PURPOSE
This document outlines Montana’s State Hemp Pilot Program procedures to license, monitor the growing locations of and regulate Montana’s hemp as an agricultural crop to ensure compliance with state regulations and the 2014 Farm Bill through September 2021.

AUTHORITY
Title 80, Chapter 18, Sections 101 - 111, Montana Code Annotated, the Administrative Rules of Montana, Chapter 4.19.101 - 202, and the Agriculture Improvement Act (Farm Bill) of 2018.

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1. DEFINITIONS
   1. Crop: a group of plants in a similar stage of growth (example: plants flowering on March 1 would be
2. **Outdoor Grow**: hemp plants grown and harvested outside under natural light conditions; for the purpose of reporting, includes plants started under greenhouse conditions and transplanted to outdoor conditions.

3. **Greenhouse Grow**: hemp plants started, grown and harvested inside a structure under natural light conditions.

4. **Indoor Grow**: hemp plants started, grown and harvested inside a structure using artificial light conditions to manipulate the flowering stage of hemp.

5. **Hemp Variety Category A**: varieties formally approved (produced from “certified” seed and previously grown in Montana) by the department.

6. **Hemp Variety Category B**: certified (but not previously grown in Montana) varieties approved by other states or countries at a level equivalent to the department’s standard.

7. **Hemp Variety Category C**: all other hemp varieties that an applicant reasonably believes will not produce a plant with over 0.3% Total THC at any time prior to harvest and are not in Category D.

8. **Hemp Variety Category D**: includes all varieties forbidden by any federal law or regulation or added by rule by the Department because of its inability to consistently produce hemp.

9. **Certified**: as it relates to certification of seed, certification from AOSCA, OECD or another department recognized official certifying agency that the variety of hemp is true to its genetic traits and testing has been completed to determine compliance in regard to THC levels.

10. **Variety**: a taxonomic category that ranks below subspecies (where present) or species, its members differing from others of the same subspecies or species in minor but permanent or heritable characteristics.

11. **AOSCA**: The Association of Official Seed Certifying Agencies is an organization of agencies that provide internationally recognized seed certification.

12. **OECD**: The Organization for Economic Cooperation and Development Seed Schemes are rules used by 58 participating countries to certify and label seed for varietal purity for international movement.

13. **Measurement of Uncertainty**: the range of possible values within which the true value of the measurement lies.

### 2. LICENSING & FEES

The hemp license application period is January 15 through April 30. Licenses are valid until April 30 of the year following the year of issuance. The application, applicable documentation, and fees must be postmarked prior to the deadline in order to obtain a license. Licenses cannot be assigned or transferred.

The department issues hemp licenses in (2) two progressive stages. Upon approval of the initial application, eligible applicants will be issued a **Planting license** (see Form 10.1 - MT Planting License Certificate) so they may purchase seed or live plants and plant or propagate hemp. To receive full licensure, the applicant must submit a Planting Report confirming information about the crop that was planted. Successful candidates will be issued the second stage **Production license** (see Form 10.2 - MT Production License Certificate). The Production license allows for the production and harvest of compliant hemp.

**Initial License Application Stage**
The initial license application stage requires entity information, key participant information, verification of seed/live plant source, and crop information as outlined below. Additional requirements include payment in full of the $850 nonrefundable application fee, and a signature acknowledging the Attestation Statement as well as the Risk Acknowledgment Statement.

Applicant Information:
The application (see Form 10.3 - MT Hemp License Application, Stage 1, 2020) must be legible and completed in its entirety. If the applicant is a business, the Business License Number on file with the Montana Secretary of State’s (SOS) office must be provided as well as an EIN number. A Business Name is only required if you are licensing a registered business.

Key Participants:
List the Key Participant’s full name, titles, phone numbers and emails for each person involved in the management of hemp for your operation. Key Participants are defined as “officers of the company and/or the person(s) responsible for management decisions regarding the crop” (i.e. planting date, seeding rate, pesticide or fertilizer applications, timing of harvest, etc.).

Background Checks:
Effective March 24, 2020: Due to restricted access to obtain fingerprint documentation caused by the COVID-19 emergency, the Montana Department of Agriculture waives the requirement for FBI Identity History Summary documentation for all 2020 hemp license applicants and Key Participants. This does not exempt applicants from the federal requirement of having no prior convictions of felony drug charges in the last 10 years.

