6. Culpable mental state greater than negligence: to act intentionally, knowingly, willfully, or recklessly.
7. Department: the Montana Department of Agriculture
8. Destruction: means the same as disposal.
9. Disposal: an activity that transitions the non-compliant product into a non-retrievable or non-ingestible form.



10. Entity: means any individual, partnership, joint venture, cooperative, cooperation, or other business arrangement.
11. Field: a contiguous area not separated by any fence, drainage, road, or waterway, regardless of Township, Range or Section.
12. Harvest: when the hemp plant is cut and no longer growing.
13. Harvest Window: a period of time allowed for harvest after an official sample is collected.
14. Hemp Fiber Crop: hemp genetically selected to be densely planted, grown, and harvested to solely produce hemp fiber and hurd from the hemp stalk and marketed as such, containing less than 0.3% THC in any saleable product.
15. Hemp Greens: hemp leaves from immature plants germinated from seed and the plants are no more than ten (10) inches tall and are not flowering.
16. Hemp Microgreens: immature hemp seedlings for human consumption that are cut-off above the soil or substrate line and harvested prior to flowering and not more than 14 days after germination. Hemp microgreens are typically between two (2) and three (3) inches in height, but not taller than five (5) inches. Microgreens are considered to have no THC.
17. Hemp Mother Plants: a hemp stock plant used as a source of cuttings or graft material; grown primarily for the purpose of producing genetic clones.
18. Hemp Transplants: hemp seedlings, rooted cuttings, immature plants produced from tissue culture, or other means of reproduction, which are not harvested but transplanted into a large container or field to mature for harvest. The movement of transplants from their original location to the crop production location is not considered a harvest.
19. Hemp Variety Category A: varieties formally approved by the department, produced from "certified" seed, and previously grown in Montana with a compliancy rating of 80% with a minimum of 5 official samples testing not greater than the Acceptable Hemp THC Level.
20. Hemp Variety Category B: varieties produced from "certified" seed, not previously grown in Montana, and approved by other states or countries at a level equivalent to the department's standard.
21. Hemp Variety Category C: all other hemp varieties that an applicant reasonably believes will not produce a plant over the Acceptable Hemp THC Level at any time prior to harvest and are not in Category D.
22. Hemp Variety Category D: includes all varieties forbidden by any federal law or regulation or added by rule by the Department because of its inability to consistently produce hemp.
23. Indoor Grow: hemp plants started, grown, and harvested inside a structure, whether under natural light or using artificial light conditions to manipulate the flowering stage of hemp.
24. Key Participant: a person or persons who have a direct or indirect financial interest in the entity producing hemp, such as an owner or partner in a partnership. A key participant also includes a person in a corporate entity at executive levels including the chief executive officer, chief operating officer, and chief financial officer. This does not include other management positions like farm, field, or shift managers.
25. Lot: a contiguous or immediate adjoining area of a field or fields, greenhouse, or indoor growing structure containing the same variety or strain of hemp throughout and having a post-



sampling harvest window of the allowed timeframe. Lots must be tracked by the producer from planting through harvest and until the plant is no longer in a raw, unaltered state.

26. Lot Number: the official Lot Number as assigned by FSA and recorded by the department, whether the producer has a separate Lot Number or not. If applicable, the producer's Lot ID may change after harvest as long as it is traceable to the previous Lot ID.
27. Measurement of Uncertainty (MU): the range of a measurement, that characterizes the dispersion of the values that could reasonably be attributed to the particular quantity subject to measurement.
28. OECD: The Organization for Economic Cooperation and Development Seed Schemes are rules used by 58 participating countries to certify and label seed for varietal purity for international movement.
29. Official sample: a composite, representative sample of hemp plants or plant parts from a designated Lot collected in accordance with official procedures.
30. Outdoor Grow: hemp plants grown and harvested outside under natural light conditions; for the purpose of reporting, this includes plants started under greenhouse conditions and transplanted to outdoor conditions.
31. Post-Harvest Sample: a sample collected of raw hemp plant material in a homogenous form (e.g., biomass, flowers, intact-plant, root, etc.) from a specific Lot after harvest and prior to processing.
32. Pre-Harvest Sample: a sample collected from hemp plants before harvest from the recorded growing location of the whole plant or plant parts.
33. Processing: heating, mixing, grinding, separating, extracting, cutting, freezing, or otherwise physically or chemically altering hemp plants or plant parts from a raw, unaltered state after harvest.
34. Remediation: the process of rendering non-compliant cannabis plants or plant parts compliant.
35. Remediation Plan: a plan proposed by a licensed hemp producer and approved by the department to remediate non-compliant hemp plants greater than 0.3% Total THC but not greater than 2.0% to compliant hemp, see *Enforcement* section for details.
36. Research Institution: an accredited institution of higher learning, or a research facility that conducts scientific research on hemp, or any licensed person growing hemp for research purposes, and when none of the hemp is intended for commerce.
37. Sampling Window: a period of time prior to harvest when official samples are collected.
38. Split Sample: one of two equivalent portions of a whole composite sample identified as such with the same information as the official sample, collected at the same time in the same manner and randomly divided after the composite is collected.
39. Strain: a term used to differentiate cultivars of Cannabis that have not formally been classified as a variety.
40. Sub-sample: consists of a bud(s) or other plant part(s) selected randomly from a single plant to form the composite sample.



41. **Total THC:** the value determined after the process of decarboxylation, or the application of a conversion factor if the testing methodology does not include decarboxylation, that expresses the potential total delta-9 tetrahydrocannabinol (THC) content derived from the sum of the THC and THCA content and reported on a dry weight basis. This post-decarboxylation value of THC can be calculated by using a chromatograph technique using heat, such as gas chromatography, through which THCA is converted from its acid form to its neutral form, THC. Thus, this test calculates the total potential THC in a given sample. The total THC can also be calculated by using a liquid chromatograph technique, which keeps the THCA intact. This technique requires the use of the following conversion: [Total THC = (0.877 x THCA) + THC] which calculates the potential total THC in a given sample. Delta-8 will be considered for this purpose to be the same as Delta-9.
42. **Variety:** a taxonomic category that ranks below subspecies (where present) or species, its members differing from others of the same subspecies or species in minor but permanent or heritable characteristics.

### 3. Licensing

An individual growing hemp shall apply to the department for a license on a form prescribed by the department. The hemp license application period is January through May 30. Licenses are issued on an annual basis and are valid until December 31 of the issuance year. The license number format is the ANSI/FIPS State Code, followed by a 4-digit sequential license number and the year of issuance (e.g., 30-0001-22). The application must be legible, complete, and include all required documentation and fees to obtain a license. To avoid a late fee, the application must be postmarked prior to the deadline of May 30. Licenses cannot be assigned or transferred. Any growing plant that is not harvested during the license period in which it was planted must be destroyed unless the license has been renewed. Any volunteer hemp plants growing in subsequent years must be destroyed or a licensee may register that grow location and cultivate and harvest the volunteer plants if they obtain permission from the department and pay fees associated with registering the grow location. The licensee must also update the location information with the USDA Farm Service Agency (FSA).

The department issues hemp licenses in two (2) progressive stages. Upon approval of the initial *Hemp License Application* (see [Appendix F1](#)), eligible applicants will be issued a *Planting Permit* (see [Appendix F3](#)) so they may purchase seed or live plants and seed or transplant hemp. To receive full licensure, the applicant must submit a *Hemp Planting Report* (see [Appendix F2](#)) confirming information about the planted crop. Successful candidates will be issued the second stage *Production License* (see [Appendix F4](#)). The Production License allows for the production, harvest, transportation, and sale of compliant hemp, including the processing of compliant hemp grown under the license. The Production License lists the licensed entity and each registered variety and strain with its corresponding growing location. Any applicant that does not meet the



conditions of the Production License will forfeit their Planting Permit and the crop will require destruction. Harvesting hemp without a state issued Production license is a violation of state and federal law.

### License Application, Stage 1

The initial stage license application requires:

1. The applicant's full name, both physical and mailing address, phone numbers and an email address;
  - If the applicant is a business, the Business License Number on file with the Montana Secretary of State's (SOS) office must be provided as well as an EIN number. A Business Name is only required if licensing as a registered business.
2. the full name, title and contact information of each person defined as a Key Participant;
3. for new applicants a copy of an FBI criminal history report for the applicant and each key participant associated with the operation;
  - Hemp program participation requires no prior convictions of felony charges related to a controlled substance in the previous 10 years. Verification of criminal history is required every 3 years.
4. for each variety or strain requested to be permitted:
  - the name of the variety grown from certified seed or the common name of the strain,
  - the quantity of land area requested to be permitted,
  - the grow type (indoor or outdoor),
  - the name and license number of the seed or live plant provider, and
    - Seed providers must be licensed in Montana. Nurseries must be licensed in their resident state. Producers who purchase live plants must submit a copy of the provider's resident state hemp license and verification of variety/strain (nursery label, seed label or Certification of Analysis (COA)) and be aware of live plant importation requirements.
  - a seed label and/or a COA verifying the name and THC levels of the hemp;
5. payment in full of the nonrefundable application fee; and,
6. signature of the applicant acknowledging the requirements, conditions, risks, and permissions associated with growing hemp.

### License Application, Stage 2

The second stage of the license application requires a Planting Report be submitted by the permittee within 4 weeks of each growing event (planting seeds, receiving starter-plants, or rooting of clones) that lists for each variety or strain\*:

1. FSA Lot ID (farm-tract-field-subfield)
2. the name of the variety grown from certified seed or the common name of the strain,
3. the quantity and units of land area planted (acres for outdoors or number of plants)



- indoors),
4. the grow type (indoor or outdoor),
  5. estimated harvest period,
  6. primary market,
  7. latitude and longitude of the growing area (legal description of the land),
  8. physical county

#### 4. Reporting Requirements

To maintain an annual hemp license, producers have specific reporting requirements:

1. Each producer must keep all records related to the planting, growing, harvesting, storage, destruction, distribution, sale and/or processing of hemp, and make those records available for inspection for a minimum of three years.
2. Producers are required to report any updates or changes related to the licensed entity and hemp plantings, including but not limited to contact information, variety, strain, location, and harvest dates.
3. Each license holder is required to report their hemp license or authorization identifier in a format prescribed by USDA, their hemp growing location(s) including street address to the extent possible, and geospatial location, and acreage (or indoor square footage) of hemp planted, harvested and, if applicable, disposed or remediated to the FSA. Producers must maintain a record of the FSA assigned Lot Numbers and report to the department.

FSA reporting requirements for hemp grown under a research license includes the following exceptions:

- because the hemp crop will never be sold commercially, the acreage report is not required to be broken down by lots, and
  - if the field was planted over several days, the licensee will report the average planting date.
4. Each license holder is responsible for contacting the department a minimum of 30 days prior to harvest to confirm actual harvest date and schedule a pre-harvest inspection. Crops harvested without notification of harvest, regardless of Category, are subject to destruction. Crops harvested later than the time allowed after official sampling are also subject to destruction. Crops that are not harvested within the time frame allowed after official samples are collected may result in additional sampling with the license holder being responsible for additional fees and a non-compliance.
  5. Each licensee must annually submit an [Annual Hemp Harvest/Disposal Report](#) (see [Appendix F5](#)) listing the harvest and/or disposal of any hemp grown by the licensee. The report must include:
    - FSA Assigned Lot Number,
    - Variety or strain,



- Total planted (i.e., number of acres or plants)
- quantity not harvested,
- total harvested,
- quantity disposed for non-compliant THC
- harvest date
- yield (i.e., pounds /Lot)
- intended use (i.e., CBD, fiber, grain, seed, propagative material)
- Explanation of discrepancies (i.e., crop failure, poor germ, etc.)

The department has specific (USDA Hemp Program) reporting requirements:

1. The department will maintain and provide to USDA all required contact information of licensed entities, including their license number, the legal description of the land on which hemp is grown, the status of each license, and any changes to the information, as outlined in Subpart F - Section 990.70 on the first day of each month on USDA Form AMS-23.
2. The department will submit a monthly report to USDA listing disposal and remediation information of cannabis that tested above the Acceptable Hemp THC Level on USDA Form AMS-24. This information would include the producer's license number, Lot location information, including the geospatial location or other available land descriptor for the production area subject to disposal or remediation, tests results, method used for disposal or remediation, and the date when the disposal or remediation was completed.
3. The department will annually submit no later than December 15 to the USDA the total acreage of hemp planted, harvested, and disposed on USDA Form AMS-25.
4. The department will report hemp sample test results generated from samples tested by the department's analytical lab to USDA using USDA's new HeMP online platform.

