

# Maine's ~~Industrial~~ Hemp Program

Yes it is *Cannabis sativa* L., but no it is not Marijuana

Gary Fish

Maine State Horticulturist

[gary.fish@maine.gov](mailto:gary.fish@maine.gov)

207-287-7545



# Notice of proposed rulemaking

- Notice will be published on December 18
- Written comments accepted between December 18 and January 20
- Public hearing to be held January 7, 1:00 PM at room 101 Deering Building, Augusta
- The Department has chosen to continue operation under the current state program
- USDA rules will be added in another round of rulemaking in late summer 2020



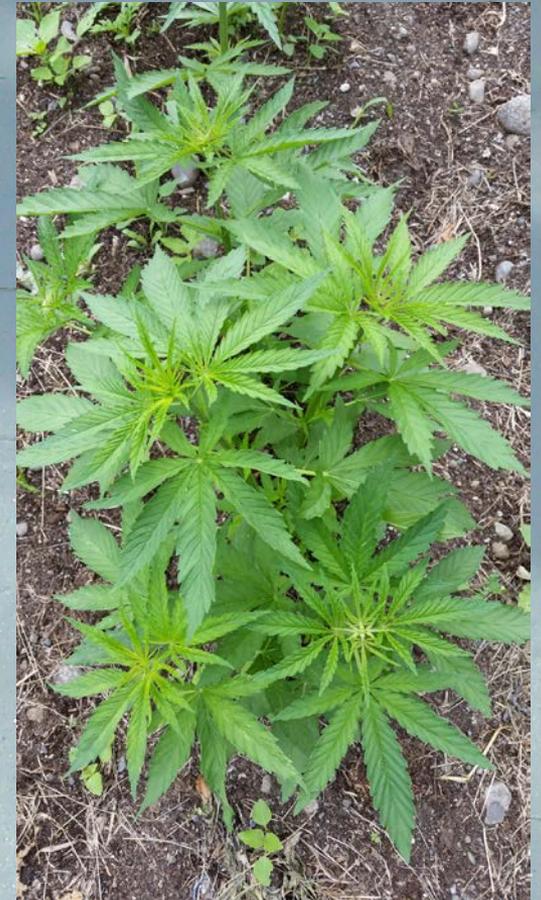
# What are the major proposed rule changes

- Most changes are those mandated by the new Public Law Chapter 528, some are also adapted from the USDA Interim Final Rule
- “Hemp” redefined – combination of Maine and USDA law
  - The plant *Cannabis sativa* L. and any part of that plant, including the seeds and all derivatives, extracts, cannabinoids, isomers, acids, salts and salts of isomers, whether growing or not, with a total THC [the sum of the concentration of delta-9 tetrahydrocannabinol and its precursor, (tetrahydrocannabinol acid multiplied by 0.8777)] concentration that is not more than 0.3% on a dry weight basis including any measurement of uncertainty, or as otherwise defined in federal law



# What are the major proposed rule changes

- Total THC vs native delta-9 THC
- Rolling license application period  
(must apply 30 days prior to intended planting date)
- No need to provide seed information with application
  - Seed and location information provided within 14 days after planting
- “Certified” seed source redefined
  - 3<sup>rd</sup> party COA



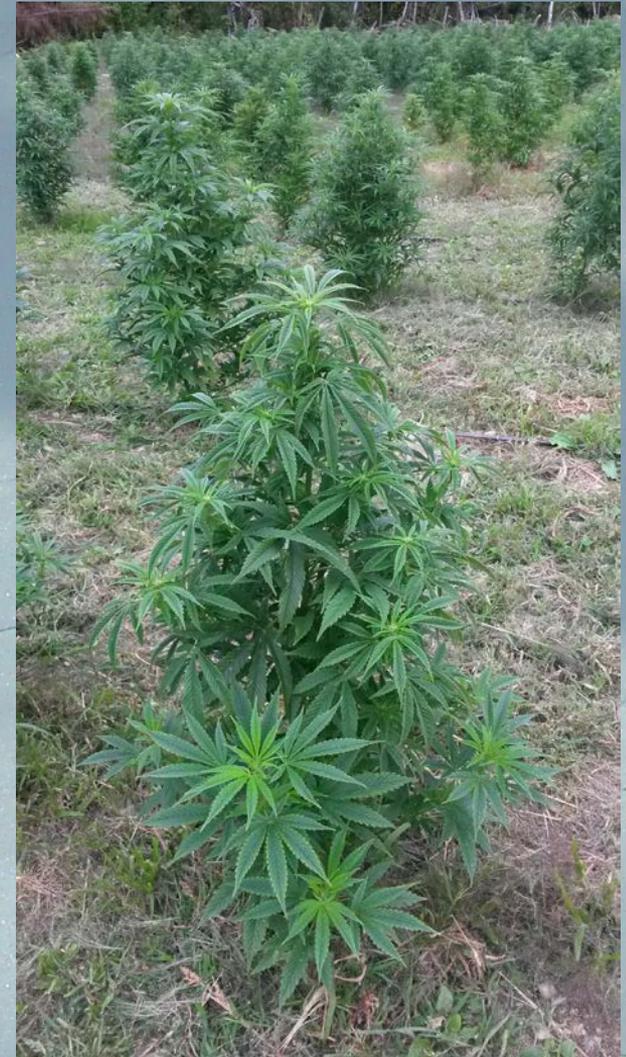
# What are the major proposed rule changes