Seed/Live Plant Source and Verification:
All varieties that meet the definitions of Category A, B, or C are allowed for planting. See Appendix 9.1 - 2020 Hemp Seed/Clone Variety List for information regarding Montana’s hemp variety classifications. Each variety of hemp will be reviewed by the department prior to issuance of the hemp license. The application must include for each variety the name and license number of the seed provider or nursery, and an indication of purchase: Seed or Live Plants. A copy of the seed label is required for each Category A and B variety. For Category C varieties, a copy of the seed label or the Certificate of Analysis (COA) is required.

The person providing seed and/or live plants to the grower must be licensed to distribute into the state. Seed providers must be licensed in Montana; nurseries must be licensed in their resident state. Growers who purchase live plants must submit a copy of the provider’s resident state nursery license and hemp license and verification of variety (nursery label, seed label or COA).

Crop Information:
The primary market, number of varieties and the associated quantity of grow area (i.e., acres, sq. ft. or plants) must be listed for each grow type (Outdoor, Greenhouse and/or Indoor).

Attestation Statement/Risk Acknowledgement:
The applicant’s signature is required.

Fees:
The fees collected must be commensurate with operating the program. All fees must be deposited to the credit of the state special revenue fund for use by the department for administering and enforcing the program.

A check, money order or credit/debit card payment for $850 must be submitted along with the application. Applicants who plant any Category C varieties must submit additional fees due along with their Planting Report in the second stage of the hemp license process.

**Application Submission:**
Applications may be submitted online or mailed to Montana Department of Agriculture-Hemp Program, PO Box 200201, Helena, MT 59620-0201. Applications will not be processed until all required information is received.

**Second License Application Stage**
To receive full licensure, the applicant must submit a Planting Report (see Form 10.4 - MT Hemp Planting Report, Stage 2, 2020) confirming final information about the planted crop. Successful candidates will be issued the Production license, allowing for the production and harvest of compliant hemp, and providing verification of location(s) and variety(s) of hemp for growing, transporting and for sale purposes.

**Required Planting Report information:**
1. Variety - Listed separately by Lot
2. Latitude/Longitude of the Lot or structure
3. Aerial Maps
   i. An overview map must be included that shows all locations relative to each other and the nearest municipality.
   ii. A separate map must be included showing the boundaries of the Lot(s), and identifying the Lot number, variety and the grow area size for each Lot.
   iii. For multiple Lots contained in a greenhouse or indoor structure, the map need only identify the location of the structure.
4. Quantity of Growing Area - Listed as: Acres for Outdoor, Sq. Ft. for Greenhouse and number of Plants for Indoor grows.
5. Estimated Harvest Date - Specify the estimated date of harvest. The department must sample within a 3-week period prior to harvest. Compliant sample results are required for the sale of Category C varieties.
6. Landowner Name/Signature - Printed names and signatures are required of each legal landowner (or an authorized agent) for each property used to grow hemp, including land owned by the license holder. Rented or leased property must have the actual landowner signature.

**Planting Report due dates:**
1. Outdoor crops - within 4 weeks of seeding or planting, but no later than July 15.
2. Greenhouse and Indoor crops - within 4 weeks of seeding, planting, propagation, or receipt of live plants.

**Greenhouse and Indoor Grow Submission Requirements:**
Growers with multiple crops per year must submit a Planting Report for each crop. Plants not
intended to be harvested must also be reported, including mother plants or any clones/live plants intended to be sold.

Fees:
Fees for routine sampling and testing of Category A and B varieties are included in the licensing fees.

Sampling and testing costs for crops of Category C varieties require additional fees. Growers who plant a Category C variety must submit a $250 planting fee with the Planting Report submission. The initial $250 fee covers the cost for the first Category C sampled. An additional $250 is required for each additional Category C sample collected and tested. MDA will invoice Category C varieties accordingly.

A license holder that requires multiple sampling events (due to extended or multiple harvest dates, lack of or incorrect harvest date reporting, or requests for subsequent Lot sampling) will be charged $250 per sample, regardless of the variety Category.