## 5. Inspections and Sampling

All hemp producers are subject to a routine annual regulatory inspection to verify that hemp is not produced in violation of Montana's Hemp Program. New producers and producers under a corrective action plan will always be inspected. The protocol for the sampling of hemp for compliance testing is outlined in the [Hemp Sampling Guidance](#), see [Appendix A](#).

1. Hemp inspections are conducted to verify proper licensure, registration of hemp growing locations, record keeping and general program compliance. The collection of official hemp samples during an inspection will occur as required in Montana's Performance Based Sampling Plan, see Section 5.1.
2. Random annual audits may be conducted of license holders to verify compliance with state and federal regulations pertaining to hemp. These audits include but are not limited to verification for compliance of harvest date as it relates to sampling, harvest inventory and raw product entering commerce.



3. The license holder or an authorized representative is required to be present at the growing site during inspection unless the department is given a good reason for their inability to be present. The landowner on record can be an authorized representative if granted by the license holder. Authorization for entrance to, inspection of property and collection of hemp samples for testing is granted by signature of the licensee as a part of the licensing process. If neither the license holder or an authorized agent can be present during the inspection/sampling event, prior communications with the license holder will occur to assure both the licensee and the inspector are aware of the Lots to be sampled, the location of said Lots, and any other information pertinent to the inspection process.
4. Inspectors will be provided with complete and unrestricted access at the designated inspection time or during normal governmental work hours to all hemp and other cannabis plants, whether growing or harvested, and all land, buildings, and other structures used for the cultivation, handling, and storage.
5. Each licensee must notify the department with a confirmation of harvest date a minimum of 30 days prior to actual harvest so that an inspection can be scheduled for sampling purposes. Producers may not collect samples from their own growing facilities.
6. Non-compliant Lots will be quarantined with the licensee investigated and subject to enforcement actions outlined in the State Plan.
7. Harvested Lots must maintain their identity, not be commingled and be traceable until official results indicate the legality of the Lot.
8. Hemp inspections and hemp sample collections will be conducted by full-time department staff (sampling agents) trained to the standard as established by USDA and the department.
9. The department has established a standardized training, that includes the USDA online training class, for employees who inspect and sample hemp. All staff are required to receive the training prior to conducting hemp inspections and the sampling of hemp and to receive an annual update training. All information, qualifications and updates will be maintained by the department.
10. If any allowance is made for third-party sampling agents, the department will ensure through a requirement and maintenance of record keeping that third-party sampling agents are certified to the USDA standard to collect hemp samples and that producers are not allowed to collect samples from their own growing facilities. The department will assure sampling agents are not employed by or related to licensed producers in which they sample.

### **5.1 Performance Based Sampling Plan**

All hemp Lots are subject to sampling to verify the Acceptable Hemp THC Level is not exceeded. The department shall utilize both risk-based and random approaches to select licensees to be inspected and Lots to be sampled to meet the performance-based sampling goals. The



department shall sample the appropriate number of plants to ensure, at a confidence level of 95%, that no more than 1% of the plants in the Lot would exceed the Acceptable Hemp THC Level. Risk determinations are based on seed certification standards and compliancy of varieties previously grown in Montana.

Montana has established in Administrative Rules of Montana four separate categories (i.e., A, B, C and D) of hemp varieties and strains based on their status of seed certification and being previously grown in Montana. See the Category definitions in Section 2 of this Plan and the approved 2022 Seed/Clone Variety List in [Appendix B](#). For a variety or strain to be upgraded, the department must receive a request from an interested party, and it must have a compliancy rating of 80% with a minimum of 5 official samples testing not greater than the Acceptable Hemp THC Level. A variety or strain may be removed or downgraded from the Category list if found to consistently produce hemp greater than 0.3% Total THC. Before any variety or strain is permitted to be grown in Montana, a review of its seed labeling (certification) and COA is completed to determine its Category.

The department will prioritize sampling based on the Category, sampling 100% of all Category C strains planted, 20% of Category B varieties planted, and 10% of Category A varieties planted on an annual basis. Additionally, each variety that tests above the Acceptable Hemp THC Level with a compliancy rating less than 80% in the previous year and any new variety not previously grown in Montana will be sampled.

Based on the previous three years of sampling data, Total THC test results (on a dry-weight basis) show a total non-compliance percentage of 22.1%. Non-compliance percentages by individual categories include Category A - 3.5%; Category B - 6.2% and Category C - 27.1%. Non-compliance and 2021 Lot size data by end-use is as follows:

| End-Use              | 2022 Lot Size |              |            | Total Number of Samples | Number of Samples > 0.3% | Percent Non-Compliant |
|----------------------|---------------|--------------|------------|-------------------------|--------------------------|-----------------------|
|                      | min           | max          | avg        |                         |                          |                       |
| CBD                  | 50 plants     | 1,144 plants | 530 plants | 11                      | 1                        | 9                     |
| Grain                | 1.05 ac       | 208.18 ac    | 42 ac      | 5                       | 0                        | 0                     |
| Fiber (total)        | 3.2 ac        | 124.64 ac    | 25 ac      | 9                       | 3                        | 33.3                  |
| Fiber - Category A/B | 10            | 69.96        | 30         | 1                       |                          | 0                     |
| Fiber - Category C   | 3.2           | 124.64       | 25         | 8                       | 3                        | 37.5                  |

Crops grown solely for the production of hemp fiber shall be verified as such within 30 days prior to harvest (i.e., cutting of the crop). If verified, a solely fiber crop will be sampled within three weeks prior to baling per its Category as outlined above. Hemp fiber crops that fail verification,



whether due to ineligibility of the crop or delayed verification request from the producer, must be sampled prior to harvest.

For an illustration of the decision process for determining varieties and strains to sample, see the [Sampling Decision Flowchart](#) in [Appendix C](#).

See the full list of varieties and strains sampled in Montana beginning in 2019, including its current Category and test result data that supports the Performance Based Sampling Plan in [Appendix D](#).

Complaints of non-compliance will be investigated regardless of Category or past compliance and be inspected and sampled as necessary to determine compliance.

## 6. Laboratory Testing

The Montana State Hemp Program does not yet recognize or utilize third party testing of official hemp samples. The department administers the Montana State University Analytical Lab located in Bozeman, MT and utilizes it for official state hemp sample testing. The lab requires a minimum composite sample size of 40 grams to assure enough sample for retention in case of referee analysis and no more than 120 grams due to storage restrictions and destruction capabilities.

The Montana State Hemp Program uses a post-decarboxylation testing methodology using liquid chromatography which includes the calculation of THCA for a measurement of Total Delta9-THC on a dry weight basis.

- $\% \text{ Total Delta9-THC} = \% \text{ Delta9-THC} + (\% \text{ Delta9-THCA} \times 0.8772)$

For determining the Acceptable Hemp THC Level, the department uses its official Measurement of Uncertainty (MU) of 0.0453% in addition to the standard 0.3% Total THC level of concentration allowance. Example calculations are as follows:

- Compliant: a result of 0.3503 +/- MU of 0.0453
  - range of 0.305 to 0.3956 (0.305 rounds to 0.30)
- Violation: a result of 0.3504 +/- MU of 0.0453
  - range of 0.306 to 0.3957 (0.306 rounds to 0.31)

Official laboratory results are reported to the producer with the official [Hemp Sample THC Analysis Lab Report](#) (see [Appendix F6](#)).

The laboratory is a DEA-registered lab (License Number: RS0591506) in regard to cannabis testing, is accredited to ISO/IEC 17025 for the specific tests listed on A2LA Certificate Number 2694.01 and is certified in forage analysis by NFTA. Formal chain of custody procedures are in



place and documented for each official sample by sampling agents and laboratory staff to ensure plant materials of sampled Lots are not commingled.

Contact information for laboratory testing:

Jona Verreth, Laboratory Bureau Chief  
McCall Hall, Montana State University  
PO Box 173620  
Bozeman, MT 59717-3620  
Phone: (406) 577-7918  
E-mail: JVerreth@mt.gov

## 7. Fees

The fees collected must be commensurate with operating the program. All fees must be deposited to the credit of the state special revenue fund for use by the department for administering and enforcing the program. The Montana State Legislature does not provide additional funding for the operation of the state hemp program. Current fees include:

Licensees who plant only Category A or B varieties are required to pay the \$850 fee. The initial inspection fee and the first sample testing fee is waived.

Licensees who plant a Category C strain are required to pay the \$1,100 fee. This fee includes the initial inspection and testing of the first Category C sample.

An additional \$250 inspection/sampling fee will be required for each additional inspection and an additional \$250 testing fee will be required for each additional sample tested.

Regardless of Category planted, producers who request sampling (e.g., insurance claim) will be charged the standard \$250 inspection fee and the standard \$250 testing fee.

The department may assess a processing fee of \$100 for any late or incomplete documentation associated with the licensing process and a change fee of \$50 for a request for each new variety/strain or location associated with a previously processed license application.

The fees for additional inspections and samples tested will be invoiced to each license holder after testing is completed. Invoices are due upon receipt. An unpaid balance of more than 30 days is subject to a \$100 late fee.

Non-payment may result in ineligibility of future licensure. Per ARM 4.19.104, the Director may



waive all or part of any of these fees if there is sufficient money to perform the regulations of the hemp act without them. Fees do not currently cover all the costs of the program. The department may have to address this through staffing or fee changes.

## **8. Transportation**

Any intrastate transportation of raw hemp should include a copy of the producer's hemp license. Transportation of raw hemp that includes flowers must also include a copy of an official lab report showing the hemp is compliant. Non-compliant raw hemp being transported for disposal or remediation must include a copy of the Corrective Action Plan demonstrating an agreement between the license holder and the department and/or the processor designated in the plan.

Transportation of processed hemp (e.g., distillate, isolate) should include a copy of the producer's hemp license and a copy of the Montana Processor's license. Transportation of hemp crude should include transportation documents provided by the department.

Transportation of hemp originating outside of Montana into Montana should include a copy of the license holder's hemp license from an approved state or federally approved plan and a bill of lading showing destination of a person allowed to receive hemp.

## **9. Requirements for the Sale of Live Hemp Plants**

1. The seller must have a current hemp license;
2. the seller must have a current nursery license; and,
3. the seller must verify the buyer has a current hemp license:
  - The seller will need to review the hemp license list on the department's website and record the buyer's license number on the invoice. A sale may not be made to an individual not listed on the department's licensee list,
  - the seller must record and maintain a listing of each sale along with the buyer's name, address, and hemp license number for a period of three years, and
  - the seller must inform the buyer to notify the department of the purchase so the buyer can update their Lot inventory.
4. The department may audit the seller's records and randomly select a percentage of sales to verify hemp plants were sold only to licensed producers.
5. In the event these conditions cannot be met, an appeal may be made to the Department Director outlining the reasons for why an exception or equivalency should be granted.



## 10. Enforcement

Any Lot of hemp that tests above the Acceptable Hemp THC Level from an official sample is non-compliant and must be either properly disposed of or remediated according to department procedures. Each violation of Montana's Hemp Plan will be recorded as a violation against the license holder and may be considered a separate offense. For any violation of state or federal regulations regarding hemp, the department has the responsibility to determine whether the violation will be treated as a non-compliance, negligent or culpable mental state greater than negligence.

In determining violations, the department will consider the nature of the violation, the outcome of the violation, and any harm, financial or health related, resulting from the violation. The department will weigh and consider the standard of care that a reasonably prudent person would have exercised in a similar situation when determining whether a violation was committed with a culpable mental state greater than negligence and assigning penalties. Such violations may be subject to other state, tribal or federal regulatory action.

Any persons who materially falsify any information in their application shall be ineligible to participate in the program.

Per federal regulations, a maximum of one strike per calendar year can be issued for one or more negligent violations to an entity who violates state or federal hemp program regulations. A person with a state or federal felony conviction relating to a controlled substance is subject to a 10-year ineligibility restriction on producing hemp under the Agricultural Marketing Act of 1946. An exception applies to a person who was lawfully growing hemp under the 2014 Farm Bill before December 20, 2018, and whose conviction also occurred before that date.

### Non-Compliance

Hemp testing above the Acceptable Hemp THC Level and not greater than 1.0% Total THC, or the negligence threshold defined by USDA, whichever is greater, from an official sample, is considered a violation categorized as a **Non-Compliance**. A Corrective Action Plan must be provided by the license holder and approved by the department to correct the violation.

A Non-Compliance that is not corrected will result in a Negligent violation. A Negligent violation may also be recorded for every five Non-Compliances issued. A Non-Compliance will not be subject to criminal enforcement action by the federal, tribal, state, or local government.

See Sections 10.1 and 10.2 for more detail and options related to a Non-Compliance. See the [Corrective Action Plan Options Summary](#) in [Appendix E](#) for a summary of actions, options and enforcement procedures related to official test results.