- Indoor growing allowed
  - Unlimited number of licenses
  - Indoor licensing agreement fee \$500.00 + \$0.25/Sq. Ft.
  - Multiple tiers are additive
  - Indoor facility means a building, greenhouse, hoop house or high tunnel
    - Crop is inside start - finish



# What are the major proposed rule changes

- Outdoor licensing agreement fee increase and cap
  - Outdoor licensing agreement fee increased to \$500.00 + \$100.00/Acre (was \$50.00/Acre)
  - Maximum fee capped at \$20,000.00
- Changes proposed due to concerns about the potential for grower numbers declining in 2020



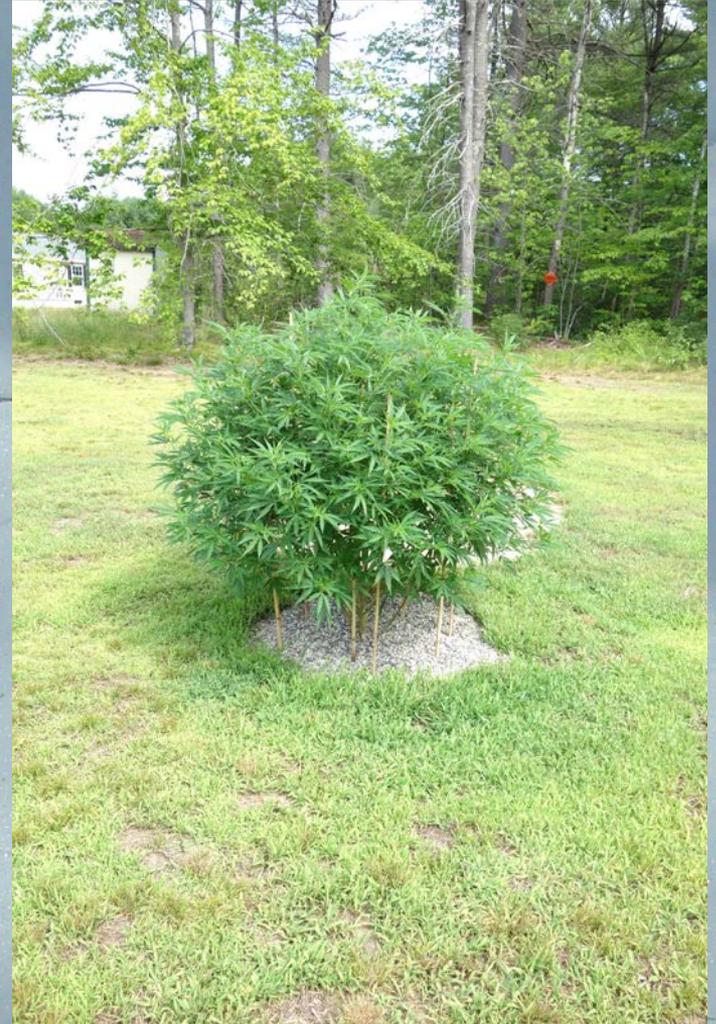
# What are the major proposed rule changes

- Grow location information is now confidential, but...
  - May be shared with state, county and local government for administration and enforcement
  - Summary reports may be released using aggregate data that does not reveal growing locations
- Growers must report
  - Acres or Sq. Ft. grown
  - Pounds of hemp harvested
  - Types of commodities or products derived from the hemp manufactured or sold
    - In Maine
    - Outside of Maine



# What are the major proposed rule changes

- THC sampling to occur within 25 days of harvest (was 15 days)
- Personal use allowed
  - Up to 3 mature plants per adult
  - Not allowed to move plants or products into commerce



# Applying for a license

- We plan to have two separate applications for:
  - Indoor grow
  - Outdoor grow
- The applicant must provide:
  - Name, address and other contact information
  - A detailed description of the land area or indoor facility to be used for the production of hemp including
  - A signed and dated statement that the applicant is the owner or legal occupant of the growing area or indoor facility to be used for cultivation of hemp, or a statement, signed by the owner of the growing area or indoor facility, consenting to that use
  - The estimated planting date for the first crop
  - Each applicant for licensure shall submit a non-refundable application fee of \$100 with the application
  - Fees will not be refunded if a license is not granted

 **Maine Department of Agriculture, Conservation and Forestry**  
Division of Animal and Plant Health  
28 State House Station  
Augusta, Maine 04333  
207-287-3891  
[www.maine.gov/das/fahp/hemp](http://www.maine.gov/das/fahp/hemp)



### OUTDOOR Hemp License Application

Please Type or print clearly (incomplete or illegible forms will be returned). Maine law requires all growers of hemp obtain a license. (7MRS Chapter 406A § 2231)

Licensee Information	
Licensee Name: _____	Title (if applicable): _____
Company/Business Name (if applicable): _____	
Legal status of business: <input type="checkbox"/> sole proprietorship <input type="checkbox"/> corporation <input type="checkbox"/> trust/non-profit <input type="checkbox"/> LLC <input type="checkbox"/> cooperative <input type="checkbox"/> legal partnership <input type="checkbox"/> other _____	
EIN number: _____	
Mailing Address: _____	
City: _____	State: _____ Zip: _____
Physical address of principal business location: _____	
Phone: _____	Email: _____
Website: _____	