Additional Licensing Information:
- Growers intending to sell live plants must conform with the Requirements for the Sale of Live Plants Policy, Appendix 9.2.
- To add, change or update a variety intended for planting, a licensee must submit the department’s amendment request form (see Form 10.5 - MT Hemp Variety Update) and receive department approval.
- A licensee must report any changes to contact information listed on the licensee’s application form within 10 days of the change by emailing the department at hempinfo@mt.gov.
- License holders with unpaid testing fees from a previous year are ineligible for subsequent hemp license(s).
- Any applicant that does not meet the conditions of the Production License will forfeit their Planting license and the crop will require destruction. Harvesting hemp without a state issued Production license is a violation of state and federal law.

3. REPORTING REQUIREMENTS
A licensee must notify the department within 30 days prior to actual harvest of any change in the reported Estimated Harvest Date of more than 5 days. Conducting harvest more than 3 weeks after samples are collected may result in additional sampling with the license holder being responsible for additional fees.

Each license holder should submit information required by the 2018 Farm Bill and USDA’s Interim Final Rule (IFR) to the USDA Farm Service Agency as outlined in said documents.

Each licensee must annually submit an Agricultural Agronomic Report (see Form 10.6 - MT 2020 Annual Hemp Harvest Report) listing the sale or distribution of any hemp grown by the licensee. The report
must include:
- name and address of the person receiving the hemp,
- quantity of harvested area (i.e., acres, sq. ft. or plants)
- crop yield (i.e., pounds/acre, sq. ft. or plants)
- the form of the product sold or distributed, listed as:
  - Grain, used primarily as a food
  - Seed, used for further propagation
  - Flower, buds of the plant intended for the extraction of CBD oil
  - Stalk, stem of plants with or without fan leaves (containing no flowers) intended primarily for use in the fiber industry
  - Whole plant, entire plant not including the roots.

A licensee must keep all records related to the planting, growing, harvesting, storage, destruction, distribution, sale and/or processing of hemp, and make those records available for inspection for a minimum of three years.

4. INSPECTIONS & SAMPLING
The department will conduct inspections and perform sampling of hemp as outlined in Appendix 9.3 - Procedure Guidance for Sample Collection, Sample Prep and Delivery, Version 11.2, along with associated forms.

Any harvest date beyond the 3-week pre-harvest sampling event must be approved by the department. A license holder that requires multiple sampling events (due to extended or multiple harvest dates, lack of or incorrect harvest date reporting, or requests for subsequent Lot sampling) will be charged $250 per sample, regardless of the variety Category.

Each Category C variety Lot must be sampled and be accompanied with compliant official test results during distribution, processing and when being offered for sale.

5. LABORATORY TESTING
The department utilizes the Montana State University Analytical Lab located in Bozeman, MT for official state hemp sample testing. The Montana State Hemp Pilot Program recognizes the 2018 Farm Bill testing methodology that requires using a post-decarboxylation method, which includes the calculation of THCA for a measurement of Total Delta9-THC on a dry weight basis. The department uses the lab’s official Measurement of Uncertainty (MU) of 0.0453% in its determination of compliance regarding Total THC levels of concentration. Official test results will be reported on Form 10.7 - MT Hemp Sample Lab Report.

% Total Delta9-THC = %Delta9-THC + (%Delta9-THCA x 0.8772)
Jona Verret
Laboratory Bureau Chief
Phone: (406) 994-6408
E-mail: JVerret@mt.gov
McCall Hall, Montana State University
PO Box 173620
Bozeman, MT 59717-3620

The laboratory is accredited to ISO/IEC 17025 for the specific tests listed on A2LA Certificate Number 2694.01. The laboratory is certified in forage analysis by NFTA.

Proficiency Testing
The laboratory participates in the following proficiency testing programs every year:
§ National Forage Testing Association (NFTA)
§ Association of American Feed Control Officials (AAFCO)
§ Magruder (Fertilizer)
§ EPA pesticide residues in soil and plant tissue

6. INVOICING FOR ADDITIONAL SAMPLING & TESTING
The fees for additional Category C samples collected and tested, and not previously paid for, will be invoiced to each license holder at $250 per sample. Invoices will be sent monthly and are due upon receipt. The balance must be paid within 30 days. Non-payment may result in ineligibility of future licensure.