### Negligent Violations

A Corrective Action Plan must be provided by the license holder and approved by the department to correct the violation. Violations that may be considered as Negligent include, but are not limited to:

- failure to obtain a hemp license;
- failure to provide, or accurately provide, a legal description of the land on which hemp is produced;
- failure to maintain required records;
- failure to submit complete and accurate information on documents pertaining to hemp planted, harvested, sampled, remediated or under investigation;
- conducting harvest later than the time allowed post sampling without prior approval; and,
- producing Cannabis with a Total THC concentration of greater than 1.0%, or the negligence threshold defined by USDA, whichever is greater, on a dry weight basis.

A producer who negligently violates this plan three times in a five-year period will be ineligible to produce hemp for a period of five years from the date of the third violation. A Negligent violation will not be subject to criminal enforcement action by the federal, tribal, state, or local government.

The only Corrective Action Plan the department will consider for hemp testing greater than 2.0% Total THC is proper disposal of the entire Lot.

### Culpable Mental State Greater than Negligent Violations

Violations made with a culpable mental state greater than negligence cannot be mitigated with a Corrective Action Plan. The department will notify the respondent, report the respondent to the US Attorney General, the Montana Attorney General, and the local law enforcement agency, and begin proceedings for suspension of licensure. Findings of a violation greater than negligent will result in revocation of licensure.

Violations that may be considered as greater than negligent include, but are not limited to:

- Three negligent violations in a five-year period,
- Failure to disclose a conviction of a felony relating to a controlled substance under state or federal law within the past 10 years while possessing a state hemp license,
- Materially falsifying information pertaining to hemp planted, harvested, sampled, remediated or under investigation, and
- Intentionally, knowingly, or recklessly producing hemp greater than 1.0% Total THC on a dry weight basis.



### **10.1 Corrective Action Plans**

The producer shall comply with a department approved Corrective Action Plan (CAP) to correct an eligible violation within 30 days of receipt of an approved plan. If the correction cannot be completed within 30 days, the producer may request an extension of up to (2) two years from the date of the violation. Completion of all approved correction plans must be reported in writing to the department or verified via inspection and extended correction plans will include quarterly updated (due the first day of each quarter) reporting requirements from the date of the violation to completion of the correction. The written completion documentation must include the completion date, the status and form of the final product, and the signature of the licensed individual or responsible person associated with the licensed business. The department will conduct an inspection to determine if the Corrective Action Plan has been implemented as submitted. If a subsequent violation occurs while a corrective action plan is in place, a new corrective action plan must be submitted with a heightened level of quality control, staff training, and quantifiable action measures. Any person whose violation is not corrected as outlined in the Corrective Action Plan may have their license(s) suspended or terminated after 30 days written notice. Corrective Action Plans must be submitted in writing to the department on a form approved by the department within 15-business days of notification of the violation. The proposal form must include, but is not limited to:

- the license holder's name and license number,
- the FSA assigned Lot Number,
- the Lot quantity planted, the Lot quantity harvested, and the Lot quantity of resolution material
- a list of responsible parties,
- a reasonable time frame in which the resolution will be implemented,
- all information necessary to prove compliance,
- the planted Lot location, location of harvested material, and location of the resolution,
- variety/strain of hemp, and
- equipment and method used.

An administrative hearing or informal appeal under Montana Administrative Procedures Act is available if a party timely chooses to dispute either the level of violation or the Corrective Action Plan Agreement. The department may reinstate the license if good cause is shown, and the reinstatement fees are paid.

All official hemp sample test results and violations will be documented with the respondent notified in formal correspondence by email, by USPS mail and/or by USPS certified mail.

### **10.2 Disposal and Remediation of Hemp**

Any Lot of hemp that tests above the Acceptable Hemp THC Level from an official sample is non-compliant and must be either properly disposed of or remediated according to department



procedures. The level of non-compliant THC test results will determine the options between disposal and remediation. All hemp plants and plant parts of a non-compliant Lot destined for remediation or disposal must be clearly labeled as such.

It is the licensee's responsibility to notify the department, upon notification that a Lot has tested above the Acceptable Hemp THC Level, of their decision to either remediate or dispose of the non-compliant Lot.

### Disposal

Any disposal or destruction of hemp, whether voluntary or by order of the department must comply with state and federal regulations. The license holder is responsible for assuring the non-compliant hemp plant or plant parts are rendered into a non-retrievable or non-ingestible form and is non-viable for further propagation, distribution, or sale. The license holder is also responsible for the control and destruction of volunteer plants of hemp not registered under an active license.

Disposal of hemp plants will be required for:

- a lack of records indicating the hemp was produced by a properly licensed producer or on a registered growing site,
- a lack of control by the license holder,
- official test results showing a Total THC level that exceeds 2.0% on a dry weight basis, or
- official test results showing a Total THC level that exceeds 0.3% on a dry weight basis without an approved remediation plan.

The disposal of any hemp Lot must include all plants and plant parts of the Lot. The disposal must be conducted either by using a DEA-registered reverse distributor or law enforcement, or on site at the farm or hemp production facility. Allowable disposal methods include:

- plowing, tilling, or disking plant material into the soil;
- mulching, composting, chopping, or bush mowing plant material into green manure;
- burning plant material; or,
- burying plant material into the earth and covering with soil.

For Lots, plants or plant parts that are required to be disposed of by the department, the producer must request approval from the department through submission of a corrective action plan. Upon approval, the applicant must perform the disposal accordingly and within the given timeframe. To successfully complete the process, the producer must provide pictures or videos showing proof of destruction and the Witness Statement form ([Appendix F9](#)) signed by the license holder and an independent third party verifying the destruction.



### Remediation

A Lot of hemp testing above the Acceptable Hemp THC Level and less than 1.0% Total THC, or less than 2.0% Total THC if verified by department personnel to be marketed solely as a fiber commodity, may be considered for remediation. The remediation of any hemp Lot must include all plants and plant parts of the Lot.

Remediation refers to any process by which non-compliant hemp testing not greater than 2.0% Total THC is rendered compliant ( $\leq 0.3\%$ ). Remediation can be achieved by either:

1. separating and destroying non-compliant flowers including buds, trichomes, "trim," and "kief," while retaining stalks, leaves, and grain or seed; or,
  - Acceptable methods for the removal of non-compliant flowers and floral material under this remediation strategy include but are not limited to the removal by hand or mechanical equipment, or through retting for solely fiber crops, and the proper disposal of as outlined herein while maintaining separation of salvageable stalks, leaves, and grain or seed;
  - Seeds removed from non-compliant hemp during remediation shall not be used for propagative purposes.
2. shredding the entire hemp plant including all flowers, buds, trichomes, "trim," "kief," leaves, stalks, and seed or grain to create a homogenous "biomass".
  - Acceptable methods for the creation of biomass under this remediation strategy include, but are not limited to, the shredding of hemp plants through shredders, composters, or specialty mechanical equipment.

Regardless of the remediation method used, the remediated material must be resampled and retested to ensure compliance before entering the stream of commerce. Material that tests above the acceptable THC concentration level is non-compliant hemp and must be destroyed through one of the disposal options provided herein. Remediated material should be separated from any compliant hemp stored in the area and clearly labeled and demarcated as "hemp for remediation purposes." All Lots subject to remediation should be stored, labeled, and demarcated apart from each other and from other compliant hemp Lots stored or held nearby. Remediated material should not leave the labeled and demarcated area until a test result showing compliance with the acceptable hemp THC level is received or until the material will be destroyed.

The licensee is responsible for any inspection, sampling and testing fees related to a hemp Lot being resampled. Official re-samples will be tested per the protocol outlined herein.

On a case-by-case basis, third-party re-sampling and re-testing may be allowed. In the event of the use of third-party sampling agents, the producer cannot collect their own samples.



See official [Remediation Sampling](#) protocol in [Appendix A](#).

## 11. Research Institutions - Licensing, Inspection and Sampling

The department will issue a separate license designated as ‘hemp research’ to research facilities, whether the research is conducted by university research institutions, persons growing hemp under the direction of a university research institution or by private licensed entities conducting research not under the direction of a university research institution. This license will be in addition to the standard ‘grower’ license requirement for growing hemp. In the context of this license, ‘research’ means “growing hemp in a manner which the resulting hemp may not conform to the USDA guidelines in some manner. This includes but is not limited to the use of a pesticide not approved for hemp, efforts to lower a cultivar’s THC level through hybridization, or development of new cultivars which are not from certified seed. Research must be conducted with the intent of improving or expanding upon the genetics and/or cultivation practices of hemp”.

Application for a research license is not open to the general public and requires a request by the applicant for a department review of the research project(s) prior to the department making an application available.

Conditions of a research license include:

1. the licensed individual will be the principal investigator responsible for the research;
2. the license application must include disposal procedures for all hemp, both compliant and non-compliant, when the research is complete;
3. the licensed entity may be subject to routine regulatory sampling requirements, including the fees required for sampling and testing, unless the entity adopts and carries out an alternative sampling method that has the potential to ensure, at a confidence level of 95%, that the cannabis plant species *Cannabis sativa* L. that will be subject to the alternative method will not test above the Acceptable Hemp THC Level;
4. the licensed entity must comply with all record keeping requirements for a period of not less than 3 years and annual reporting requirements;
5. all research findings must be reported to the department;
6. random inspections at a rate of 25% of all research entities licensed annually;
7. proven and established varieties must be approved by the department before entering a non-research phase and entering commerce;
8. entities that handle “hot” hemp must follow Controlled Substance Act (CSA) requirements for handling marijuana; and,
9. hemp plants and plant parts grown under the premise of a research license:
  - cannot enter commerce;
  - cannot be used for personal use or gain;



- can only be grown indoors unless granted an exception from the department;
- can only be grown with the goal of establishing improved hemp genetics or other legitimate purposes approved by the department;
- must be tracked and reported to the department beginning with the license application and throughout the licensing year; and
- shall be destroyed, other than seed for propagation used for further research and potential future genetics.

10. Exemptions for entities licensed as university research institutions include:

- license fees;
- key participants are not required;
- research project goals may be generalized as long as plant numbers are inventoried;
- hemp can be grown outdoors without permission from the department;
- hemp can be grown with a goal other than that of establishing improved hemp genetics without approval by the department;
- registration of number of plants can be recorded in acreage for outdoor grows; and,
- landowner signatures are not required.



## 12. Appendices:

As referenced on pages 21 through 43.

### **Appendix A - Hemp Sampling Guidance**

#### **Table of Contents**

1. Equipment and Sanitation
2. Sample Timing
3. Sampling Procedures
4. Remediation Sampling
5. Sample Identification
6. Sample Prep, Storage and Delivery
7. Hypergeometric Table

This document outlines the guidance and procedures for the sampling of hemp for testing the level of Total THC within Montana's State Hemp Program to ensure compliance with relevant state and federal regulations. Sampling of hemp is completed under authority of the Administrative Rules of Montana 4.19.110.

All hemp producers are subject to a routine annual regulatory inspection to verify that hemp is not produced in violation of Montana's Hemp Program. Producers and varieties or strains selected to be inspected and sampled will be as outlined in Montana's State Hemp Program's Performance-based Sampling Plan. All new producers will be inspected, and all new varieties and strains sampled, regardless of Category. All samples are property of the department and will be properly disposed of by the State's testing laboratory according to laboratory procedures.

Each hemp producer is responsible for contacting the department a minimum of 30 days prior to harvest, regardless of Category, to confirm actual harvest date and schedule an inspection prior to harvest. The inspector will determine the Lots to be sampled and schedule a date and time for the inspection. A license holder that requires multiple sampling events (due to extended or multiple harvest dates, lack of or incorrect harvest date reporting, or requests for subsequent Lot sampling) will be charged additional inspection and sample testing fees, regardless of the Category.

Hemp plants that meet the definition of Hemp Microgreens, Hemp Greens and Hemp Transplants are not required to be sampled. Hemp Mother Plants as defined in this plan, not harvested, and not entering commerce are not required to be sampled. Different Lots of the same variety/strain and the same license holder may be represented by a single sample as long as the variety/strain has similar characteristics, growing conditions and harvest window. Post-harvest samples may be



taken at the discretion of the department but would be considered for informational purposes only and not be recognized as official regulatory samples. Producers are notified of the official hemp test results via correspondence that includes the official lab report and options for the protocol moving forward based on the test results. The department's goal is to notify license holders of official sample test results within 7-business days of sampling. The test results will determine the eligibility to transport or process the harvested materials.

### **1. Equipment and Sanitation**

The equipment needed for conducting an inspection and the collection of hemp samples are as follows:

- Disposable gloves, nitrile
- Hemp shears
- Composite sample bags (breathable paper, approximately 12"x 6"x 4")
- Tamper-proof security bags
- Permanent black marker
- Alcohol wipes (for sanitizing of shears after each composite sample)
- Forms for documenting the inspection and sampling event
- Shipping coolers or padded envelopes
- Ice packs

Sanitation of equipment is as follows:

- Clean all sampling equipment with appropriate disinfectant after each composite sample.
- Change gloves after each composite sample and properly dispose of used gloves.