Authorized Alternate Contact Information	
List any additional persons authorized to receive correspondence either by mail, email or phone, and/or accept legal notices. Use an additional sheet if necessary. It is the licensee's responsibility to keep the list of authorized contacts current.	
Name: _____	Phone: _____
Email: _____	
Address: _____	
City: _____	State: _____ Zip: _____
Title or Relationship to Applicant/Business: (i.e., manager, co-owner, family member...) _____	

License History	
List any previously held hemp license numbers and year of issuance, attach a separate sheet if necessary.	
License Number: _____	Year Issued: _____ Was this license revoked or suspended? <input type="checkbox"/> Yes <input type="checkbox"/> No
License Number: _____	Year Issued: _____ Was this license revoked or suspended? <input type="checkbox"/> Yes <input type="checkbox"/> No

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Office Use Only	
Date Received: _____	Check Amount: _____ Check Number: _____
Date Reviewed: _____	Reviewed By: _____
Approved: <input type="checkbox"/> Yes <input type="checkbox"/> No If No, Reason: _____	
If Yes: Date License Agreement Sent: _____	License Number: _____

1 of 2

Outdoor Hemp License - DEC 18

# Licensing agreement

- Within 14 days after planting hemp seeds, seedlings or clones, must provide a listing of the varieties of seeds, seedlings or clones planted and a copy of a certificate of analysis
- Within 14 days of planting, must provide a final legal description of the land area or indoor facility to be used for the production of hemp,
  - a map, aerial photograph, global positioning coordinates in decimal
- The licensee will allow the inspection and sampling of the industrial hemp crop at any and all times that the Department deems necessary

 **Maine Department of Agriculture, Conservation and Forestry**  
Division of Animal and Plant Health  
28 State House Station  
Augusta, Maine 04333  
207-287-3891  
[www.maine.gov/dacf/ahp/hemp](http://www.maine.gov/dacf/ahp/hemp)



**OUTDOOR Hemp License Application**

Please Type or print clearly (incomplete or illegible forms will be returned). Maine law requires all growers of hemp obtain a license. (7MRS Chapter 406-A § 2231)

Licensee Information

Licensee Name: \_\_\_\_\_ Title (if applicable): \_\_\_\_\_

Company/Business Name (if applicable): \_\_\_\_\_

Legal status of business:  sole proprietorship  corporation  trust/non-profit  LLC  cooperative  
 legal partnership  other \_\_\_\_\_

EIN number: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Physical address of principal business location: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Website: \_\_\_\_\_

Authorized Alternate Contact Information

List any additional persons authorized to receive correspondence either by mail, email or phone, and/or accept legal notices. Use an additional sheet if necessary. It is the licensee's responsibility to keep the list of authorized contacts current.

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Title or Relationship to Applicant/Business: (e.g., manager, co-owner, family member.) \_\_\_\_\_

License History: List any previously held hemp license numbers and year of issuance, attach a separate sheet if necessary.  
License Number: \_\_\_\_\_ Year Issued: \_\_\_\_\_ Was this license revoked or suspended?  Yes  No  
License Number: \_\_\_\_\_ Year Issued: \_\_\_\_\_ Was this license revoked or suspended?  Yes  No

Continued on next page

Office Use Only

Date Received: \_\_\_\_\_ Check Amount: \_\_\_\_\_ Check Number: \_\_\_\_\_

Date Reviewed: \_\_\_\_\_ Reviewed By: \_\_\_\_\_

Approved:  Yes  No If No, Reason: \_\_\_\_\_

If Yes: Date License Agreement Sent: \_\_\_\_\_ License Number: \_\_\_\_\_

1 of 2

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# Licensing agreement

- Production, planting, cultivation, harvest and commodity or product information records must be kept for 3 years and must be made available to the Department upon request
- The Department may require reporting of any information or data associated with the planting, cultivation, harvest and processing/manufacturing
- All Information not deemed confidential (**grow site location information**) may be publicly disclosed and may be provided to law enforcement agencies without notifying the licensee



