

# THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



## Department of Agricultural Resources

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[www.mass.gov/agr](http://www.mass.gov/agr)



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**TO:** Licensed Hemp Growers

**FROM:** Massachusetts Department of Agricultural Resources, Hemp Program

**REGARDING:** Hemp Planting Guidance

**DATE:** April 11, 2023

The Massachusetts Department of Agricultural Resources, Hemp Program ("Program") has developed guidance to assist you in preparing to plant hemp. You are required report to the Program within ten (10) days of planting hemp using the hemp Planting Form. You must also complete a Planting Form if you do not intend to use the site for cultivation. Unused sites must be reported using the Planting Form before September 1<sup>st</sup>. Please remember that hemp may ONLY be planted within licensed growing areas. To add a new growing area to your license, you must submit an Amendment Form to revise your licensed area and receive authorization from MDAR prior to use. Amendment Forms are available online at:

<https://www.mass.gov/guides/resources-for-hemp-program-licensees#-amendment-forms->

**All documents, COAs, and forms must be emailed to [MAHemp@mass.gov](mailto:MAHemp@mass.gov).**

Please review and follow the steps as outlined below:

### **1. Receive MDAR approval for each variety to be planted annually:**

Once you have found hemp seed or clone varieties you wish to use, you must send documentation to [mahemp@mass.gov](mailto:mahemp@mass.gov) for approval *BEFORE* planting anything. The Program recommends receiving approval for your variety prior purchase or acquisition. The documentation may be a Certificate of Analysis ("COA") and must indicate that the variety has been tested at or below 0.3% Total THC:

- "Total THC" means a combined measure of both delta-9 THC *and* THCa. Some suppliers may not follow this standard, so documentation should be reviewed carefully, and caution is recommended when purchasing hemp seeds or stock without prior approval.
- Documentation formatting may vary, however the two elements that must be included are the variety name and the Total THC.
- Varieties must be re-approved annually. Occasionally, additional information may become available that could prohibit further use of a cultivar or distributor, so MDAR requires annual approval of all varieties to be planted.
- Seeds or clones from a previous years' crop may be used if they were certified by MDAR. You may submit the MA Industrial Hemp Certificate instead of a COA.

### **2. When to submit the Planting Form:**

A Planting Form must be submitted within 10 days of planting (i.e. putting seeds or clones into a growing medium). Unused sites **MUST** be reported using the Planting Form **before September 1st**.

### 3. Planting Form Instructions:

Each individual hemp variety by planting location is considered a “Lot.” Each Lot must be reported individually on the Planting Form. List each Lot by variety, start date, and start location. Please report the expected transplant location and estimated crop size at harvest for each Lot. **Do NOT report the number of plants or seeds used as starts.**

**Lots should be clearly separated and marked in the field.** Additionally, each Lot will receive a unique identification number from the Farm Service Agency (FSA) when your acreage reports are filed. This unique Lot identifier will be required to request pre-harvest regulatory THC sampling. You may also assign your own Lot identifier as illustrated below to help you track your individual crops.

#### Examples:

*If you start 100 seeds in a greenhouse but intend to transplant the crop out to a field, please note the initial planting date (start date), location (start location), and the intended transplant location from where each Lot will be harvested. Additionally, you will need to estimate the total expected amount to be harvested (i.e. 1.5 acres outdoor) for each Lot. Each Lot will have an individual identifier assigned by FSA once acreage reports have been filed.*

- *Lot 1A: Hemp Variety “A” is started on April 4<sup>th</sup>, 2023 in Greenhouse 3 and will be transplanted to “Field 1,” a total of 1.5 acres.*
- *Lot 2A: Hemp Variety “B” is started on April 4<sup>th</sup>, 2023 in Greenhouse 3 and will be transplanted to “Field 2,” a total of .5 acres.*
- *Lot 1A: Additional starts of Hemp Variety “A” are planted on April 10<sup>th</sup>, 2023 in Greenhouse 3 and will be transplanted to “Field 1,” a total of 1.5 acres.*
- *Lot 1B: Hemp Variety “C” is started on April 15<sup>th</sup>, 2023 in Greenhouse 3 and will be transplanted to “Field 1,” a total of 1.0 acres.*