### **2. Sample Timing**

The department's standard pre-harvest 'sampling window' for official samples is within 3 weeks (21 days) prior to actual harvest. Although the department realizes the USDA Final Rule allows for a 30-day sampling window, the department believes a 3-week sampling window provides for a more uniform sampling process and more accurate testing of hemp crops.

The department may allow, under special circumstances due to resource constraints and/or unforeseen weather events or harvest complications, a 30-day post sampling 'harvest window' if requested by the license holder prior to harvest.

### **3. Sampling Procedures**

All samples, regardless of variety/strain, category, plant density, growing conditions or harvest style will be collected using the principles outlined below and be representative of the Lot sampled.



1. Prior to sampling, the inspector must review with the license holder all grow locations, Lots and Lot Numbers, variety/strain(s), and category(s) to determine sampling requirements. For Lots in a different District, the inspector will coordinate with the inspector in that area.
2. Inspector must assure the homogeneity of the Lot before sampling. Any group of plants determined, by the inspector during an inspection, to not be uniform within the existing Lot must be documented as a new and separate Lot and sampled accordingly.
3. Samples from separate varieties/strains must be kept separate and not be commingled.
4. To determine the number and frequency of sub-samples to be collected, the inspector must consider Lot size, growing conditions, plant maturity and plant structure. Collect the appropriate number of sub-samples to obtain a representative composite sample using the Hypergeometric Table in Section 7 as guidance.
  - a. The standard minimum number of sub-samples to be collected is 13. If there are less than 13 plants, a single cutting from each plant is sufficient to represent the Lot.
  - b. The standard maximum number of sub-samples to be collected is 30. However, Lot representation and composite sample size requirements must be considered.
  - c. The department references USDA's Hypergeometric Table in Section 7 as supporting evidence that collecting more than 30 sub-samples does not proportionately increase the scientific significance of detection or accuracy.
5. The standard composite sample size is 75 grams (as collected).
  - a. The minimum is 40 grams.
  - b. The maximum is 125 grams.
6. Sample the Lot in an 'M' pattern beginning in one corner of the Lot and ending in the parallel corner. Multiple 'M' patterns may be required if a Lot contains more than one field.
7. Collect random sub-samples at uniform distances throughout the Lot.
  - a. Each sub-sample consists of a single cutting of approximately 5" to 8", with consideration of total composite sample size, from:
    - i. the top of the main stem for hemp plants grown for grain, seed and/or fiber; or,
      - For a Lot with an end-use of fiber from a variety or strain readily known, accepted, and verified to be grown for fiber, this same sampling procedure will be used whether the crop is standing live, standing dead (winter-retted), or has been cut and is retting in the field.
    - ii. the top of the main stem or any lateral branch that extends to the top 1/3 of the hemp plant grown for cannabinoids. This composite sample should be a proportionate ratio of main stem and lateral branch sub-samples.
  - b. Sub-samples must be collected from similarly mature female plants only and should not contain material from male, dead, diseased, or injured plants.



8. The composite sample must represent the entire Lot.
9. Deposit the sub-samples into the composite sample paper bag.
10. Using a permanent marker, ID the composite sample bag and fold over.
11. Place the composite sample bag into an evidence security bag and ID with permanent marker following procedures outlined herein.
12. Place the security bag in transport cooler with ice packs if necessary.

Other considerations for sampling include:

- If plant density is too thick in an outdoor environment to navigate the 'M' pattern across a large Lot, collect the sub-samples around the perimeter of the field by navigating into the field at least 20 feet at random but equal distances around the field.
- For Lots greater than 100 acres or consisting of multiple fields, the sampling pattern may be altered as long as the Lot is consistent in planting date, variety/strain, plant size, plant structure and maturity, and harvest window, and the sample is representative of the entire Lot.
- Any deviations from the normal sampling procedure must be noted in the inspection documents.
- Lots grown under the 'research' license designation do not require routine official pre-harvest sampling by department personnel as all research hemp Lots must be destroyed and cannot enter commerce. However, if the research licensee wants to retain plant material beyond normal harvest and processing timeframes, testing of harvested raw material may be required.
- Post-harvest Sampling - Any Lot harvested without being sampled and without prior approval from the department will be recorded as a non-compliance. General sampling guidance for any post-harvest sampling include:
  - i. If harvest has started but not been completed, collect a single sample of non-harvested material per normal procedures, note the discrepancy and note the amended Lot size sampled.
  - ii. If the entire Lot has been harvested, collect a single sample from the harvested Lot and note as "post-harvest" sample.
    1. Lab results from post-harvest samples will not be considered as official pre-harvest results and will only be used as informational for enforcement purposes.
    2. Post-harvest samples should include the concept of random plants from random locations and the "M" pattern of the Lot.

#### **4. Remediation Sampling**

A licensee who chooses to remediate a Lot of non-compliant hemp must receive approval from the department per the protocol outlined herein. Remediated Lots may be either resampled by



the department or, with department approval, resampled by a third-party. In the event of the use of third-party sampling agents, agents must complete training to the standard set by USDA and producers cannot collect their own samples.

When resampling a Lot remediated by the creation of biomass, the biomass material should be collected from various depths, locations, and containers in the labeled and demarcated area to collect a representative sample of the material. At minimum, ~750 mL or three (3) standard measuring cups of biomass material should be collected. Sampling agents may collect more biomass material based on the requirements of the testing laboratory. If ~750 mL of material is not available, the sampling agent should collect enough biomass material for a representative sample.

When resampling a Lot remediated by the separation/destruction of non-compliant flowers while retaining stalks, leaves, and grain or seed, the sub-samples should be collected from various depths, locations, and containers to collect a representative sample of the salvaged material. At minimum, collect 40 grams of stalk, leaves or grain/seed.

## **5. Sample Identification**

Label the composite sample bag with the sample ID that corresponds with the Lot sampled. The sample ID shall include:

- the four-digit sequential inspection number with the preceding 'H-', and
- the sample letter designation.
- Example: "H-0001-A"

The security bag should be labeled with the sample ID, inspector initials, and inspection date.

## **6. Sample Prep, Storage and Delivery**

The moisture content of samples will vary depending on growing conditions, maturity of plant and type of sample. Green, high moisture samples should be placed in coolers on ice as soon as possible after the composite sample is collected and prior to leaving the inspection. Dry, low moisture samples are not required to be stored on ice or shipped in coolers. Sample shipping container options include various cooler sizes, overnight delivery boxes and Tyvek type padded shipping envelopes.

### Storage

Any time samples are stored prior to sending to the lab, samples shall be stored in a locked vehicle or a secure room.

### Delivery to the Lab



Multiple samples can be contained and shipped in the same package. Due to the distances involved, samples will be mailed to the Analytical Lab. The preferred method of delivery is by FedEx using the department's FedEx account, but USPS mailings are allowed as well. The sample package should:

- be sent overnight (particularly for high moisture samples), or 2-day delivery at a minimum,
- arrive at the lab on weekdays only (to assure staff are available for receipt),
- be tracked using the delivery tracking system,
- not require insurance or self-certification,
- as necessary, be contained in a sealed shipping cooler with freshly frozen icepacks, and
- include:
  - a copy of the original Sample Collection Report,
  - the original Chain of Custody, and
  - as necessary, a return shipping label (for return of the cooler).

#### Chain of Custody

Regardless of storage or delivery options, Chain of Custody measures must be maintained, and the proper documentation completed throughout the process. Proper Chain of Custody measures include:

- Tamper-proof security packaging,
- Proper sample identification, and
- Samples contained in locked vehicle or locked office space when not occupied.

## 7. Hypergeometric Table

Hypergeometric Table for Random Sampling

| Total number of inspectional units: | Randomly select this number of units to inspect: |
|-------------------------------------|--------------------------------------------------|
| 1-13                                | Inspect all units                                |
| 14-15                               | 13                                               |
| 16-17                               | 14                                               |
| 18-19                               | 15                                               |
| 20-22                               | 16                                               |
| 23-25                               | 17                                               |
| 26-28                               | 18                                               |
| 29-32                               | 19                                               |
| 33-38                               | 20                                               |
| 39-44                               | 21                                               |
| 45-53                               | 22                                               |
| 54-65                               | 23                                               |
| 66-82                               | 24                                               |
| 83-108                              | 25                                               |
| 109-157                             | 26                                               |
| 158-271                             | 27                                               |
| 272-885                             | 28                                               |
| 886-200,000                         | 29                                               |



Examples of plant population (inspectional units) in relation to Lot size:

- A one-acre field planted at field crop spacing (25 lbs. per acre) has approximately 675,000 plants.
- A one-tenth-acre field planted at field crop spacing (25 lbs. per acre) has approximately 67,500 plants.
- A one-acre field planted at horticultural spacing (3' x 5') has approximately 3,000 plants.
- A one-tenth-acre field planted at horticultural spacing (3' x 5') has approximately 300 plants.
- A 20' x 40' indoor structure (800 sq. ft.) with plants spaced at 3' x 5' has approximately 55 plants.
- A 20' x 40' indoor structure (800 sq. ft.) with plants spaced at 2' x 2' has approximately 200 plants.



## Appendix B - 2023 Seed/Clone Variety List



### Montana State Hemp Program 2023 Montana Hemp Seed/Clone Variety List

January 1, 2022

**Category A** - are Certified varieties formally approved by the department.

|                            |                   |           |                   |                     |
|----------------------------|-------------------|-----------|-------------------|---------------------|
| Bialobrzeskie <sup>1</sup> | CFX-1             | CFX-2     | CRS-1             | Canda               |
| Carmagnola                 | Carmagnola Select | Fedora 17 | Grandi            | Henola <sup>1</sup> |
| Joey                       | Katani            | Piccolo   | X-59 <sup>1</sup> |                     |

<sup>1</sup> - New as Category A in 2023

**Category B** - are Certified varieties approved by other states or countries at a level equivalent to the departments.

The Department recognizes seed certifications by the Association of Official Seed Certifying Agencies (AOSCA) and the Organization for Economic Cooperation and Development (OECD) standards for Category B.

|                 |                 |                    |                     |                  |
|-----------------|-----------------|--------------------|---------------------|------------------|
| Altair          | Alyssa          | Angie              | Anka                | Armanca          |
| Asso            | B 11            | Beniko             | CS                  | CanMa            |
| Cannakomp       | Carma           | Carmen             | Carmaleonte         | Chameleon        |
| Codimono        | CHA             | CHY                | Crag                | Dacia Secuieni   |
| Debbie          | Delores         | Delta 405          | Deltallosa          | Denise           |
| Diana           | Dioca 88        | Deni               | ESTA-1              | Eco Aglegra      |
| Eco Nebliss     | Eletta Campana  | Epsilon 68         | Elite               | Fasamo           |
| Fedrina 74      | Felina 32       | Felina 34          | Ferimon             | Fibrol           |
| Fibranova       | Fibrante        | Fibriko            | Fibrimon 24         | Fibrimon 56      |
| Finola          | Futura 75       | Georgina           | GranMa              | Glecia (Hlesia)  |
| Gliana (Hliana) | Helena          | Hiration           | IDA-0103            | Ivory            |
| Judy            | Jutta           | KC Bonusz          | KC Dora             | KC Virtus        |
| KC Zuzana       | Kompolti        | Kompolti Hibrid TC | Kompolti Sargaszaru | Laura Secord     |
| Lipko           | Lovrin 110      | Marcell            | Marina              | Markant          |
| Martha          | Medicine Mother | Monoica            | Nadine              | Novosadska       |
| NWG 2463        | NWG 4000        | Petera             | Quida               | Rajan            |
| Ratza           | Santhica 23     | Santhica 27        | Santhica 70         | Secuieni Jubileu |
| Silesia         | Silistrenski    | Silvana            | Succesiv            | Szarvasi         |
| Tiborszallási   | Tisza           | Tygra              | UC-RGM              | USO 4            |
| USO 31          | Uniko B         | VC Star            | Victoria            | Villanova        |
| Wojko           | Yvonne          | Zenit              | Zolotonosha 11      | Zolotonosha 15   |