# Licensing agreement

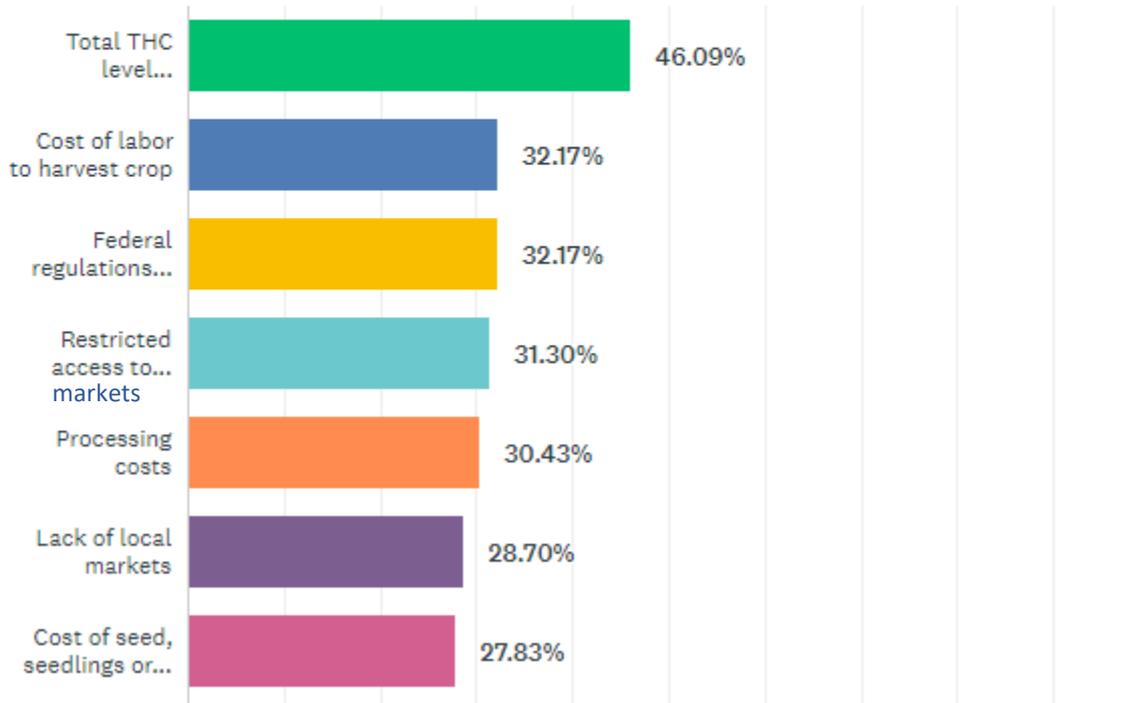
- Summary reports of confidential data may be released to the public using aggregate data that does not reveal the location of a field, site, or indoor facility where hemp is grown, handled or stored
- Licensees must comply with any other terms and conditions the Department determines necessary for enforcing the Industrial Hemp Law and these rules



# 2019 Hemp grower survey

What do you see as the most significant barriers to making hemp farming in Maine successful? (Please check off your top five, you must choose five, no more and no less)

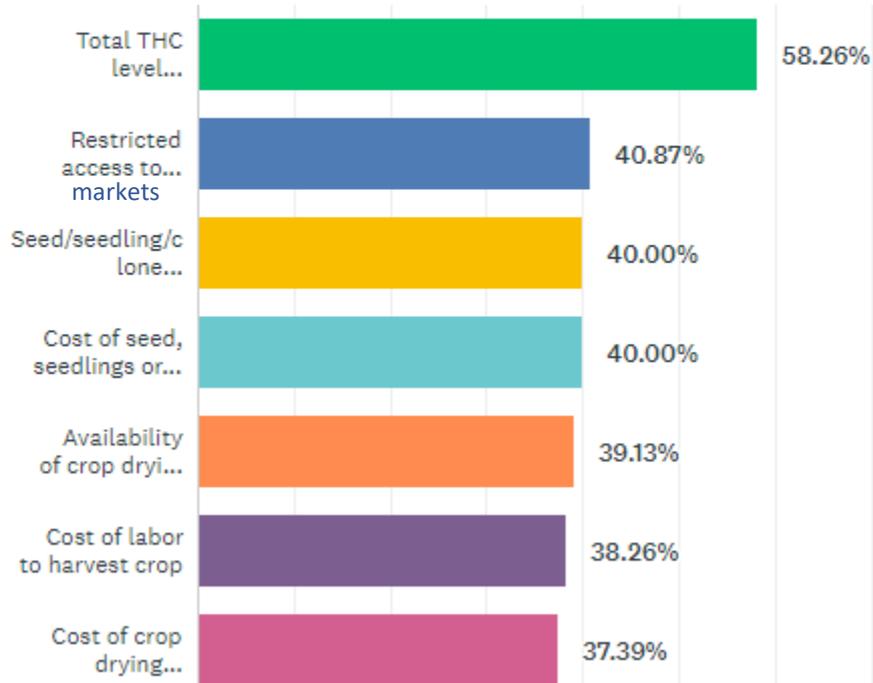
Answered: 115 Skipped: 0



# 2019 Hemp grower survey

What do you see as barriers to making hemp farming in Maine successful? (Please check off all that apply)

