

# THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



## Department of Agricultural Resources

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**TO:** Licensed Hemp Growers  
**FROM:** Massachusetts Department of Agricultural Resources, Hemp Program  
**REGARDING:** Hemp Harvest Guidance  
**DATE:** December 9, 2020

The Massachusetts Department of Agricultural Resources, Hemp Program (“Department”) has developed this guidance document to assist you during the harvest time. This document will provide you with information on how and when to submit your harvest form.

### 1. When to submit the Harvest Report:

The Harvest Report must be submitted a minimum of three (3) weeks or twenty-one (21) days prior to the intended harvest date. These harvest forms are used by the Hemp Program to ensure that any hemp you reported on your Planting Form is accounted for during harvest. This form is also used for scheduling your Pre-harvest Regulatory THC Testing. Submitting your harvest form early secures a preferred sampling date and leaves room for some accommodation as the schedule allows in the event of emergencies. Regulatory testing times are scheduled on a first come, first serve basis.

Each variety and/or location of hemp is considered a “Lot” and must be reported separately. Each hemp Lot will have separate regulatory samples collected by the Department.

#### Example:

- 5 acres of “Variety A” at Field 1 to be harvested on October 3<sup>rd</sup>, 2021
- 0.5 acre of “Variety A” at Field 2 to be harvested on October 3<sup>rd</sup>, 2021
- 5,000 square feet of “Variety B” at Greenhouse 1 to be harvested on October 1<sup>st</sup>, 2021

#### Example Entries of the Harvest Report:

Harvest Information				
Grow Area Name	Variety/Strain	Planting Date	Harvest Start Date	Harvest Area
Field 1	Variety A	4/30/21	10/3/21	5 acres <input checked="" type="checkbox"/> ft <sup>2</sup> <input type="checkbox"/>
Field 2	Variety A	4/30/21	10/3/21	0.5 acres <input checked="" type="checkbox"/> ft <sup>2</sup> <input type="checkbox"/>
Greenhouse 1	Variety B	5/5/21	10/1/21	5000 acres <input type="checkbox"/> ft <sup>2</sup> <input checked="" type="checkbox"/>

## **2. Collecting your Regulatory THC Samples:**

An Inspector will show up at your site to collect samples of your hemp on a day that should coincide with your intended start of harvest. Harvest may not begin until an Inspector has sampled your crop, but can start immediately after. Samples will be collected for each hemp “Lot” you have grown. A Lot is considered a contiguous area in a field, greenhouse, or indoor growing structure containing the same variety or strain of Hemp throughout the area. You may have multiple Lots (by variety or area) to be tested. Lots must be tested separately, and varieties should be clearly separated and marked in the field. We understand that your harvest for different Lots may begin on different dates. If this is the case, your Inspector will schedule as many site visits as needed to collect pre-harvest samples. You or an authorized representative must be present to witness the sampling and sign any paperwork.

During sample collection, your Inspector will walk through the field or greenhouse and collect one sample from each lot that contains subsamples from the top 1-3 inches of up to 30 different plants in that Lot. The number of subsamples collected depends on the size of the Lot. The samples will be labeled, sealed, signed by the Inspector, and delivered via Chain-of-Custody procedure to the approved lab for analysis. All samples are analyzed by a DEA-registered Lab following USDA prescribed testing methodologies:

<https://www.ams.usda.gov/sites/default/files/media/TestingGuidelinesforHemp.pdf>

You will receive a receipt for your samples that includes the sample date, variety, location, sample number, lot size, and sample weight and more. This receipt will be signed by your Inspector and you or your authorized representative. Please keep this receipt for your records.

## **3. Harvest Your Hemp! 15 Days!**

Once your regulatory pre-harvest THC samples have been collected by an Inspector, you can begin your harvest immediately. Your sample results are valid for 15 days from the date of collection. Harvest **MUST BE COMPLETED** within 15 days of the sample collection so that you have a valid pre-harvest sample of your crop. A valid pre-harvest sample is required to receive your Industrial Hemp Certificate. You must provide your Inspector with proof your harvest has been completed within this time. You can send a photo of the harvested site to your Inspector by email or text message. Your Inspector will follow up with you and may conduct spot site inspections at any time to see your harvest progress.

If extenuating circumstances (health, equipment failure, weather, etc.) prevent you from completing your harvest on time you may request a harvest extension. All harvest extension requests should be submitted *in writing* BEFORE the 15-day window closes. If you are granted an extension, *harvest should cease* until a new PRE-HARVEST sample is collected. All additional sampling will be at your own cost. If you have partially harvested your crop, please keep the harvested portion separate and clearly labeled along with proof of harvest for certification. Your Inspector will return to the site as soon as possible to collect a sample from the remaining unharvested hemp. Without a valid pre-harvest sample, your crop will not be certified, regardless of the initial THC results. Any additional pre-harvest tests collected will count toward your two (2) allowable re-tests for your crop.

*NOTE: Some research has shown that many hemp varieties available today can “go hot” as soon as 2 weeks after flowering begins. It’s always a good idea to keep a close watch on your THC levels and consider harvesting early in order to ensure a good crop.*

#### **4. Receiving your THC Results:**

Once your Regulatory THC samples have been collected, they are immediately sent to the lab for analysis. The lab will normally provide results within 7-10 days. Your harvest should be well underway by this time. The program will reach out by email to let you know the results of your THC sample analysis as soon as they are available. Please let your Inspector know if you prefer alternate methods of communication. If your crop tests within Acceptable THC Levels (less than 0.3% inclusive of the Measurement of Uncertainty\*) your Industrial Hemp Certificate will be issued after harvest completion has been confirmed. If your crop tests with THC levels in excess of 0.3%, you will have the option for up to two (2) additional retests.

#### **5. Additional Crop Testing**

If any of your harvested hemp tests in excess of 0.3% THC and you wish to have them tested again for confirmation, you have the option to request up to two (2) additional re-tests at your own cost. To remain eligible for post-harvest testing once your crops have been harvested, lots should remain separate and clearly labeled. The USDA Rule indicates that intact flower material is required for testing and any material that has been ground or milled cannot be submitted for re-testing. Combined Lots are not eligible for re-testing.

#### **6. Destruction:**

Destruction of a crop may occur voluntarily or at the order of the Department. If it is voluntary, the Department must be notified of the method and reason for destruction (i.e. tested hot, pests, etc.). The method of destruction shall be proposed by the Grower and approved by the Department. The Department will schedule a time with the Licensee to witness the crop destruction. A representative of the Department **MUST** present to witness the destruction of the crop.

**\*Measurement of Uncertainty:** The application of the *Measurement of Uncertainty* to the reported THC level produces a distribution or range for the total THC. For example, if the reported total THC concentration is 0.35% and the measurement of uncertainty is  $\pm 0.06\%$ , the measured delta-9 tetrahydrocannabinol content concentration level on a dry weight basis for this sample ranges from 0.29% to 0.41%. Because 0.3% is within the distribution or range, the sample is within the acceptable hemp THC level for the purpose of plan compliance. The Measurement of Uncertainty will be clearly stated on your lab report.

All Harvest Reports should be submitted to the Hemp Program via email to [mahemp@mass.gov](mailto:mahemp@mass.gov):

#### **Questions?**

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