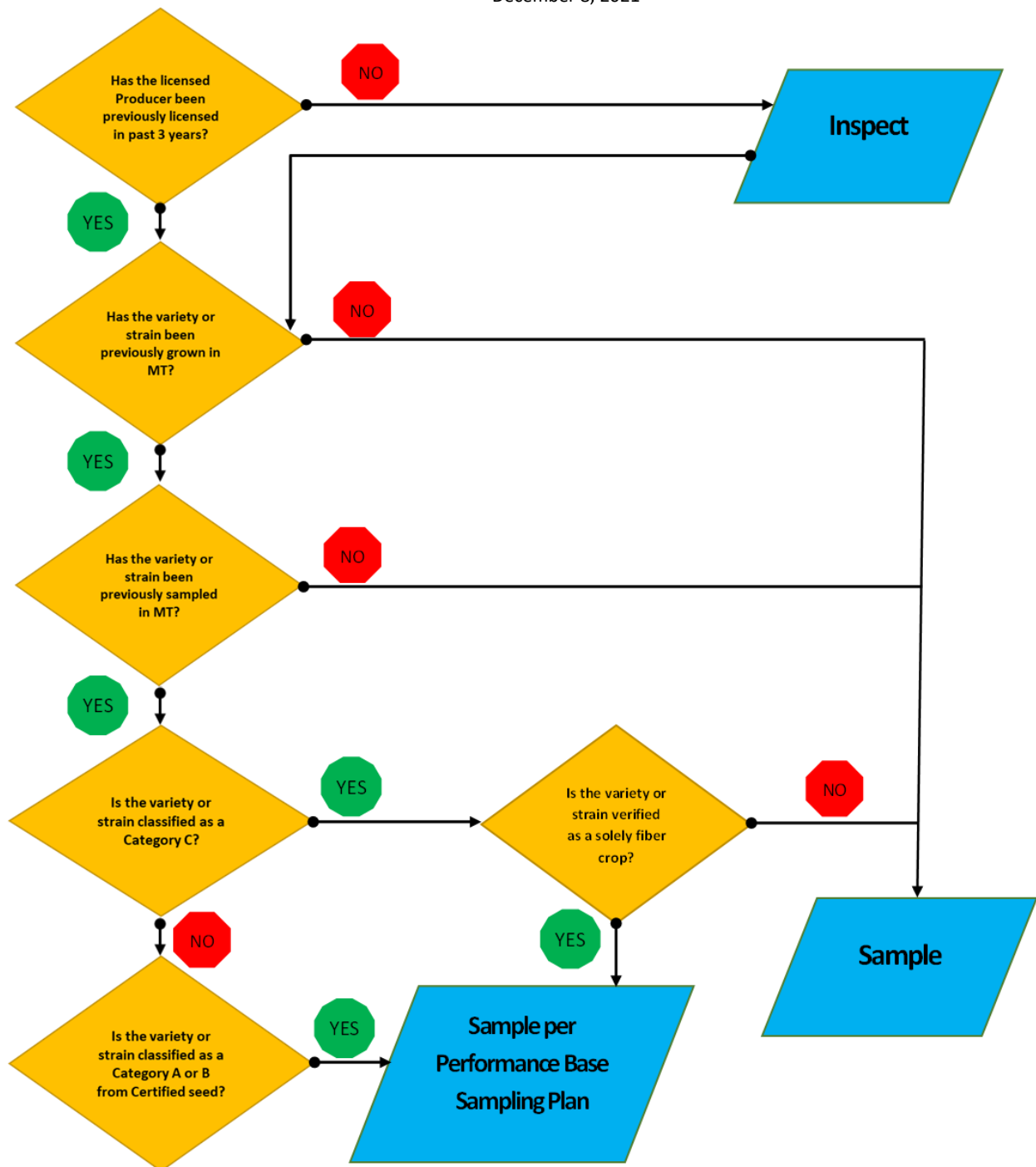
**Category C** - are all other hemp varieties or strains that an applicant reasonably believes will not produce a plant with over 0.3% Total THC at any time prior to harvest and are not in Category D.

**Category D** - includes all strains forbidden by any federal law or regulation or added by rule by the Department because of its inability to consistently produce hemp.



## Appendix C - Sampling Decision Flowchart

Montana Hemp Sampling Decision Flowchart  
December 8, 2021





## Appendix D - Montana Hemp Total THC Test Data

2019 - 2022 Montana Hemp Total THC Test  
January 3, 2023

| Item | Year Sampled   | Primary End-Use | Variety/Strain                | Category | Number Samples Collected | Number ≤ 0.3% | Number > 0.3, ≤ 0.5% | Number > 0.5, ≤ 1.0% | Number > 1.0% | Percent > 0.3% |
|------|----------------|-----------------|-------------------------------|----------|--------------------------|---------------|----------------------|----------------------|---------------|----------------|
| 1    | 2019           | CBD             | 88                            | C        | 2                        | 2             |                      |                      |               | 0.0%           |
| 2    | 2019           | CBD             | 00 Cherry                     | C        | 1                        | 0             |                      |                      | 1             | 100.0%         |
| 3    | 2019           | CBD             | 3W1                           | C        | 2                        | 2             |                      |                      |               | 0.0%           |
| 4    | 2019 & 20      | CBD             | Abacus                        | C        | 3                        | 1             | 1                    | 1                    |               | 66.7%          |
| 5    | 2020           | CBD             | Acid Rock                     | C        | 1                        | 0             | 1                    |                      |               | 100.0%         |
| 6    | 2019           | CBD             | Admiral Kush                  | C        | 1                        | 1             |                      |                      |               | 0.0%           |
| 7    | 2020           | CBD             | AK47                          | C        | 1                        | 0             |                      |                      | 1             | 100.0%         |
| 8    | 2021           | Fiber           | Anka                          | B        | 2                        | 2             |                      |                      |               | 0.0%           |
| 9    | 2021           | Fiber           | Anka (post-ret)               | B        | 1                        | 1             |                      |                      |               | 0.0%           |
| 10   | 2019           | CBD             | Apollo                        | C        | 2                        | 2             |                      |                      |               | 0.0%           |
| 11   | 2021           | CBD             | Ark Ryder                     | C        | 1                        | 1             |                      |                      |               | 0.0%           |
| 12   | 2019 & 20      | CBD             | Auto Pilot                    | C        | 4                        | 4             |                      |                      |               | 0.0%           |
| 13   | 2020           | CBD             | Auto Pilot 1.0                | C        | 2                        | 2             |                      |                      |               | 0.0%           |
| 14   | 2020           | CBD             | Auto Pivot                    | C        | 1                        | 1             |                      |                      |               | 0.0%           |
| 15   | 2019 & 20      | CBD             | Auto Tsunami                  | C        | 2                        | 2             |                      |                      |               | 0.0%           |
| 16   | 2020           | CBD             | Auto-Bahn                     | C        | 1                        | 1             |                      |                      |               | 0.0%           |
| 17   | 2020           | Fiber/Grain     | B-11                          | B        | 1                        | 1             |                      |                      |               | 0.0%           |
| 18   | 2019 & 20      | CBD             | B-20                          | C        | 3                        | 3             |                      |                      |               | 0.0%           |
| 19   | 2019 & 20      | CBD             | BaOx                          | C        | 31                       | 29            |                      | 2                    |               | 6.5%           |
| 20   | 2020           | CBD             | BaOx Cherry                   | C        | 1                        | 1             |                      |                      |               | 0.0%           |
| 21   | 2019           | CBD             | BaOx Wine                     | C        | 1                        | 1             |                      |                      |               | 0.0%           |
| 22   | 2019 & 20      | CBD             | BaOx Otto                     | C        | 4                        | 4             |                      |                      |               | 0.0%           |
| 23   | 2019 & 20      | CBD             | Berry Blossom                 | C        | 3                        | 3             |                      |                      |               | 0.0%           |
| 24   | 2021           | CBD             | Berry Glow Plug               | C        | 1                        |               | 1                    |                      |               | 100.0%         |
| 25   | 2020 & 21 & 22 | Fiber           | Bialobrzeskie                 | A        | 11                       | 11            |                      |                      |               | 0.0%           |
| 26   | 2021           | Fiber           | Bialobrzeskie (post-ret)      | A        | 3                        | 3             |                      |                      |               | 0.0%           |
| 27   | 2019 & 20      | CBD             | Big Sky #1                    | C        | 4                        | 3             | 1                    |                      |               | 25.0%          |
| 28   | 2020           | CBD             | Black Label                   | C        | 1                        | 1             |                      |                      |               | 0.0%           |
| 29   | 2020           | CBD             | Black Label CBG               | C        | 1                        | 1             |                      |                      |               | 0.0%           |
| 30   | 2020           | CBD             | Black Sweet                   | C        | 1                        | 1             |                      |                      |               | 0.0%           |
| 31   | 2020 & 2021    | CBD             | Bleu Genius (auto flower)     | C        | 3                        | 3             |                      |                      |               | 0.0%           |
| 32   | 2020           | CBD             | Bleu Genius (photoperiod)     | C        | 1                        | 1             |                      |                      |               | 0.0%           |
| 33   | 2019 & 22      | CBD             | Blue Genius                   | C        | 2                        | 2             |                      |                      |               | 0.0%           |
| 34   | 2020           | CBD             | Borealis 1                    | C        | 1                        | 1             |                      |                      |               | 0.0%           |
| 35   | 2020           | CBD             | Borealis 2                    | C        | 1                        | 1             |                      |                      |               | 0.0%           |
| 36   | 2020           | CBD             | Borealis CBG                  | C        | 1                        | 1             |                      |                      |               | 0.0%           |
| 37   | 2020           | CBD             | Bubba                         | C        | 1                        | 0             |                      | 1                    |               | 100.0%         |
| 38   | 2019           | CBD             | Bubba Gift                    | C        | 1                        | 1             |                      |                      |               | 0.0%           |
| 39   | 2019           | CBD             | Bubba Gum                     | C        | 1                        | 1             |                      |                      |               | 0.0%           |
| 40   | 2019           | CBD             | Bubba Remedy                  | C        | 1                        | 1             |                      |                      |               | 0.0%           |
| 41   | 2019           | CBD             | Bubble Gum                    | C        | 6                        | 4             | 1                    | 1                    |               | 33.3%          |
| 42   | 2020           | CBD             | Buffalo Soldier               | C        | 2                        | 2             |                      |                      |               | 0.0%           |
| 43   | 2020           | CBD             | Buffalo Soldier (auto flower) | C        | 1                        | 1             |                      |                      |               | 0.0%           |
| 44   | 2022           | CBD             | Cake Berry Brullee            | C        | 1                        | 1             |                      |                      |               | 0.0%           |
| 45   | 2019           | Grain           | Canda                         | A        | 1                        | 1             |                      |                      |               | 0.0%           |
| 46   | 2019           | CBD             | CanMa                         | B        | 1                        | 1             |                      |                      |               | 0.0%           |
| 47   | 2019           | CBD             | Cat's Meow                    | C        | 1                        | 1             |                      |                      |               | 0.0%           |
| 48   | 2020           | CBD             | CBG-White                     | C        | 1                        | 1             |                      |                      |               | 0.0%           |
| 49   | 2019           | CBD             | CC-1                          | C        | 1                        | 1             |                      |                      |               | 0.0%           |
| 50   | 2020           | Grain           | CFX-2                         | A        | 15                       | 15            |                      |                      |               | 0.0%           |
| 51   | 2019           | CBD             | Charlottes Angel              | C        | 1                        | 1             |                      |                      |               | 0.0%           |