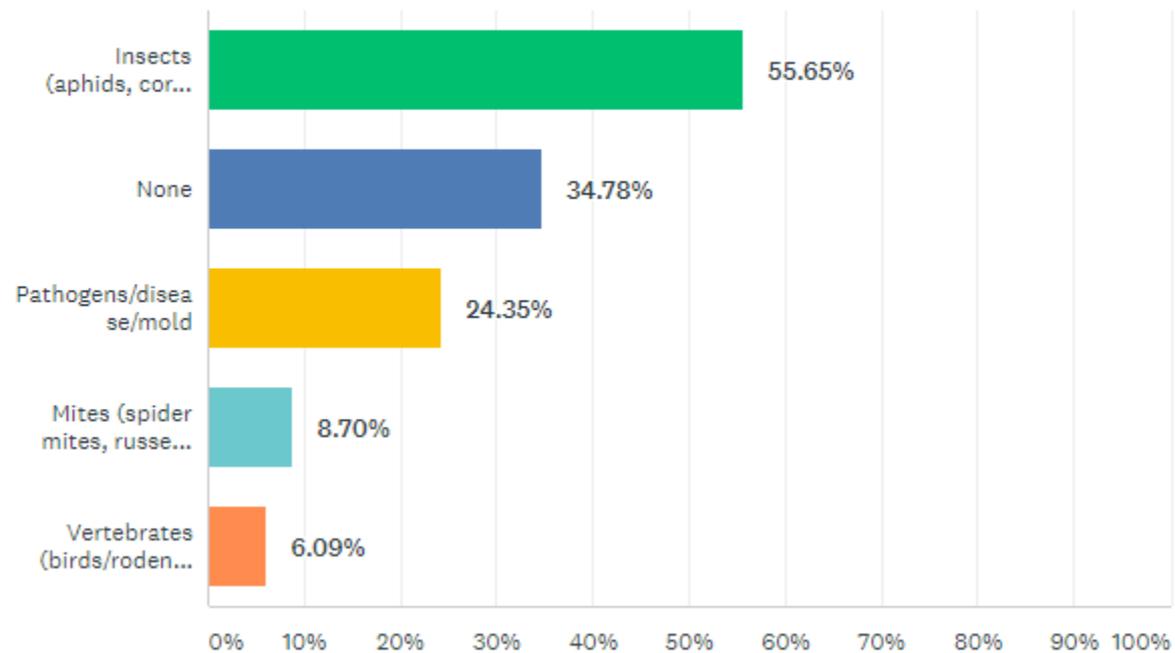
Answered: 115 Skipped: 0



# 2019 Hemp grower survey

What types of pest problems did you encounter?

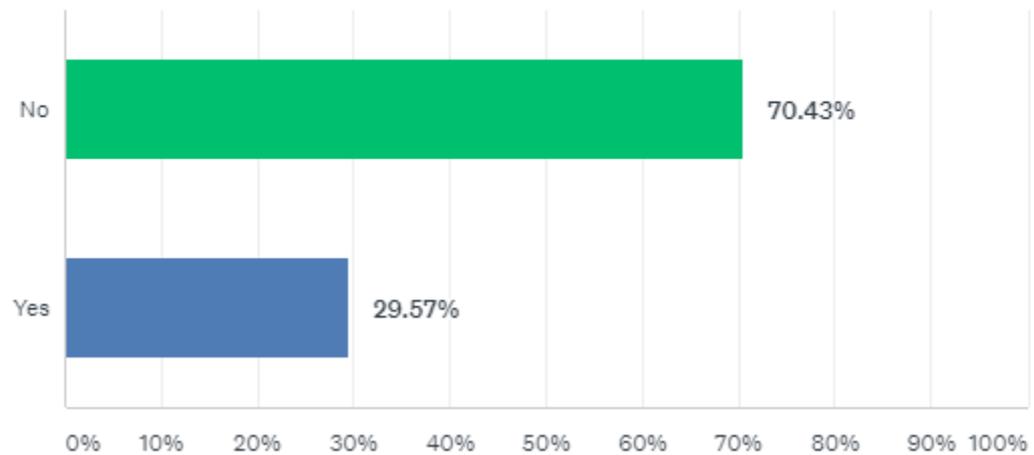
Answered: 115 Skipped: 0



# 2019 Hemp grower survey

Have you already marketed your 2019 crop yes or no?

Answered: 115 Skipped: 0

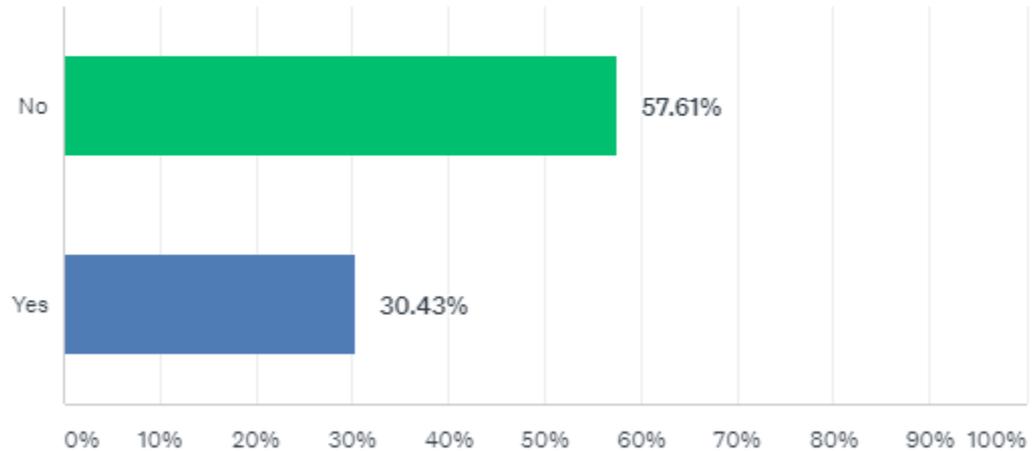


# 2019 Hemp grower survey

- Survey initiated on November 15

If you have marketed your crop, did you get the price you expected?