7. ENFORCEMENT
For determining compliance regarding the 0.3% Total THC level of concentration allowance, the department uses its official Measurement of Uncertainty (MU) of 0.0453%. Example calculations are as follows:

- Compliant: a result of 0.3503 +/- MU of 0.0453 = range of 0.305 to 0.3956 (0.305 rounds to 0.30)
- Violation: a result of 0.3504 +/- MU of 0.0453 = range of 0.306 to 0.3957 (0.306 rounds to 0.31, which is greater than the allowable 0.3%)

For any violation of state or federal regulations regarding hemp, the department has the responsibility to determine whether the violation will be treated as negligent or greater than negligent.

For negligent violations, the department will issue a Notice of Non-Compliance and require a corrective action plan for the producer. The producer shall comply with the corrective action plan to cure the negligent violation. Corrective action plans will be in place for a minimum of two (2) years from the date of their approval. If a subsequent violation occurs while a corrective action plan is in place, a new corrective action plan must be submitted with a heightened level of quality control, staff training, and quantifiable action measures.
Examples of violations the department may consider as Negligent include:

- Failure to provide, or accurately provide, a legal description of the land on which the producer produces hemp,
- Failure to obtain a hemp license,
- Failure to maintain required records,
- Failure to submit required and accurate information,
- Conducting harvest more than 3 weeks post sampling without prior approval, and
- Produce Cannabis with a Total THC concentration of greater than 0.5% on a dry weight basis.

A producer who negligently violates this plan three times in a five-year period will be ineligible to produce hemp for a period of five years from the date of the third violation. A Negligent violation will not be subject to criminal enforcement action by the federal, tribal, state, or local government.

For violations made with a culpable mental state greater than negligence, the department will issue a Notice of Non-Compliance, report the licensee to the US Attorney General, the Montana Attorney General and the local law enforcement agency, and begin proceedings for suspension of licensure. Corrective action plans are not available for these violations. Findings of a violation greater than negligent will result in revocation of licensure.

Examples of violations the department may consider greater than negligent include:

- Three negligent violations in a five-year period,
- Failure to disclose a conviction of a felony relating to a controlled substance under State or Federal law within the past 10 years while possessing a state hemp license,
- Failure to obtain a hemp license,
- Materially falsifying information,
- Intentionally, knowingly, or recklessly producing hemp greater than 0.5% Total THC on a dry weight basis, and
- Produce Cannabis with a Total THC concentration of greater than 1.0% on a dry weight basis.

The department will weigh and consider the standard of care that a reasonably prudent person would have exercised in a similar situation when determining whether a violation was committed with a culpable mental state greater than negligence and assigning penalties. Such violations may be subject to other state, tribal or federal regulatory action.

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1 - “Culpable mental state greater than negligence” is a term used in the 2018 Farm Bill to determine when certain actions would be subject to specific compliance actions. This term means to act intentionally, knowingly, willfully, recklessly, or with criminal negligence.
For violations regarding Total THC levels of official samples, the department will utilize the procedures and guidance outlined in Appendix 9.4 - Mitigation Guidance and the following associated forms:

- **10.8 MT Hemp Sample Results Informational letter**
- **10.9 MT Hemp Sample Results Affidavit letter**
- **10.10 MT Hemp Affidavit**
- **10.11 MT Hemp Sample Results Corrective Action Plan letter**
- **10.12 MT Hemp Sample Results Disposal/Destruction letter**

Each violation may be considered separately. Any person whose violation is not corrected as outlined in the Corrective Action Plan may have their license(s) suspended or terminated after 30 days written notice. An administrative hearing or informal appeal under MAPA is available if a party timely chooses to dispute either level of violation or the corrective action plan. The department may reinstate the license if good cause is shown and the reinstatement fees are paid.

**Corrective Action Plans**
For any negligent violation, the license holder must submit a written proposal of correction to the department within 15-business days of notification of the violation. The proposal form (see Form 10.13 - MT Proposal of Correction/Disposal/Destruction) must include, but is not limited to, a list of responsible parties, a reasonable time frame in which the correction will be implemented and resolved, any and all information necessary to prove compliance, and as applicable, the location, the Lot number, Lot size, variety of hemp, equipment used, and method of correction. Upon approval, the department will issue and require signatures on a Corrective Action Plan (see Form 10.14 - MT Corrective Action Plan) and the license holder must correct the issue within 30 days of notification.