Category A, blue highlight  
Category B, green highlight



2019 - 2022 Montana Hemp Total THC Test Data  
January 3, 2023

|     |                |                 |                            |   |    |    |   |    |   |        |
|-----|----------------|-----------------|----------------------------|---|----|----|---|----|---|--------|
| 52  | 2019           | CBD             | Charlottes Web             | C | 1  | 0  | 1 |    |   | 100.0% |
| 53  | 2019 & 20      | CBD             | Cherry                     | C | 3  | 1  |   | 1  | 1 | 66.7%  |
| 54  | 2019           | CBD             | Cherry 308                 | C | 5  | 5  |   |    |   | 0.0%   |
| 55  | 2019 & 22      | CBD             | Cherry Abacus              | C | 5  | 1  | 2 | 2  |   | 80.0%  |
| 56  | 2019           | CBD             | Cherry Abacus Remedy       | C | 24 | 2  | 6 | 14 | 2 | 91.7%  |
| 57  | 2021           | CBD             | Cherry Blonde              | C | 1  | 1  |   |    |   | 0.0%   |
| 58  | 2019 & 20 & 21 | CBD             | Cherry Blossom             | C | 18 | 18 |   |    |   | 0.0%   |
| 59  | 2019           | CBD             | Cherry Blossom BX          | C | 2  | 1  | 1 |    |   | 50.0%  |
| 60  | 2019           | CBD             | Cherry Boax                | C | 3  | 1  | 2 |    |   | 66.7%  |
| 61  | 2019           | CBD             | Cherry Colossal Bubblegum  | C | 6  | 6  |   |    |   | 0.0%   |
| 62  | 2019           | CBD             | Cherry cross               | C | 1  | 1  |   |    |   | 0.0%   |
| 63  | 2019           | CBD             | Cherry Struck              | C | 2  | 0  |   |    | 2 | 100.0% |
| 64  | 2019 & 20 & 21 | CBD             | Cherry Wine                | C | 33 | 27 | 2 | 2  | 2 | 18.2%  |
| 65  | 2019           | CBD             | Cherry x Otto II Sweetened | C | 1  | 1  |   |    |   | 0.0%   |
| 66  | 2019           | CBD             | Cherry x RN13A             | C | 1  | 1  |   |    |   | 0.0%   |
| 67  | 2022           | CBD             | Cloud Berry                | C | 1  | 1  |   |    |   | 0.0%   |
| 68  | 2019           | CBD             | Colossal                   | C | 1  | 1  |   |    |   | 0.0%   |
| 69  | 2021           | CBD             | Diesel Can                 | C | 1  | 1  |   |    |   | 0.0%   |
| 70  | 2020           | CBD             | Dyna Med                   | C | 1  | 1  |   |    |   | 0.0%   |
| 71  | 2019           | CBD             | Earlina 8                  | C | 1  | 1  |   |    |   | 0.0%   |
| 72  | 2019           | CBD             | Earlina 8FC                | C | 1  | 1  |   |    |   | 0.0%   |
| 73  | 2020           | CBD             | Early Abacus               | C | 1  | 1  |   |    |   | 0.0%   |
| 74  | 2020           | CBD             | Early SR1                  | C | 1  | 0  | 1 |    |   | 100.0% |
| 75  | 2020           | CBD             | Eclipse                    | C | 2  | 2  |   |    |   | 0.0%   |
| 76  | 2019           | CBD             | Elektra                    | C | 1  | 0  |   | 1  |   | 100.0% |
| 77  | 2019 & 20      | Fiber/Grain/CBD | Eletta Campana             | B | 2  | 2  |   |    |   | 0.0%   |
| 78  | 2021           | CBD             | Ellie Rae                  | C | 1  | 1  |   |    |   | 0.0%   |
| 79  | 2019           | CBD             | F5 x RN13A                 | C | 1  | 1  |   |    |   | 0.0%   |
| 80  | 2019           | CBD             | Fedora 17                  | A | 1  | 1  |   |    |   | 0.0%   |
| 81  | 2019 & 2021    | Grain           | Finola                     | B | 2  | 1  | 1 |    |   | 50.0%  |
| 82  | 2021           | CBD             | Forbidden (seedless)       | C | 1  |    |   | 1  |   | 100.0% |
| 83  | 2020           | CBD             | Frosted Lime               | C | 1  | 1  |   |    |   | 0.0%   |
| 84  | 2019           | Fiber           | Futura 75                  | B | 1  | 1  |   |    |   | 0.0%   |
| 85  | 2021           | CBD             | Gass Station Gouda         | C | 1  | 1  |   |    |   | 0.0%   |
| 86  | 2021           | CBD             | Gassy Orange Zest          | C | 1  |    |   | 1  |   | 100.0% |
| 87  | 2020           | CBD             | Golden Kush                | C | 2  | 1  | 1 |    |   | 50.0%  |
| 88  | 2020           | CBD             | Goliath Plants             | C | 1  | 1  |   |    |   | 0.0%   |
| 89  | 2020           | CBD             | Green Wave                 | C | 1  | 1  |   |    |   | 0.0%   |
| 90  | 2019           | CBD             | Growers Choice             | C | 7  | 7  |   |    |   | 0.0%   |
| 91  | 2021           | Fiber           | H-51                       | C | 1  | 1  |   |    |   | 0.0%   |
| 92  | 2021           | Fiber           | H-51 (post-ret)            | C | 1  | 1  |   |    |   | 0.0%   |
| 93  | 2022           | Fiber           | Han FNQ                    | C | 1  | 1  |   |    |   | 0.0%   |
| 94  | 2020           | Fiber           | HanMa                      | C | 1  | 0  |   |    | 1 | 100.0% |
| 95  | 2021           | CBD             | Hawaiian                   | C | 1  | 1  |   |    |   | 0.0%   |
| 96  | 2021           | CBD             | Hawaiian Haze              | C | 3  | 2  | 1 |    |   | 33.3%  |
| 97  | 2020 & 2021    | Grain           | Henola                     | A | 7  | 7  |   |    |   | 0.0%   |
| 98  | 2021           | Fiber           | Hlesia                     | B | 1  | 1  |   |    |   | 0.0%   |
| 99  | 2021           | Fiber           | Hliana                     | B | 2  | 2  |   |    |   | 0.0%   |
| 100 | 2021           | Fiber           | Hliana (post-ret)          | B | 2  | 2  |   |    |   | 0.0%   |
| 101 | 2020 & 22      | CBD             | Hot Blonde                 | C | 4  | 4  |   |    |   | 0.0%   |
| 102 | 2021           | Fiber           | Huma                       | C | 3  | 1  | 2 |    |   | 66.7%  |
| 103 | 2019           | CBD             | Hybrid                     | C | 1  | 0  | 1 |    |   | 100.0% |
| 104 | 2019 & 20 & 21 | Fiber           | JinMa                      | C | 12 | 2  | 2 | 5  | 3 | 83.3%  |
| 105 | 2021           | Fiber           | JinMa (post-ret)           | C | 4  | 3  | 1 |    |   | 25.0%  |

Category A, blue highlight  
Category B, green highlight



2019 - 2022 Montana Hemp Total THC Test Data  
January 3, 2023

|     |                |                 |                        |   |    |    |   |   |   |        |
|-----|----------------|-----------------|------------------------|---|----|----|---|---|---|--------|
| 106 | 2019           | CBD             | Karma                  | C | 2  | 2  |   |   |   | 0.0%   |
| 107 | 2019 & 20      | Grain           | Katani                 | A | 17 | 16 | 1 |   |   | 5.9%   |
| 108 | 2019           | CBD             | KLR #1                 | C | 1  | 1  |   |   |   | 0.0%   |
| 109 | 2021           | CBD             | Kush                   | C | 1  | 1  |   |   |   | 0.0%   |
| 110 | 2020           | CBD             | La Crema               | C | 3  | 1  | 1 | 1 |   | 66.7%  |
| 111 | 2019 & 20      | CBD             | Lifter                 | C | 3  | 3  |   |   |   | 0.0%   |
| 112 | 2021           | CBD             | Lifter (seedless)      | C | 1  | 1  |   |   |   | 0.0%   |
| 113 | 2020           | CBD             | Matterhorn             | C | 1  | 1  |   |   |   | 0.0%   |
| 114 | 2020           | CBD             | Maverick               | C | 2  | 2  |   |   |   | 0.0%   |
| 115 | 2020           | CBD             | Maverick (auto flower) | C | 1  | 1  |   |   |   | 0.0%   |
| 116 | 2019           | CBD             | Merlot                 | C | 3  | 2  | 1 |   |   | 33.3%  |
| 117 | 2019           | CBD             | Midwest Strain         | C | 7  | 7  |   |   |   | 0.0%   |
| 118 | 2020           | CBD             | Money Maker            | C | 1  | 1  |   |   |   | 0.0%   |
| 119 | 2020           | CBD             | Mountain Blizzard CBG  | C | 2  | 0  | 2 |   |   | 100.0% |
| 120 | 2020           | CBD             | Mountain Mango         | C | 7  | 6  | 1 |   |   | 14.3%  |
| 121 | 2020           | CBD             | MT-1                   | C | 1  | 0  |   |   | 1 | 100.0% |
| 122 | 2020           | CBD             | NBS CBD-1              | C | 9  | 3  |   | 5 | 1 | 66.7%  |
| 123 | 2019           | CBD             | Neuve Backcross        | C | 1  | 1  |   |   |   | 0.0%   |
| 124 | 2022           | Grain           | NWG-2463               | B | 2  | 2  |   |   |   | 0.0%   |
| 125 | 2022           | Grain           | NWG-4000               | B | 2  | 2  |   |   |   | 0.0%   |
| 126 | 2019           | CBD             | Original Cherry        | C | 7  | 1  |   | 5 | 1 | 85.7%  |
| 127 | 2019           | CBD             | Otto II                | C | 1  | 1  |   |   |   | 0.0%   |
| 128 | 2019           | CBD             | Otto II Franklin       | C | 2  | 2  |   |   |   | 0.0%   |
| 129 | 2019 & 20      | CBD             | Otto II Stout          | C | 6  | 6  |   |   |   | 0.0%   |
| 130 | 2019           | CBD             | Painted Lady           | C | 1  | 1  |   |   |   | 0.0%   |
| 131 | 2020           | CBD             | Panakeia               | C | 1  | 1  |   |   |   | 0.0%   |
| 132 | 2019           | CBD             | Phylos Hemp            | C | 1  | 1  |   |   |   | 0.0%   |
| 133 | 2019           | CBD             | Phytonix N5-39         | C | 1  | 1  |   |   |   | 0.0%   |
| 134 | 2020           | Grain           | Piccolo                | A | 8  | 6  | 2 |   |   | 25.0%  |
| 135 | 2021           | CBD             | Pine Walker            | C | 1  | 1  |   |   |   | 0.0%   |
| 136 | 2021           | CBD             | Pine Walker (seedless) | C | 1  |    |   | 1 |   | 100.0% |
| 137 | 2021           | CBD             | Pink Mistress          | C | 1  |    | 1 |   |   | 100.0% |
| 138 | 2021           | CBD             | Pink Panther           | C | 1  | 1  |   |   |   | 0.0%   |
| 139 | 2020           | CBD             | Pipeline               | C | 1  |    |   | 1 |   | 100.0% |
| 140 | 2019           | CBD             | Purple Emperor         | C | 3  | 3  |   |   |   | 0.0%   |
| 141 | 2020           | CBD             | Queen Dream            | C | 5  | 5  |   |   |   | 0.0%   |
| 142 | 2020 & 2021    | CBD             | Quick Kush             | C | 5  | 5  |   |   |   | 0.0%   |
| 143 | 2019           | CBD             | Red Cross              | C | 3  | 3  |   |   |   | 0.0%   |
| 144 | 2019           | CBD             | Red Lion               | C | 2  | 2  |   |   |   | 0.0%   |
| 145 | 2019 & 20      | CBD             | Relief Now             | C | 3  | 3  |   |   |   | 0.0%   |
| 146 | 2019           | CBD             | Relief Now RN13        | C | 1  | 1  |   |   |   | 0.0%   |
| 147 | 2019 & 20 & 21 | CBD             | RN13                   | C | 11 | 6  | 3 | 2 |   | 45.5%  |
| 148 | 2019           | CBD             | RN13A                  | C | 2  | 2  |   |   |   | 0.0%   |
| 149 | 2019           | CBD             | RN13A -2               | C | 1  | 1  |   |   |   | 0.0%   |
| 150 | 2021           | CBD             | RNA (autoflower)       | C | 1  |    | 1 |   |   | 100.0% |
| 151 | 2020           | CBD             | Rocket Fuel            | C | 1  | 1  |   |   |   | 0.0%   |
| 152 | 2020           | Fiber/Grain/CBD | Santhica 27            | B | 1  | 1  | 1 |   |   | 0.0%   |
| 153 | 2019 & 20      | CBD             | Siskyou Gold           | C | 3  | 3  |   |   |   | 0.0%   |
| 154 | 2019           | CBD             | Skipper                | C | 1  | 1  |   |   |   | 0.0%   |
| 155 | 2021 & 22      | CBD             | Sour Electra           | C | 4  | 3  |   | 1 |   | 25.0%  |
| 156 | 2021           | CBD             | Sour Lifter            | C | 1  | 1  |   |   |   | 0.0%   |
| 157 | 2021           | CBD             | Sour Lifter Seedless   | C | 1  | 1  |   |   |   | 0.0%   |
| 158 | 2021 & 22      | CBD             | Sour RNA Seedless      | C | 2  | 2  |   |   |   | 0.0%   |
| 159 | 2021           | CBD             | Sour Space Candy       | C | 1  | 1  |   |   |   | 0.0%   |