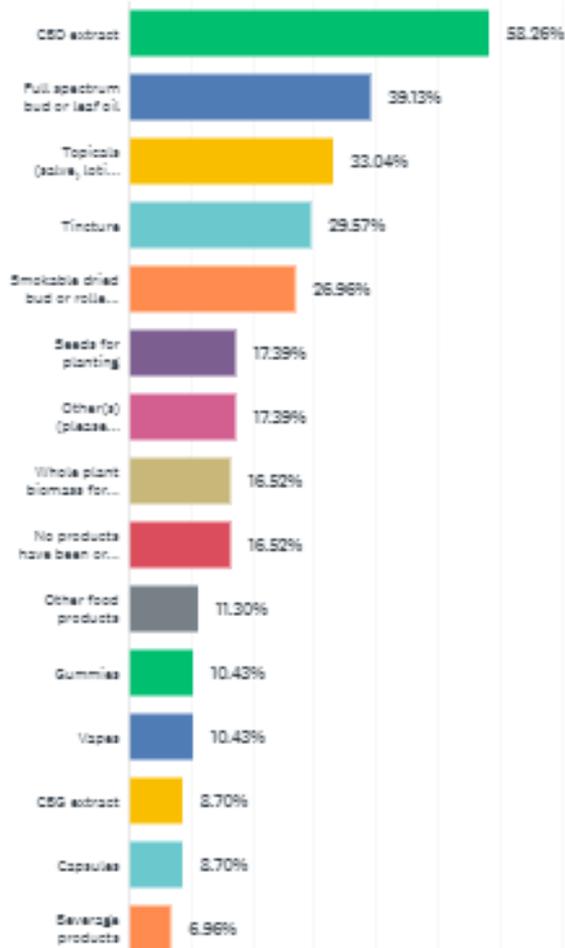
Answered: 92 Skipped: 23



# 2019 Hemp grower survey

Please describe the commodities or products that have been or will be derived from your hemp crop that have been or will be sold inside the state.  
(Please check all that apply)

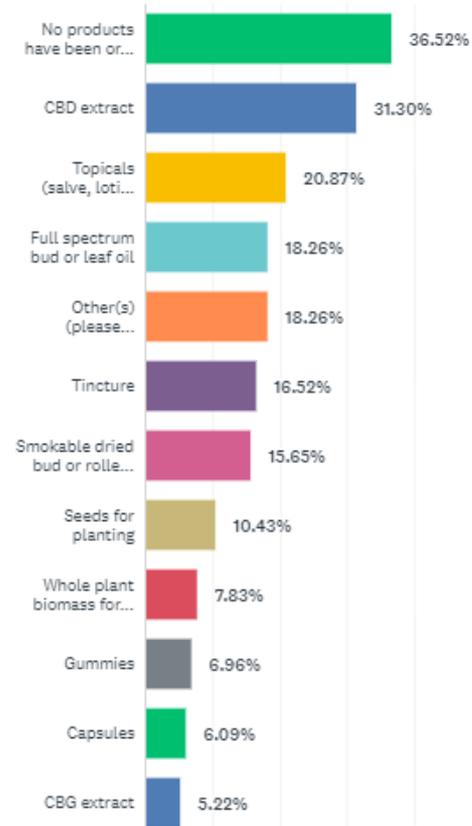
Answered: 115 Skipped: 0



# 2019 Hemp grower survey

Please describe the commodities or products that have been or will be derived from your hemp crop that have been or will be sold outside the state. (Please check all that apply)

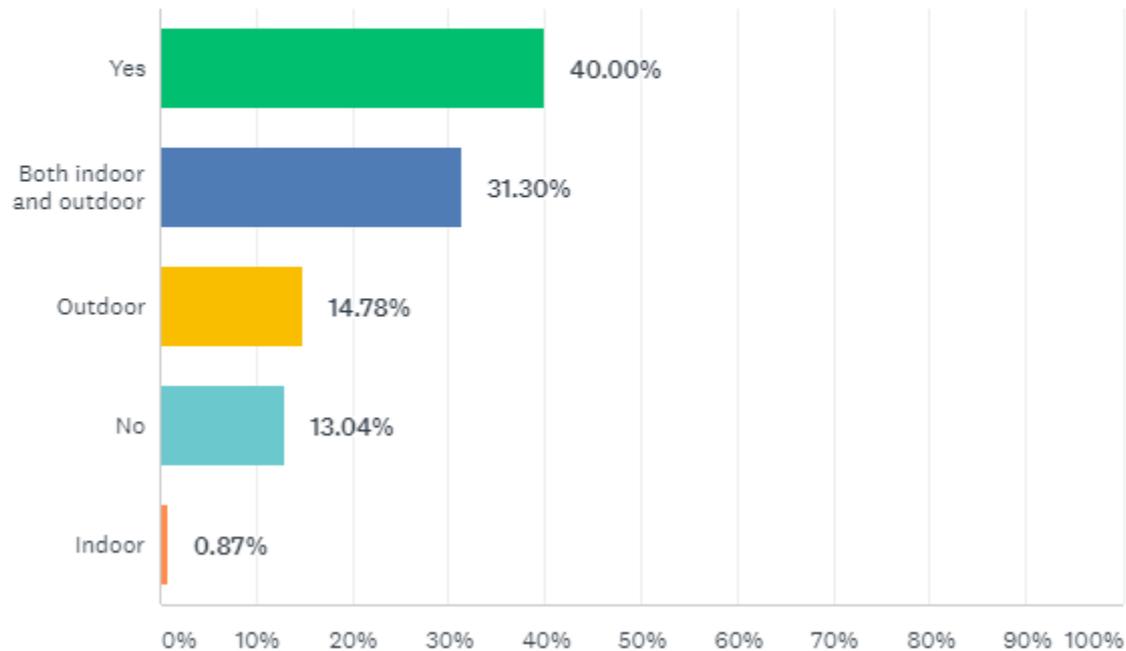
Answered: 115 Skipped: 0



# 2019 Hemp grower survey

Do you plan to license again for the 2020 growing season? (Please check all that apply)