Lot No.	Variety	Start Date	Start Location	Will this crop be transplanted?	Transplant Location (Site Name)	Crop Use	Harvest Size Estimate
1A	Hemp Gold	4/4/23	Greenhouse 3 <input checked="" type="checkbox"/> Indoor <input type="checkbox"/> Outdoor	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Field 1 <input type="checkbox"/> Indoor <input checked="" type="checkbox"/> Outdoor	<input checked="" type="checkbox"/> Flower <input type="checkbox"/> Fiber <input type="checkbox"/> Grain <input type="checkbox"/> Nursery	1.5 <input checked="" type="checkbox"/> acres <input type="checkbox"/> ft <sup>2</sup>
2A	Hemp Silver	4/4/23	Greenhouse 3 <input checked="" type="checkbox"/> Indoor <input type="checkbox"/> Outdoor	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Field 1 <input type="checkbox"/> Indoor <input checked="" type="checkbox"/> Outdoor	<input checked="" type="checkbox"/> Flower <input type="checkbox"/> Fiber <input type="checkbox"/> Grain <input type="checkbox"/> Nursery	0.5 <input checked="" type="checkbox"/> acres <input type="checkbox"/> ft <sup>2</sup>
1A	Hemp Gold	4/10/23	Greenhouse 3 <input checked="" type="checkbox"/> Indoor <input type="checkbox"/> Outdoor	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Field 1 <input type="checkbox"/> Indoor <input checked="" type="checkbox"/> Outdoor	<input checked="" type="checkbox"/> Flower <input type="checkbox"/> Fiber <input type="checkbox"/> Grain <input type="checkbox"/> Nursery	1.5 <input checked="" type="checkbox"/> acres <input type="checkbox"/> ft <sup>2</sup>
1B	Hemp Bronze	4/13/23	Greenhouse 3 <input checked="" type="checkbox"/> Indoor <input type="checkbox"/> Outdoor	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Field 1 <input type="checkbox"/> Indoor <input checked="" type="checkbox"/> Outdoor	<input checked="" type="checkbox"/> Flower <input type="checkbox"/> Fiber <input type="checkbox"/> Grain <input type="checkbox"/> Nursery	1.0 <input checked="" type="checkbox"/> acres <input type="checkbox"/> ft <sup>2</sup>

### 4. Clones and Clone Propagation:

Some growers may wish to clone plants from a crop that had been previously certified by the Department. To do so, you must:

- Submit the Industrial Hemp Certificate for approval as THC documentation showing that the “mother plant(s)” came from an MDAR-certified hemp crop.

- File a planting form for the crop. Regardless of the source of the propagative material, all crops must be reported and are subject to regulatory testing in accordance with 330 CMR 32.00. There is no exemption for clones from crops that have been previously certified, or crops that will remain in a vegetative state for prolonged periods of time.

## 5. Nursery Crops (Breeders)

Breeders do not need to estimate harvest size for nursery crops that will be sold prior to harvest. However, the following records for all nursery crops and sales must be kept in accordance with [330 CMR 32.07](#):

- (a) Lot number assigned to each Production batch;
- (b) Number of plants produced per Lot planted; and
- (c) Variety within the individual Lot.

Breeders may sell Hemp plants, seedlings, and/or clones ONLY to the following:

- (a) MA Hemp Licensees
- (b) USDA Hemp Licensees
- (c) Licensees from another state or Tribe authorized to issue a license by USDA
- (d) As authorized by M.G.L. c. 94G, §12 to a Person licensed by the Cannabis Control Commission and in accordance with any guidance or regulation promulgated by the Cannabis Control Commission.

When selling hemp plants, seedlings, and/or clones, Breeders must provide Licensed buyers with the following information and retain copies of all information for a minimum of 3 years:

- (a) Documentation showing the Hemp Stock used for propagation was tested and does not show total THC levels of more than 0.3%;
- (b) Variety;
- (c) Number of plants, seedlings, and/or clones sold; and
- (d) Lot number for the Production batch

If any parts of the hemp are to be harvested, including flower or seeds for propagation, the crops are subject to all pre-harvest testing requirements in [330 CMR 32.05](#) and harvest records must be kept as required in [330 CMR 32.06\(1\)\(b\)](#).

## 6. Unused Sites:

Licensed sites that are not used for hemp cultivation should be reported to the Program using the Planting Form **before September 1st**.

## 7. Crop Losses:

Any crop losses due to weather, pests, theft, etc. should be reported to MDAR immediately using the Harvest Report Form available online at: <https://www.mass.gov/doc/industrial-hemp-harvest-report/download>

## 8. FSA Registration

In addition to the MDAR requirements, Licensed Producers are also required to register with the Farm Service Agency (“FSA”). Every producer must be registered with the FSA to receive a Farm-Tract-Field number. Each field will receive an individual designation. **All licensed areas (even if they are not currently in use for hemp production) must be registered with the FSA.** Even small plots of land used for hemp production must be identified to FSA. This includes land within urban areas or

within structures (greenhouse, hoop house, laboratory, etc.). No one is exempt from this requirement. **This is a one-time requirement.** If you have already registered your farm with FSA and received your Farm-Tract-Field numbers, you will never need to do this again, but you will need to have your FSA numbers available when filing report with MDAR and FSA.

## **9. FSA Reporting**

*In addition* to the MDAR Planting Form, you are required to report all planting to the FSA separately. Each planted Lot will receive a unique sub-field identification number from the FSA. This number will be required by MDAR upon harvest. To file acreage reports with the FSA, you should contact your local FSA county office, and they will guide you through the process. A list of local FSA offices is available at <https://www.farmers.gov/service-center-locator>. For more information, please visit: <https://www.farmers.gov/manage/hemp>.

FSA Acreage Reports are due **annually by JULY 15<sup>th</sup>**

All Forms, COAs, and documents should be submitted by email directly to: [MAHemp@mass.gov](mailto:MAHemp@mass.gov)