Category A, blue highlight  
Category B, green highlight



2019 - 2022 Montana Hemp Total THC Test Data  
January 3, 2023

|     |                |       |                            |         |     |     |    |    |    |        |
|-----|----------------|-------|----------------------------|---------|-----|-----|----|----|----|--------|
| 160 | 2021           | CBD   | Sour Special Sauce         | C       | 1   | 1   |    |    |    | 0.0%   |
| 161 | 2021           | CBD   | Sour Suver                 | C       | 1   | 1   |    |    |    | 0.0%   |
| 162 | 2021           | CBD   | Sour Suver Haze            | C       | 3   | 2   |    | 1  |    | 33.3%  |
| 163 | 2021           | CBD   | Sour Suver Haze (seedless) | C       | 1   | 1   |    |    |    | 0.0%   |
| 164 | 2019 & 20 & 21 | CBD   | Special Sauce              | C       | 7   | 5   | 1  | 1  |    | 28.6%  |
| 165 | 2021 & 22      | Fiber | SS Beta                    | C       | 5   | 1   |    | 1  | 3  | 80.0%  |
| 166 | 2019           | CBD   | Stable Fire Cherry 308     | C       | 1   | 1   |    |    |    | 0.0%   |
| 167 | 2019 & 2021    | CBD   | Stormy Daniels             | C       | 3   | 2   | 1  |    |    | 33.3%  |
| 168 | 2021           | CBD   | Super Sour Space Candy     | C       | 1   |     |    | 1  |    | 100.0% |
| 169 | 2020           | CBD   | Super T1                   | C       | 1   |     | 1  |    |    | 100.0% |
| 170 | 2019 & 2021    | CBD   | Suver Haze                 | C       | 2   | 1   |    | 1  |    | 50.0%  |
| 171 | 2021           | CBD   | Suver Haze (seedless)      | C       | 1   | 1   |    |    |    | 0.0%   |
| 172 | 2019           | CBD   | Suzy                       | C       | 1   | 1   |    |    |    | 0.0%   |
| 173 | 2019           | CBD   | Suzy Q                     | C       | 1   | 1   |    |    |    | 0.0%   |
| 174 | 2020           | CBD   | Suzy Q BX                  | C       | 1   | 0   | 1  |    |    | 100.0% |
| 175 | 2019           | CBD   | Sweet                      | C       | 5   | 5   |    |    |    | 0.0%   |
| 176 | 2019           | CBD   | Sweetened                  | C       | 2   | 2   |    |    |    | 0.0%   |
| 177 | 2019           | CBD   | T1                         | C       | 5   | 3   | 2  |    |    | 40.0%  |
| 178 | 2021           | CBD   | Texas Jack CBG             | C       | 1   |     |    | 1  |    | 100.0% |
| 179 | 2020           | CBD   | The White                  | C       | 2   | 2   |    |    |    | 0.0%   |
| 180 | 2020 & 2021    | CBD   | White CBG                  | C       | 4   | 4   |    |    |    | 0.0%   |
| 181 | 2021 & 22      | CBD   | White (seedless)           | C       | 2   | 2   |    |    |    | 0.0%   |
| 182 | 2019 & 20      | CBD   | Wife                       | C       | 18  | 11  | 6  | 1  |    | 38.9%  |
| 183 | 2019           | CBD   | Winterlake                 | C       | 4   | 4   |    |    |    | 0.0%   |
| 184 | 2019           | CBD   | Winterlake #1              | C       | 2   | 2   |    |    |    | 0.0%   |
| 185 | 2022           | CBD   | Vitality Seedless          | C       | 1   |     | 1  |    |    | 100.0% |
| 186 | 2019 & 20 & 21 | Grain | X-59                       | A       | 25  | 25  |    |    |    | 0.0%   |
| 187 | 2019           | CBD   | Youngsim 10                | C       | 4   | 4   |    |    |    | 0.0%   |
| 188 | 2022           | Fiber | Yuma                       | C       | 6   | 3   |    | 2  | 1  | 50.0%  |
|     | 2022           |       |                            | Totals: | 584 | 452 | 56 | 54 | 19 | 22.1%  |

Category A, blue highlight  
Category B, green highlight



## Appendix E - Corrective Action Plan Options Summary



### 2023 Montana State Hemp Program

#### Corrective Action Plan Options based on Official Sample Lab Report Results

*Internal Document - December 16, 2021*

##### Hemp Test Results:

1. Official sample Lab Report with total delta-9 THC results **not greater than 0.3%** on a dry matter basis:
  - License holder receives the **Informational** documentation with Lab Report attached via email.
  - Product is allowed to be distributed, sold and/or processed by the licensed producer.
  
2. Official sample Lab Report with total delta-9 THC results **greater than 0.3% but not greater than 1.0%** on a dry matter basis:
  - Categorized as a Non-Compliance, if the producer makes a reasonable effort to grow hemp and the cannabis does not have a total THC concentration of more than 1.0 percent on a dry weight basis.
  - License holder receives the **Non-Compliance** documentation with Lab Report attached via email and Certified mail.
    - Producer must submit a proposed corrective action plan outlining their plan to destroy or remediate.
    - Corrective Action Plan options include (for the entire lot):
      - 1) Destruction by one or more of the following:
        - Plowing under
        - Disking
        - Deep Burial
        - Mulch/Compost
        - Bush Mowing
        - Burning
        - Other (explain)
  
- OR**
  
- 2) Remediation
    - Separate and destroy flowers; salvage only grain/seed and/or fiber
      - Re-sampling and testing of remediated product are required.
      - Destruction of non-compliant plant parts must be completed by one or more of the options listed above.
    - Grind entire lot into a homogenous biomass
      - Re-sampling and testing of remediated product are required.
- Product is allowed to be processed, distributed, and sold after the department receives compliant test results and verification of implementation by inspection.



3. Official sample Lab Report with total delta-9 THC results **greater than 1.0% but not greater than 2.0%** on a dry matter basis:
- Categorized as Negligent
  - License holder receives the **Negligent** documentation with Lab Report attached via email and Certified mail.
  - Producer must submit a proposed corrective action plan outlining their plan to destroy or remediate.
    - Corrective Action Plan options include (for the entire lot):
      - 1) Destruction by one or more of the following:
        - Plowing under
        - Disking
        - Deep Burial
        - Mulch/Compost
        - Bush Mowing
        - Burning
        - Other (explain)
- OR**
- 2) Remediation
    - Separate and destroy flowers; salvage only grain/seed and/or fiber
      - Re-sampling and testing of remediated product are required.
      - Destruction of non-compliant plant parts must be completed by one or more of the options listed above.
    - Grind entire lot into a homogenous biomass
      - Re-sampling and testing of remediated product are required.
- Product is allowed to be processed, distributed, and sold after the department receives compliant test results and verification of implementation by inspection.
4. Official Lab Report of total delta-9 THC results are **greater than 2.0%** on a dry matter basis
- License holder receives the **Destruction** documentation with Lab Report attached via email and Certified mail.
  - License holder must return the corrective action plan outlining their plan to destroy the represented Lot(s).
  - Requires Hemp Witness Statement form signed by license holder and an independent third-party witness.



## Appendix F - Application and Reporting Forms

Illustrated for reference on pages 36 through 43.

### F1 - Hemp License Application (Stage 1)



MONTANA STATE HEMP PROGRAM  
PO Box 200201-Helena, MT 59620-0201  
[Mikayla.Moore@mt.gov](mailto:Mikayla.Moore@mt.gov) – (406) 444-5430

#### 2023 INDOOR/OUTDOOR HEMP LICENSE APPLICATION - Stage 1

Application deadline: Outdoor - May 30, 2023 / Indoor - No dead line • Valid through December 31, 2023

*For applicants intending to grow within tribal boundaries, please note updated licensing requirements in the instructions.*

| <b>APPLICANT INFORMATION</b> (see instructions for completion of this form)                                                                                                                                                                                                  |          |                           |                   | Provide your previously issued License Number: MTSHP- |                                            |                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|---------------------------|-------------------|-------------------------------------------------------|--------------------------------------------|----------------------|
| Business Name                                                                                                                                                                                                                                                                |          | Secretary of State Number |                   | EIN Number                                            |                                            |                      |
| Last Name                                                                                                                                                                                                                                                                    |          | First Name                |                   |                                                       | MI                                         |                      |
| Physical Address                                                                                                                                                                                                                                                             |          | City                      | ST                | ZIP                                                   | County                                     |                      |
| Mailing Address                                                                                                                                                                                                                                                              |          | City                      | ST                | ZIP                                                   |                                            |                      |
| Phone                                                                                                                                                                                                                                                                        |          | Cell Phone                |                   | Email                                                 |                                            |                      |
| <b>NAMES and TITLES of KEY PARTICIPANTS</b>                                                                                                                                                                                                                                  |          |                           |                   |                                                       |                                            |                      |
| Full Name                                                                                                                                                                                                                                                                    |          | Title                     |                   | Phone                                                 | Email                                      |                      |
| Full Name                                                                                                                                                                                                                                                                    |          | Title                     |                   | Phone                                                 | Email                                      |                      |
| Full Name                                                                                                                                                                                                                                                                    |          | Title                     |                   | Phone                                                 | Email                                      |                      |
| Full Name                                                                                                                                                                                                                                                                    |          | Title                     |                   | Phone                                                 | Email                                      |                      |
| <b>Seed/Live Plant Source and Verification</b> - Complete the information for <u>each</u> variety and strain you are applying to grow, all information and attachments are <b>required</b> . Use the optional page 2 if necessary. See more detailed instructions on page 4. |          |                           |                   |                                                       |                                            |                      |
| Variety/Strain                                                                                                                                                                                                                                                               | Quantity | Units                     | Grow Type         | Name of Licensed Seed Dealer or Nursery               | License Number (of Seed Dealer or Nursery) | Seed or Live Plants? |
|                                                                                                                                                                                                                                                                              |          | Acres or Plants           | Outdoor or Indoor |                                                       |                                            |                      |
|                                                                                                                                                                                                                                                                              |          |                           |                   |                                                       |                                            |                      |
|                                                                                                                                                                                                                                                                              |          |                           |                   |                                                       |                                            |                      |
|                                                                                                                                                                                                                                                                              |          |                           |                   |                                                       |                                            |                      |
|                                                                                                                                                                                                                                                                              |          |                           |                   |                                                       |                                            |                      |
|                                                                                                                                                                                                                                                                              |          |                           |                   |                                                       |                                            |                      |
|                                                                                                                                                                                                                                                                              |          |                           |                   |                                                       |                                            |                      |
|                                                                                                                                                                                                                                                                              |          |                           |                   |                                                       |                                            |                      |

**A non-refundable application fee is required with this application, see Instructions for details.**

☐ \$1,100 - Category C growers

☐ \$850 - Category A or B only growers

**ATTESTATION STATEMENT** - I hereby certify that the information contained in and submitted with this application is true and correct. Persons who violate federal laws regarding hemp may be subject to federal prosecution. I agree to comply with Section 80-18-101 through 80-18-111, MCA, ARM 4.19.101 - 202, and with other state and federal regulations, including consent to entrance of related properties by department personnel for inspection and testing of hemp. I further acknowledge that I have read, accept, and agree to the conditions outlined in the accompanying Risk Acknowledgement Statement.

|                         |  |                  |  |
|-------------------------|--|------------------|--|
| Applicant Printed Name: |  | Applicant Title: |  |
| Applicant Signature:    |  | Date:            |  |



## **F2 - Hemp Planting Report (Stage 2)**



### **MONTANA STATE HEMP PROGRAM**

PO Box 200201-Helena, MT 59620-0201

[hempinfo@mt.gov](mailto:hempinfo@mt.gov) – (406) 444-5430

### **2023 INDOOR/OUTDOOR HEMP LICENSE APPLICATION - Stage 2**

#### **HEMP PLANTING REPORT**

The Hemp Planting Report is required of all persons who received a 2023 Hemp Planting Permit from the state, even if permitted crops were not planted or the crop failed. It must be complete and accurate of all hemp varieties and strains seeded or transplanted, whether growing indoors or outdoors. This report must be completed by the permitted individual or an authorized company representative. The Production License will not be issued until the Hemp Planting Report is received and approved.

The Production License allows for the production, harvest, and transportation of compliant hemp, including processing of compliant hemp grown under this license. Any applicant that does not meet the conditions of the Production License will forfeit their Planting Permit and the crop will require destruction. See the enclosed instructions and form for submission of this information.

The Hemp Planting Report submission due dates are:

- Within 4 weeks after planting seeds, receiving starter-plants, or rooting of clones
  - If a crop, Lot or a certain variety/strain was not planted, report “Not Planted”
  - If a crop, Lot or a certain variety/strain failed and will not be harvested, report “Crop Failed”
- For Outdoor crops, the Hemp Planting Report is due no later than July 30<sup>th</sup>
- Late or incomplete submissions are subject to a \$100 late fee.

Each license holder, regardless of Category of hemp grown, is responsible for contacting the department a minimum of 30 days prior to harvest to confirm actual harvest date and schedule a pre-harvest inspection within 3-weeks of harvest. Crops harvested without notification or later than the time allowed after official sampling is considered a violation and are subject to destruction. Additionally, crops harvested later than the allowed time frame after official sampling may result in additional sampling with the license holder being responsible for additional fees.