Allowable Corrective Action Plans include:

- Removal and destruction of THC by a Montana licensed hemp processor in Montana
- Removal and destruction of non-compliant plant parts (e.g., flowers) and sale or distribution of salvageable plant parts (e.g., fiber).

### 8. DISPOSAL/DESTRUCTION OF HEMP

Any disposal or destruction of hemp, whether voluntary or by order of the department must comply with state procedures. The license holder is responsible for assuring the non-compliant hemp plant or plant parts are rendered into a non-retrievable or non-ingestible form and is non-viable for further propagation, distribution, or sale. The license holder is responsible for the control of volunteer plants of hemp in following years. The license holder must notify the local sheriff’s office of any destruction or disposal process.

Examples of reasons the department will require destruction include:

- A lack of records indicating the hemp was produced by a licensee or on a registered growing site,
- Lack of control by the license holder,
- Total THC level exceeding 1.0% on a dry weight basis, and
- Total THC level exceeding 0.5% on a dry weight basis without an approved Corrective Action Plan for remediating the hemp into a compliant commodity.
Options of allowed disposal/destruction methods include, but are not limited to:

- plowing under, disking, or composting a crop into green manure for use on the same land,
- chopping or mowing a crop and incorporated into the soil on the same land,
- deep burial of plants or plant parts, and
- devitalization or sterilization of seed (devitalized seed can be sold as grain),
  - Options include:
    - Steam Heat – The use of steam for rendering seed or grain non-viable requires that the seed lot be homogenous and that all parts of the seed lot be subjected uniformly and continuously to steam heat for a minimum of 15 minutes. The entire lot must be exposed to live steam. If subsequent testing shows that the lot is not 100% non-viable, the process must be repeated.
    - Infra-Red Radiation – Industrial Hemp can be rendered non-viable through an infra-red cooking process. This is accomplished by first tempering the seed to a moisture content of 13 to 14 percent. The seed is then heated using natural gas generated infra-red energy of a wavelength of 1.8 to 3.2 microns. The seed must be heated to a minimum temperature of 230 degrees Fahrenheit. The seed flow rate must be set to assure that the time of cooking includes heating time from ambient to treatment temperature, and that treatment time is sufficient to result in non-viable seed. If subsequent testing shows that the lot is not 100% non-viable, the process must be repeated.

For crops, plants or plant parts that are required to be disposed of or destroyed by the department, the grower must submit Form 10.13 - MT Proposal of Correction/Disposal/Destruction providing applicable information for approval prior to disposal/destruction. Additional requirements include submission of pictures showing proof of destruction a form signed by an independent third party verifying the witness visually observed the disposal/destruction, see Form 10.15 - MT Hemp Disposal/Destruction Witness Statement.

The department must submit a monthly report to USDA of any destruction occurrence of non-compliant plants or plant parts. The report shall contain the following information:

- Name and address of the license holder,
- License or authorization identifier,
- Location information (e.g., lot number, location type and geospatial location),
- Test results,
- Information on the person handling the disposal,
- Disposal completion date, and
- Total grow area.

   Links are provided to the actual documents. As available, the documents are illustrated for reference.
9.1. **2020 Hemp Seed/Clone Variety List**

Montana 2020 Hemp Seed/Clone Variety List
February 21, 2020

**Category A** - are varieties formally approved by the department.

CFX-1, CFX-2, CRS-1, Canda, Carmagnola, Carmagnola Select, Fedora 17, Grandi, Joey, Katani, Picolo.

**Category B** - are varieties approved by other states or countries at a level equivalent to the departments.


**Category C** - are all other hemp varieties that an applicant reasonably believes will not produce a plant with over 0.3% THC at any time prior to harvest and are not in Category D (Category C varieties will require additional sampling and testing at the grower’s expense).

**Category D** - includes all varieties forbidden by any federal law or regulation or added by rule by the Department because of its inability to consistently produce hemp.
9.2. **Requirements for the Sale of Live Plants Policy**

**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.

[Signature]

Ben Thomas, Director
Montana Department of Agriculture
9.3. **Procedure Guidance for Sample Collection, Sample Prep and Delivery** (Ver 11.2-10/23/20)
Not available for illustration, click the link above.