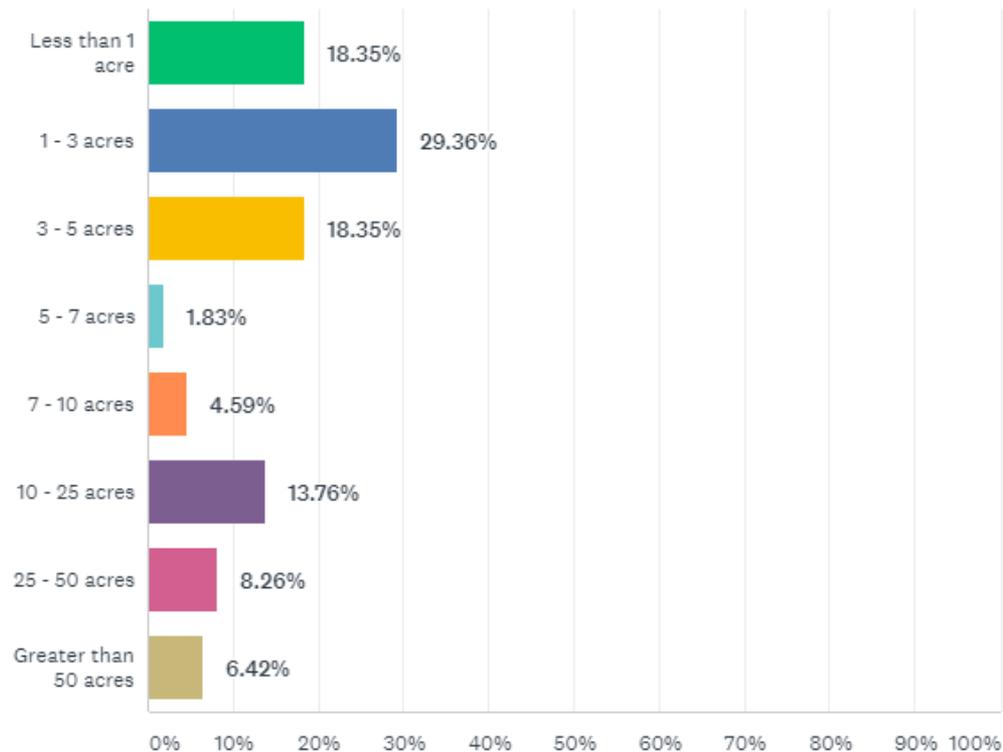
Answered: 115 Skipped: 0



# 2019 Hemp grower survey

If you do plan to license to grow outdoors again in 2020, how many acres are you expecting to plant?