Pursuant to the 2018 Farm Bill, each hemp license holder is required to submit their hemp acreage to the USDA Farm Service Agency (FSA) according to their requirements and within their deadlines. More information on this requirement can be found in the Instructions and on our website at <https://agr.mt.gov/topics/h-m/hemp-pages/FSA-Acreage-Reporting>.



MONTANA STATE HEMP PROGRAM

| 2023 HEMP PLANTING REPORT - Stage 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                   |                         |                 |                   |                          |                                                                          |                                                           |                        |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------------|-----------------|-------------------|--------------------------|--------------------------------------------------------------------------|-----------------------------------------------------------|------------------------|--|
| PERMIT INFORMATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                   | 2023 Hemp Permit Number | Permittee Name  |                   |                          | Business Name                                                            |                                                           |                        |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                   | MTSHP-30-               |                 |                   |                          |                                                                          |                                                           |                        |  |
| List each Lot of hemp seeded or transplanted. "Lots" are <u>determined by the producer</u> based on the definition of the term in the Instructions. The Lot Number is assigned by FSA and must be listed on this form. Detailed aerial maps must be included for each growing location (field or indoor structure). For indoor growers with multiple crops per year, multiple reports will be required. If additional space is needed, make a copy of this form. See the Instructions for important information on what must be included in this application and how to complete this form. |                   |                         |                 |                   |                          |                                                                          |                                                           |                        |  |
| FSA Lot ID<br>(farm-tract-field-subfield)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Variety or Strain | Quantity                | Units           | Grow Type         | Estimated Harvest Period | Primary Market<br>(CBD, Fiber, Grain, Seed for Planting, or Live Plants) | Latitude/Longitude of Center of Field or Indoor Structure | Physical County of Lot |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                   |                         | Acres or Plants | Outdoor or Indoor |                          |                                                                          |                                                           |                        |  |
| 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                   |                         |                 |                   |                          |                                                                          |                                                           |                        |  |
| 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                   |                         |                 |                   |                          |                                                                          |                                                           |                        |  |
| 3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                   |                         |                 |                   |                          |                                                                          |                                                           |                        |  |
| 4                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                   |                         |                 |                   |                          |                                                                          |                                                           |                        |  |
| 5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                   |                         |                 |                   |                          |                                                                          |                                                           |                        |  |
| 6                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                   |                         |                 |                   |                          |                                                                          |                                                           |                        |  |
| ATTESTATION STATEMENT - I hereby certify that the information contained in and submitted with this application is true and correct. Persons who violate federal laws regarding hemp may be subject to federal prosecution. I agree to comply with Section 80-18-101 through 80-18-111, MCA, ARM 4.19.101 - 202, and with other state and federal regulations, including consent to entrance of related properties by department personnel for inspection and testing of hemp.                                                                                                               |                   |                         |                 |                   |                          |                                                                          |                                                           |                        |  |
| Permittee Signature:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                   |                         |                 |                   |                          | Date:                                                                    |                                                           |                        |  |



### **F3 - Planting Permit certificate**

MONTANA DEPARTMENT OF  
**AGRICULTURE**



(406) 444-3144 | agr@mt.gov | agr.mt.gov  
302 N Roberts St, Helena, MT 59601

January 3, 2023

«Business\_Name»  
«First\_Name\_Middle\_Name» «Last\_Name»  
«Mail\_Address»  
«Mail\_City», «Mail\_ST» «Mail\_Zip»

Hemp Entity Number: «Entity\_License\_»

RE: Hemp Planting Permit

Dear «First\_Name\_Middle\_Name» «Last\_Name»,

Below is your Hemp Planting Permit. It allows for the purchasing of hemp seed and/or clones, as well as the seeding and transplanting of hemp in Montana during the 2023 calendar year. Additional requirements, including the submission of Stage 2 licensing requirements and notification of harvest, must be met before the permit holder is allowed to harvest, process or transport hemp grown in 2023.

MONTANA DEPARTMENT OF AGRICULTURE  
PO Box 200201 - Helena, Montana 59620-0201

**2023 HEMP PLANTING PERMIT**

This is to certify that

«Business\_Name»  
«First\_Name\_Middle\_Name» «Last\_Name»  
23  
«Physical\_Address»  
«Physical\_City», «Physical\_ST» «Physical\_Zip»

Permit Number: MTSH-30-«Entity\_License\_»-

is permitted by the Montana State Hemp Program to:

- Purchase hemp seed and clones
- Seed and transplant hemp in Montana

The licensee must report all plantings of hemp to the department and provide additional information for each crop to receive the full licensure of the Hemp Production License. This certificate alone does not allow for the harvest of hemp.

This License Expires: December 31, 2023  
Issue Date: January 3, 2023

\_\_\_\_\_  
Director, Montana Department of Agriculture



## **F4 - Production License certificate**

### **MONTANA DEPARTMENT OF AGRICULTURE**

PO Box 200201  
Helena, Montana 59620-0201  
(406) 444-5430

### **Montana State Hemp Program 2023 ANNUAL HEMP PRODUCTION LICENSE**

This is to certify that

«Business\_Name»

«First\_Name\_Middle\_Name» «Last\_Name»

License Number: MTSHP-30-«Entity\_License\_-»-23

«Mail\_Address»

«Mail\_City», «Mail\_ST» «Mail\_Zip»

is authorized to conduct business as a Licensed Montana Hemp Grower

of the following varieties from the following locations:

| Crop/FSA Lot Number | Latitude / Longitude | Variety | Cat | Lot Quantity | Units | County |
|---------------------|----------------------|---------|-----|--------------|-------|--------|
| /                   | /                    |         |     |              |       |        |
| /                   | /                    |         |     |              |       |        |
| /                   | /                    |         |     |              |       |        |
| /                   | /                    |         |     |              |       |        |
| /                   | /                    |         |     |              |       |        |
| /                   | /                    |         |     |              |       |        |
| /                   | /                    |         |     |              |       |        |
| /                   | /                    |         |     |              |       |        |
| /                   | /                    |         |     |              |       |        |
| /                   | /                    |         |     |              |       |        |
| /                   | /                    |         |     |              |       |        |
| /                   | /                    |         |     |              |       |        |
| /                   | /                    |         |     |              |       |        |

The licensee has met the requirements of the Montana Hemp Production License.

**This License Expires: December 31, 2023**

Issue Date: 3-Jan-23

This certificate must be  
available at inspection.

\_\_\_\_\_  
Director, Montana Department of Agriculture



## F5 - Annual Hemp Harvest/Disposal Report



MONTANA DEPARTMENT OF AGRICULTURE  
Montana State Hemp Program  
PO Box 200201  
Helena, MT 59620-0201

### 2022 ANNUAL HEMP HARVEST/DISPOSAL REPORT

Report submitted for licensee:

Name: \_\_\_\_\_ Business Name: \_\_\_\_\_ MTSHP- \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

List the required information for each Lot grown under this license. Report all quantities, except yield, in acres or number of plants. If a Lot was harvested to produce multiple end-uses (e.g., grain and stalk, flower, or seed), list separately. The 'Quantity Not Harvested' is for reporting crop that was lost due to crop failure or not harvested due to quality issues. The 'Quantity Disposed' is for crop that was required to be destroyed due to being tested and found non-compliant, not for crop lost due to quality issues. All crops in these two categories must have been or will be destroyed. This form is required by **December 1<sup>st</sup>**. Email to [Mikayla.Moore@mt.gov](mailto:Mikayla.Moore@mt.gov) or mail to address listed above.

| FSA Assigned Lot Number | Variety or Strain | Total Planted<br>(acres or plants) | Quantity Not Harvested<br>(acres or plants) | Total Harvested<br>(acres or plants) | Quantity Disposed for Non-Compliant THC<br>(acres or plants) | Harvest Date | Yield<br>(report in pounds per lot) | Intended Use<br>(CBD, fiber, grain, seed, propagative material) | Explanation of Discrepancies<br>(crop failure, poor germ, etc.) |
|-------------------------|-------------------|------------------------------------|---------------------------------------------|--------------------------------------|--------------------------------------------------------------|--------------|-------------------------------------|-----------------------------------------------------------------|-----------------------------------------------------------------|
|                         |                   |                                    |                                             |                                      |                                                              |              |                                     |                                                                 |                                                                 |
|                         |                   |                                    |                                             |                                      |                                                              |              |                                     |                                                                 |                                                                 |
|                         |                   |                                    |                                             |                                      |                                                              |              |                                     |                                                                 |                                                                 |
|                         |                   |                                    |                                             |                                      |                                                              |              |                                     |                                                                 |                                                                 |
|                         |                   |                                    |                                             |                                      |                                                              |              |                                     |                                                                 |                                                                 |
|                         |                   |                                    |                                             |                                      |                                                              |              |                                     |                                                                 |                                                                 |
|                         |                   |                                    |                                             |                                      |                                                              |              |                                     |                                                                 |                                                                 |
|                         |                   |                                    |                                             |                                      |                                                              |              |                                     |                                                                 |                                                                 |
|                         |                   |                                    |                                             |                                      |                                                              |              |                                     |                                                                 |                                                                 |
|                         |                   |                                    |                                             |                                      |                                                              |              |                                     |                                                                 |                                                                 |



## F6 - Hemp Sample Lab Report

MONTANA DEPARTMENT OF  
**AGRICULTURE**



(406) 444-3144 | agr@mt.gov | agr.mt.gov  
302 N Roberts St, Helena, MT 59601

Page 1 of 1

To: Mikayla Moore  
Hemp Program Coordinator

From: Jona Verreth  
Laboratory Bureau

Subject: Test Result for H-1003 B

License Number: MTSHP-30- [REDACTED]

License Holder Name: [REDACTED]

Business Name: [REDACTED]

Variety: White Seedless

Category: C

FSA Lot ID: [REDACTED]

Latitude/Longitude: [REDACTED]

Laboratory Number: AC22705

Inspector's Name: Mikayla Moore

Collected: 10/11/2022

Received: 10/14/2022

Printed: 10/21/2022

| Analyte                     | Results | Unit | Pass / Fail |
|-----------------------------|---------|------|-------------|
| Delta9-THC dry weight       | 0.0390  | %    |             |
| Delta9-THCA dry weight      | 0.0819  | %    |             |
| Total delta9-THC dry weight | 0.1108  | %    | PASS        |

%Total delta9-THC = % Delta9-THC + (%Delta9-THCA x 0.8772)

Measurement uncertainty for "Total delta9-THC dry weight" is estimated to be +/- 0.0453 (95% CL, k=2).

Method Reference: Montana Department of Agriculture, CANNABUV\_H, Revision 2: March 2021 "Determination of Cannabinoids in Hemp and Hemp Products by Liquid Chromatography-UV Detection."

QA/Technical Reviewer : [REDACTED]

Regulatory Reviewer : \_\_\_\_\_

Laboratory Bureau  
McCall Hall, Montana State University  
Bozeman, Montana 59717-3620  
Phone (406) 577-7917 Fax (406) 994-4494

The results issued on this report only reflect the analysis of the sample submitted.





## **F7 - Witness Statement**



### Montana State Hemp Program

PO Box 200201, Helena, MT 59620

#### Hemp Disposal Witness Statement Form

|                      |                          |                                            |           |
|----------------------|--------------------------|--------------------------------------------|-----------|
| License Holder Name: |                          | License Number:                            | MTSHP-30- |
| Lot Number(s):       | FSA issued Lot Number(s) | Quantity and form of hemp to be destroyed: |           |
| Variety or strain:   |                          |                                            |           |

**Acknowledgment:**

*This form represents a legal document for which civil or criminal liability may attach. By signing below, both Witness and License Holder assert the truth of statements and information provided.*

*Any false statements or misrepresentations of material fact contained herein shall constitute perjury and may result in the imposition of a fine, imprisonment, or both.*

|                                                                                                   |  |                      |  |
|---------------------------------------------------------------------------------------------------|--|----------------------|--|
| Witness Name:                                                                                     |  | Date of Destruction: |  |
| Witness' Signature:                                                                               |  | Signature Date:      |  |
| Witness' Relationship with Licensee:                                                              |  |                      |  |
| Statement (include names of individuals involved, method of destruction, and quantity destroyed): |  |                      |  |
|                                                                                                   |  |                      |  |
|                                                                                                   |  |                      |  |
| <b><i>I attest the above information is accurate and truthful.</i></b>                            |  |                      |  |
| License Holder Signature:                                                                         |  | Date:                |  |

Any disposal or destruction of hemp must be visually observed by an independent third party and requires this signed Witness Statement form be submitted to the department. The local sheriff's office must also be notified of each disposal/destruction occurrence. Plans may be submitted by mail to the address above or emailed. For assistance, contact Mikayla Moore by phone at (406) 444-5430 or by email at [Mikayla.Moore@mt.gov](mailto:Mikayla.Moore@mt.gov).

2022 Montana State Hemp Plan: Witness Statement

V 12/07/2021