



**VERMONT**

**AGENCY OF AGRICULTURE, FOOD & MARKETS**

## Vermont's Hemp Rules

# Hemp

- ▶ The term ‘hemp’ means the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.
- ▶ Hemp is considered an “agricultural product” when grown by an individual that is registered with AAFM as part of its program.



# Vermont Hemp Program and Rules

- ▶ Vermont as the primary regulatory authority for cultivation and processing of hemp
- ▶ Standards and expectations
  - ▶ Consumer protection
  - ▶ Support the industry
- ▶ Communication with law enforcement
  - ▶ Testing, recordkeeping and reporting requirements
- ▶ Establish a common vocabulary



# Vermont Hemp Program and Rules

- ▶ How it will conduct research in the program, inspection and supervision during cultivation, harvest, storage and processing
- ▶ Testing requirements and options including the ratio of CBD to THC, and testing during growth, and genetic testing
- ▶ Setting labelling guidelines
- ▶ Establishing the requirements for the registration of growers, processors of hemp and hemp-infused products, certified labs



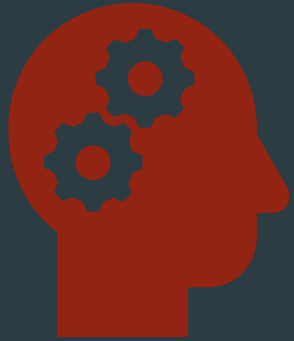
# Vermont Hemp Rules

- ▶ Definitions
- ▶ Registration Process
- ▶ Recordkeeping
- ▶ Reporting
- ▶ Transferring
- ▶ Testing
- ▶ Mitigation, disposal and destruction
- ▶ Labelling
- ▶ Brand and Grades
- ▶ Enforcement



# Vermont Hemp Rules Definitions

- ▶ Acceptable Potency Level
- ▶ Broad and Full Spectrum, Distillate, Isolate, Whole Plant Concentrate
- ▶ Produced in Vermont
- ▶ Total Theoretical THC



# Vermont Hemp Rules Recordkeeping and Reporting

- ▶ Who is responsible for maintaining certain records and providing those records to others for inspection in certain circumstances
- ▶ Notification when growing a seed crop
- ▶ Types of records to be maintained and how organized
- ▶ Reporting results of CoA to Agency



# Vermont Hemp Rules Registrant Responsibilities and Limitations

- ▶ When is testing required for compliance with acceptable potency level in the life of a crop or product
  - ▶ Prior to harvest
  - ▶ At formulation of hemp and hemp-infused products
- ▶ Limitation on types of processing
- ▶ Requirements for destruction or mitigation of extracted THC and THC-A, including accounting





# Vermont Hemp Rules Testing and Transferring

- ▶ Ability to obtain a genetic determination
- ▶ PYO and nursery provision for growers, and notification requirements
- ▶ Registrants that may receive a concentrate /process intermediate and under what circumstance something is considered a process intermediate



# Vermont Hemp Rules Lab Certification Program

- ▶ Agency must establish a cannabis quality control program, including
  - ▶ testing for potency and contaminants
  - ▶ To certify laboratories that can also perform testing

# Vermont Hemp Rules Enforcement



- ▶ Negligent violations and corrective action plans
  - ▶ Delta-9 THC concentration 1% or less- corrective action plan for crop
  - ▶ Delta - 9 THC concentration greater 0.3 and Total Theoretical greater 1% requires destruction of the crop.
- ▶ A person that has violated Chapter 34 or these Rules with a culpable mental state greater than negligence shall be reported to the US Attorney General and state's Attorney General.

# Vermont Hemp Rules Enforcement



- ▶ Who is responsible for the cost of destruction or mitigation?
  - ▶ Grower when it is a crop
  - ▶ Processor when it is a hemp product or a hemp infused product
- ▶ The Agency can issue a stop sale of a retail product.

# Vermont Hemp Rules Labelling

- ▶ The Agency will require labelling of products
  - ▶ THC content
  - ▶ If using a defined term must comply with definition
  - ▶ Contact information for processor
  - ▶ Date of manufacture and expiration date
- ▶ if label guarantees are provided it must be traceable to a CoA

# Vermont Hemp Rules Grades and Brand

- ▶ 5 different grades of flower that focuses on CBD content
- ▶ Produced in Vermont

## Next Steps

- ▶ Public comment period is open, July 5, 2019
- ▶ Public hearings
  - ▶ June 27 in the Brandon Town Office 1-4 and
  - ▶ June 28 Emory Hebard building in Newport 1-4
- ▶ Seven days following the final hearing the public comment period closes
- ▶ Agency considers comments and makes changes
- ▶ Files “Final Rule” with SOS and LCAR
- ▶ “Adopted Rule” filing is with SOS, rule becomes effective 15 days later

Vermont Agency of Agriculture, Food & Markets  
<https://agriculture.vermont.gov/public-health-agricultural-resource-management-division/hemp-program>

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