9.4. **Mitigation Guidance**

**Montana 2020 Hemp Pilot Program**

**Mitigation Guidance for Hemp Test Results**

1. **Total delta-9 THC results of not greater than 0.3%** on a dry matter basis
   - Issue the *Informative* letter with results attached via email and standard mail
   - Product is allowed to be distributed, sold and/or processed by the grower

2. **Total delta-9 THC results greater than 0.3% but not greater than 0.5%** on a dry matter basis
   - Issue the *Affidavit* letter with results and Affidavit form attached via email and Certified mail
   - Product is allowed to be distributed, sold and/or processed by the grower when the signed Affidavit is received by the department
   - Grower and Processor are responsible for assuring the Total THC is not greater than 0.3%

3. **Total delta-9 THC results of greater than 0.5% but not greater than 1.0%** on a dry matter basis
   - Issue the *Corrective Action* letter with results attached via email and Certified mail
   - Options include destroy or mitigate, mitigation includes a strike against the licensee
     - Mitigation options include:
       - Extraction of and legal disposal of THC by a licensed processor
       - Harvest of seed or fiber only
       - All methods require a written plan approved by the department and signed by all persons involved
       - Testing of final product (e.g., tinctures, salves) may be required on a case-by-case basis. Tests results may be allowed from private labs.

4. **Total delta-9 THC results of greater than 1.0%** on a dry matter basis
   - Issue the *Destruction* letter with Lab Report and Disposal/Destruction Proposal form attached via email and Certified mail
   - Notify local sheriff's office, DEA and USDA
   - Require a written destruction plan of the licensee
   - Upon approval, destruction will be required within 30 calendar days
   - Requires signed Hemp Disposal/Destruction Witness Form by an independent third party
10. **FORMS** - See pages 14 through 29

Links are provided to the actual documents. As available, the documents are illustrated for reference.

10.1 **MT Planting License Certificate**

![MT Planting License Certificate](image)

**MONTANA DEPARTMENT OF AGRICULTURE**

PO Box 200201 - Helena, Montana 59620-0201

https://agr.mt.gov/Industrial-Hemp - (406) 444-5430

**2020 HEMP PLANTING LICENSE**

This is to certify that

<<Company Name>>
<<F Name L Name>>  
License Number: MTSHP-<<####>>
<<Address>>
<<City, ST ZIP>>

is licensed under the Montana State Hemp Program and is authorized to

Purchase hemp seed and clones
Plant hemp in Montana

The licensee has met the requirements of the Planting License for the Montana State Hemp Program.

The licensee must report all plantings of hemp to the department and provide additional information for each planting to receive the full licensure of the Hemp Production License.

This certificate must be available at inspection.

This License Expires: April 30, 2021
Issue Date: <<DATE>>

[Signature]
Director, Montana Department of Agriculture
### 10.2 MT Production License Certificate

**Montana State Hemp Program**

**2020 ANNUAL HEMP PRODUCTION LICENSE**

This is to certify that
<<Business Name>>
<<F Name L Name>>
<<Address>>
<<City, ST, Zip>>

is authorized to conduct business as a **Licensed Montana Hemp Grower**

of the following varieties from the following locations:

<table>
<thead>
<tr>
<th>Crop/Lot Number</th>
<th>Latitude / Longitude</th>
<th>Variety</th>
<th>Category</th>
<th>Lot Quantity</th>
<th>Units</th>
<th>County</th>
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The licensee has met the requirements of the Montana Hemp Production License.

This License Expires: April 30, 2021
Issue Date: <<Date>>

This certificate must be available at inspection.

Director, Montana Department of Agriculture
10.3 MT Hemp License Application, Stage 1, 2020

2020 INDOOR/OUTDOOR HEMP LICENSE APPLICATION

Complete the information below, verify the information you are providing is correct, and sign the document. Applications must be completed by an authorized company representative. Applications can be submitted via email to nocertifications@mt.gov.