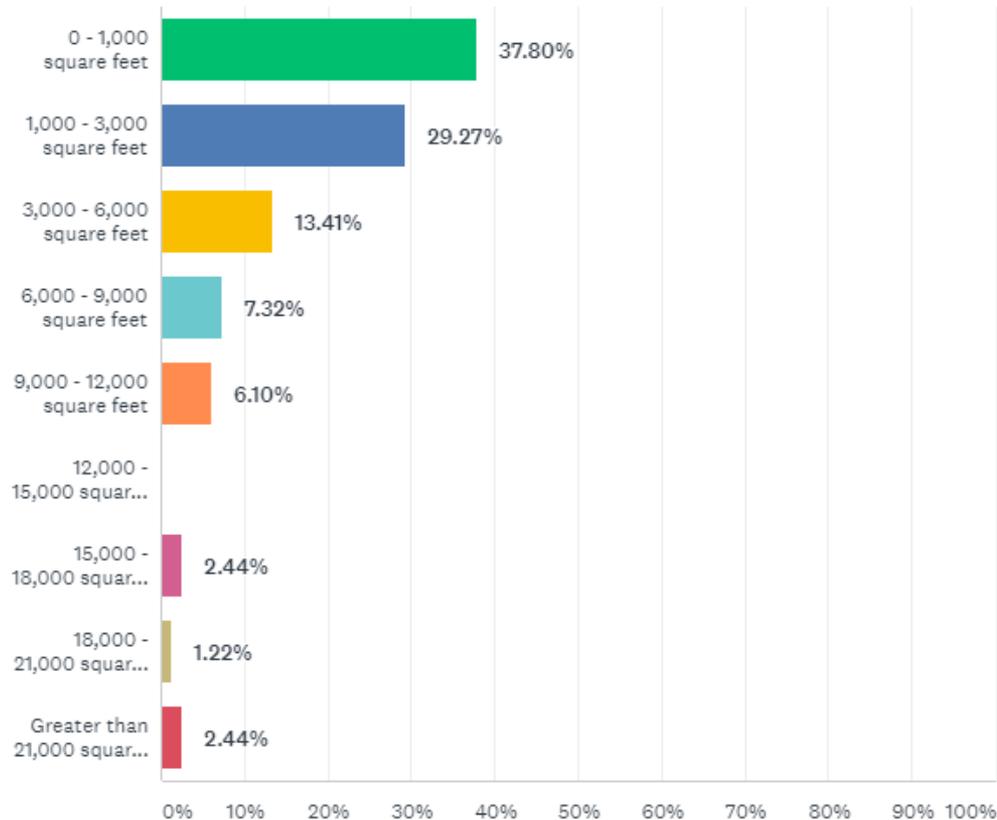
Answered: 109 Skipped: 6



# 2019 Hemp grower survey

If you do plan to license to grow indoors in 2020, how many square feet are you expecting to plant?

Answered: 82 Skipped: 33



# 2019 Hemp grower survey

- Comments on USDA Interim Final Rule
  - THC limit #1
- Suggestions for improving the licensing/sampling process
  - Sample whole plant
  - Concern about damaging top colas and causing mold
- Additional comments



“Not a lot of reliable knowledge out there. I did not know a lot about what I was doing, and the people who convinced me to do this didn't either, cost a lot of money for my and their mistakes, going to be nowhere near what they said.”

# Industrial hemp website

The screenshot shows the website for the Industrial Hemp Program in Maine. The page is titled "Industrial Hemp Program" and is part of the Maine Department of Agriculture, Conservation and Forestry (DACF) website. The URL is [www.maine.gov/dacf/php/hemp/index.shtml](http://www.maine.gov/dacf/php/hemp/index.shtml). The page features a navigation menu with categories like "About DACF", "Animals & Plants", "Forest", "Geology", "Recreation", "Farming", "Planning", "Licensing & Inspections", and "Business & Programs". The main content area includes a "Please Note" section stating that applications for the 2018 growing season will begin on January 1, 2018. It also provides links for "Licensing Process", "Apply for a License", "Uses", "Obtaining Seed and Seed Certification", and "Sampling and Testing FAQ". A section titled "What is the process for becoming licensed to grow industrial hemp in Maine?" lists four steps: 1. Apply for a license between January 1 and April 1 of the year you wish to grow industrial hemp; 2. Departmental review and approval of application; 3. Sign licensing agreement; 4. Testing of crop prior to harvest. Below this, there is a section for "Apply for a license" which states that users must complete an application and submit a \$100.00 application fee between January 1 and April 1. An "Explanation of fees" section details the costs: a \$100 application fee, a \$500 license fee, and a \$50 harvest fee. A list of "Fees collected will cover Departmental costs including, but not limited to" includes inspector travel costs and transportation to a lab for THC content analysis. A vertical image of a hemp plant is positioned to the right of the text. On the far right, there is a "RECEIVE INDUSTRIAL HEMP UPDATES" sign-up box and a "FEATURED TOPICS" section with links to "An Act to Promote Industrial Hemp (PHE)" and "Chapter 274 - Rules for Growing Industrial Hemp (PDE)". The "PROGRAM CONTACTS" section provides the address and phone/fax numbers for the Industrial Hemp program at the Division of Animal and Plant Health.

**Industrial Hemp Program**

**Please Note:** We will begin accepting applications for growing industrial hemp for the 2018 growing season starting January 1, 2018.

On this page: [Licensing Process](#), [Apply for a License](#), [Uses](#), [Obtaining Seed and Seed Certification](#), [Sampling and Testing](#), [FAQ](#)

**What is the process for becoming licensed to grow industrial hemp in Maine?**

1. Apply for a license between January 1 and April 1 of the year you wish to grow industrial hemp;
2. Departmental review and approval of application;
3. Sign licensing agreement;
4. Testing of crop prior to harvest.

**Apply for a license**

Complete the license application and submit with the \$100.00 application fee between January 1 and April 1 of the year you wish to grow industrial hemp.  
[Click here for application to grow industrial hemp \(PDF\)](#)

**Explanation of fees**

Maine law requires that the Department cover the costs of operating the industrial hemp program by charging an application fee, license fee and a per acre fee. These fees are as follows:

- \$100 application fee – this fee must be submitted with the application
- \$500 license fee – this fee is due after approval of the application and must be submitted with the signed licensing agreement;
- \$50 harvest fee – this fee is due after approval of the application and must be submitted with the signed licensing agreement.

**Fees collected will cover Departmental costs including, but not limited to**

- Inspector travel costs including time to and from the growing area to take crop samples for THC content analysis;
- Costs of transporting crop samples to a lab for THC content analysis;

**RECEIVE INDUSTRIAL HEMP UPDATES:**  
Enter your email below to sign up:  
  
Go

**FEATURED TOPICS**

[An Act to Promote Industrial Hemp \(PHE\)](#)  
[Chapter 274 - Rules for Growing Industrial Hemp \(PDE\)](#)

**PROGRAM CONTACTS**

[Industrial Hemp](#)  
Division of Animal and Plant Health  
28 State House Station  
Augusta, ME 04333  
phone: 207-287-3851  
fax: 207-287-5576

- <http://www.maine.gov/dacf/php/hemp/index.shtml>

# Questions?

