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