APPLICATION INFORMATION

Name of Licensee: Montana Hemp Research & Development
Licensee Address: 123 Research Street, Bozeman, MT 59715
Business Name: Montana Hemp Research & Development
Business Address: 123 Research Street, Bozeman, MT 59715
Business Phone: 406-555-1234
Business Email: info@montanahemp.com
Business Website: www.montanahemp.com

CONFIRMATION OF PRIMARY CONTACT AND AGENTSHIP INFORMATION FOR THIS APPLICATION

Applicant's Name: John Doe
Applicant's Address: 123 Farm Road, Bozeman, MT 59715
Applicant's Phone: 406-555-1234
Applicant’s Email: jdoe@montanahemp.com

INSTRUCTIONS

The hemp license application is to apply for the growing of hemp for the period of January 2020 through December 2020. The applicant is responsible for ensuring that all information provided is accurate and complete. The application must be completed by an authorized company representative. Applications must be submitted via email to nocertifications@mt.gov.

The Department of Agriculture requires all hemp license applications to be submitted via email to nocertifications@mt.gov. Applications can be submitted via email to nocertifications@mt.gov.

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## 10.4 MT Hemp Planting Report, Stage 2, 2020

### LICENSE INFORMATION

<table>
<thead>
<tr>
<th>Licensee Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Montana Hemp Pilot Program</td>
<td>100 Main St, Bozeman, MT 59715</td>
</tr>
</tbody>
</table>

- Licensee Name: Montana Hemp Pilot Program
- Address: 100 Main St, Bozeman, MT 59715

### OUTDOOR LOCATIONS

<table>
<thead>
<tr>
<th>Variety</th>
<th>Latitude/Longitude of Center of Lot</th>
<th>City of Farm Area (ACRES)</th>
<th>Primary Market</th>
<th>Primary Market 2</th>
<th>Received Nurturant Date</th>
<th>Endowment Harvester Name</th>
<th>Endowment Harvester Signature</th>
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</thead>
<tbody>
<tr>
<td>1</td>
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### GREENHOUSE LOCATIONS

<table>
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<tr>
<th>Variety</th>
<th>Latitude/Longitude of Center of Lot</th>
<th>City of Farm Area (ACRES)</th>
<th>Primary Market</th>
<th>Primary Market 2</th>
<th>Received Nurturant Date</th>
<th>Endowment Harvester Name</th>
<th>Endowment Harvester Signature</th>
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### BRIDGECOMM LOCATIONS

<table>
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<th>Variety</th>
<th>Latitude/Longitude of Center of Lot</th>
<th>City of Farm Area (ACRES)</th>
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<th>Primary Market 2</th>
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<th>Endowment Harvester Name</th>
<th>Endowment Harvester Signature</th>
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INSTRUCTIONS

The Hemp Pilot Program is open to all growers who plant or grow hemp for crop, in the state of Montana with a 2020 license, whether growing outdoor, in a greenhouse or indoor (using light to manipulate the flowering stage of hemp). This report must be completed by the hemp grower or an authorized company representative. This production license will not be issued until the Hemp Planting Report is reviewed and approved.

The department issues hemp licenses in five progressive stages. To be eligible for the Production Review, an applicant must have completed and submitted an approved Planting License. The planting license allows for the purchase of seed or live plants and the planting or preservation of hemp. To receive the second stage (Production license), the applicant must submit the Hemp Planting Report containing information about the crop that is planted. The Production license allows for the production of one batch of hemp. Any applicant that does not meet the conditions of this Production Review will forfeit their Production license and the crop will be destroyed. Visit the department's website for more information.

From: A check or money order must be enclosed with your application forms. Mail to the Montana Department of Agriculture, for the application to be considered. Please include a license number in your check Memo.

Greenhouse and Indoor Grow Submission Requirements: If a grower has multiple crops per year, a Planting Report is required for each crop, with the 4 week notice of seeding, planting, transplanting, or harvest of live plants. Plants that are asexual or non-inland must be also be reported, including nursery plants and plants that are intended to be sold as live plants. Crops must be reported within 4 weeks of planting.

Definitions:
Crop: a list of plants in a similar stage of growth (e.g., plants beginning the flowering stages on March 3 would be a separate crop than plants beginning the flowering stage on June 3).
Rumbling Stage: “the above white plants cistus may have flowers.”

