Requirements for the Sale of Live Hemp Plants

1.) The seller must have a current hemp license,

2.) The seller must have a current nursery license,

3.) The seller must verify the buyer has a current hemp license,
   
   - The seller will need to review the hemp license list on the Department's website and record the buyer's license number on the invoice. A sale may not be made to an individual not listed on the Department's licensee list
   
   - The seller must submit a weekly report to the Department listing each sale of a live hemp plant and the buyer's name, address and hemp license number
   
   - The seller must notify the buyer to send updates to the Department for the additional varieties

4.) The seller must send the Department an official lab report listing the Total Delta 9-THC % test results of mature flowers from the mother plant(s),

5.) The Department will require the seller to grow out 1 (or more) mother plants to the bud stage so it can be sampled and tested within the typical maturity period of the variety for the plants sold,

   - If the mother plant tests above the 0.3% Total Delta 9-THC threshold, all plants (including those already sold) will be subject to mitigation/destruction
   
   - During the Department’s inspection of the seller, the Department may audit their records and randomly select a percentage of sales to verify hemp plants were only sold to licensed growers

6.) In the event that items 3, 4 and/or 5 cannot be met, an appeal may be made to the Department Director outlining the reasons for why an exception or equivalency should be granted.

Ben Thomas, Director
Montana Department of Agriculture