

Arizona Industrial Hemp Program

Hemp Microgreens and Hemp Greens Producer Guidance

Introduction

Starting in 2022, Arizona hemp growers will be able to commercially produce hemp microgreens and hemp greens that comply with state and federal regulations. Since these products are not produced to a mature, flowering state where a sample would be collected to determine THC concentration, an alternative protocol has been developed to determine crop compliance. This method was approved by USDA-AMS as part of the Arizona State Hemp Plan for Domestic Hemp Production, starting January 1, 2022. In addition to the requirement of utilizing verified hemp seed, and timely crop reporting, the method will involve requiring crops to be harvested prior to flowering, and visually verified by the Department that crops were harvested to the standards listed in the Department's Substantive Policy, SP21-02. Crops are subject to sampling by the Department to verify THC concentrations are below compliance levels. Crops will still be required to meet all other food safety guidelines separate from the hemp program requirements.



Purpose

The purpose of this document is to provide licensed hemp growers guidance on what will be required to maintain compliance with the state hemp program and ensure eligible products will be allowed to enter the stream of commerce. This document is for information purposes only and is not a substitute for the statutes, rules, and policies of the Department for hemp production. Please see the reference section at the end of this document to locate official publishing of regulatory documents. This document is subject to change, so it is advised that the most recent version provided on the Department's Industrial Hemp Webpage is used.

<https://agriculture.az.gov/plantsproduce/industrial-hemp-program>

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- USDA Hemp Plan - Exhibit E - Performance-based Sampling Addendum
- Substantive Policy SP21-02: Industrial Hemp Performance-based Sampling
- Industrial Hemp Microgreens/Greens Reports
- Applicable Administrative Rules

Hemp Microgreens and Hemp Greens Producer Guidance

Growers that are intending on planting hemp microgreens or greens should contact the Department at azhemp@azda.gov to provide an initial indication of the grower's intent and plans for microgreens/greens production so the hemp program staff can make preparations for inspection and audit activity.

Growers will need to ensure that documentation and records are kept and maintained according to the record keeping requirements in A.A.C. R3-4-1008(B).

Growers will need to ensure that only the selection of hemp seed that originated from a compliant hemp crop is utilized for planting as indicated in A.A.C. R3-4-1006. This can be domestic or foreign hemp seed.

IMPORTANT: Growers must register their crops with USDA-FSA before filing a planting report with the Department. USDA-FSA will provide a unique ID that must be provided when reporting a crop with the Department. Due to the time constraints with these crops, failure to do so may result in the loss of the crop. For a listing of County offices, visit:

<https://offices.sc.egov.usda.gov/locator/app?state=az&agency=fsa>

Growers will be required to file a planting notice within 5 business days of planting as indicated in R3-4-1011(B). A specialized report form has been developed specifically for hemp microgreens/greens. This will eliminate the need for submitting both a planting report and an intent to harvest report. There is also a crop continuation form when reporting more than 3 crops at a time. Form fillable reports are available for download on the Department's website at:

<https://agriculture.az.gov/plantsproduce/industrial-hemp-program/industrial-hemp-license-applications>

The license grower must have an authorized representative on-site during the site-inspection conducted by the Department.

The Department may select to collect a sample for deterring the Total THC concentration. If the crop is deemed to be non-compliant, the licensed grower will be required to hold the harvest lot until notified by the Department of their options.

The following shall apply for each crop of hemp microgreens and hemp greens (SP21-02):

A. Hemp Microgreens:

1. Hemp microgreens are described as immature hemp seedlings for human consumption that are cut-off above the soil or substrate line and harvested prior to flowering and not more than 14 days after germination. Hemp microgreens are typically between two (2) and three (3) inches in height, but not taller than five (5) inches.
2. When the Department receives a planting notice from a grower that is intending to plant a crop of hemp microgreens, the Department will request a notice of intent to harvest so the Department does not proceed with standard sampling and testing protocols under A.A.C. R3-4-1008 and SP19-01.
3. The Department will verify that the producer:
 - a. Obtained and planted only authorized hemp seed pursuant to A.A.C. R3-4-1006;
 - b. Harvested the crop no more than fourteen days after planting;
 - c. Only grew hemp plants that were no more than five inches in height; and
 - d. Did not grow hemp plants to a flowering state.

4. A licensed grower that produces a crop that does not meet the criteria for an exception to R3-4-1008 and SP19-10 shall either:
 - a. Follow the compliance, sampling and testing requirement pursuant to A.A.C. R3-4-1008 and SP19-01; or
 - b. Dispose of the crop in a manner as described in A.A.C. R3-4-1013(F).

B. Hemp Greens:

1. Hemp greens are described as hemp leaves from immature plants germinated from seed and the plants are no more than ten (10) inches tall and are not flowering.
2. Producers of hemp greens must provide the Department with a planting notice and intent to harvest at the time of planting. The notice must indicate that the crop is planted to produce a hemp greens crop so the Department does not proceed with standard sampling and testing protocols under A.A.C. R3-4-1008 and SP19-01.
3. The Department will verify that the producer:
 - a. Obtained and planted only authorized hemp seed pursuant to A.A.C. R3-4-1006;
 - b. Harvested the crop prior to the plants being ten inches in height;
 - c. Did not produce a flowering crop.
4. A grower that produces a crop that does not meet the criteria for an exception to A.A.C. R3-4-1008 and SP19-10 shall either:
 - a. Follow the compliance, sampling and testing requirement pursuant to A.A.C. R3-4-1008 and SP19-01; or
 - b. Dispose of the crop in a manner as described in A.A.C. R3-4-1013(F).

Hemp growers should contact the Department at azhemp@azda.gov or call 602-542-0955 if there are any questions, concerns, or conditions that are important to discuss. For more information on the hemp program, please visit our website at:

<https://agriculture.az.gov/plantsproduce/industrial-hemp-program>