Greenhouse Grow: “an attempt to manipulate the flowering stages of the plant.”
- A contiguous or intermediate stage by a class of species, greenhouse, or indoor growing structure containing the green leaf of hemp throughout the area and having a harvest date within 3 weeks.

Location Information: Complete one set of the location forms, as applicable to your operations, by providing the map and information respective to Office. Complete one per indoor grow area. Each field must be listed separately. The same area of a greenhouse but transplanted to the grower's facility or considered an outdoor crop must list these sites on the Greenhouse forms. Plants grown outside the use of light to manipulate the growth stage is considered the greenhouse area. Examples for field information include:
- The same variety grown in different fields in different growing conditions and harvest timing is considered the same field.
- The same variety grown in different fields under different growing conditions or a harvest date of more than 2 weeks later considered as different fields.
- The same variety grown in fields of different locations within the conditioned separate fields.

For each field, list the:
- Variety: list each variety separately by field.
- Latitude/Longitude: this must be within the center of the LOT, field, or structure.
- An overview map must be included that shows all locations relative to each other and the nearest road/property.
- An overview map must be included showing the boundaries of the LOT(s), and identifying the LOT number, and help to define the survey size for each LOT.

Montana 2020 Hemp Pilot Program Plan
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Ver 1.6-10/23/2020
10.5 **MT Hemp Variety Update**

<table>
<thead>
<tr>
<th>Seed/Live Plant Source and Verification Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complete the information for each additional variety you are applying to grow, if additional information is required. See the instructions for additional information.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Variety</th>
<th>Name of Licensed Seed Dealer or Nursery</th>
<th>License Number of Seed Dealer or Nursery</th>
<th>Seed or Live Plants?</th>
<th>Documentation Attached?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

List each variety you previously submitted for review last season that is not intended to grow again.

<table>
<thead>
<tr>
<th>Applicant Printed Name</th>
<th>Applicant Title</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</table>
10.6 MT 2020 Annual Hemp Harvest Report

November 2, 2020

License Number: MTHP-####

MT 2020 Annual Hemp Harvest and Distribution Report

The enclosed forms include a Hemp Harvest Report and the Hemp Distribution Report. Each is required to be completed and returned before December 31, 2020.

On the Harvest Report form, each variety or lot as determined by the department printed has been entered for your convenience. The harvest and/or the destruction of the total quantity for each lot must be reported.

On the Distribution Report form, list each entity that you distributed your hemp plants or hemp seed to. If no 2020 crop has been distributed by you, indicate on the report and return. Crop distributed after the 2020 deadline will be included in the 2023 report.

The Distribution Report is not intended for processed products. If you processed your own crop, report yourself as the receiving entity and only list the raw hemp plants/seed. If you distributed plants/seed to a processor and received processed product back, only list the materials you distributed.

Please complete the report in its entirety and return to the address listed on the report. Failure to complete reporting requirements may disqualify you from future license.

If you did not plant, harvest or distribute a crop in a certain lot, the form must still be completed and returned. State whether this crop or lot was not planted, lost due to crop failure, or destroyed before harvest.

<table>
<thead>
<tr>
<th>Report submitted for license:</th>
<th>Signature</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>License Number: MTHP-####</td>
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2020 ANNUAL HEMP HARVEST REPORT

Imported Department of Agriculture
Montana State Hemp Program

November 2, 2020

<table>
<thead>
<tr>
<th>Peaceful Number</th>
<th>Variety</th>
<th>Lot status</th>
<th>Origin on site</th>
<th>Quantity (dry weight)</th>
<th>Number of plants</th>
<th>Harvest date</th>
<th>Yield (pounds per acre)</th>
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<td>1-001</td>
<td>Dynasty</td>
<td>Approved</td>
<td>Montana</td>
<td>1000 lbs</td>
<td>5000</td>
<td>9/15</td>
<td>200 lbs</td>
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<td>1-002</td>
<td>Montana</td>
<td>Approved</td>
<td>Montana</td>
<td>2000 lbs</td>
<td>10000</td>
<td>9/15</td>
<td>200 lbs</td>
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<td>Harmony</td>
<td>Approved</td>
<td>Montana</td>
<td>3000 lbs</td>
<td>15000</td>
<td>9/15</td>
<td>200 lbs</td>
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<td>Zeds</td>
<td>Approved</td>
<td>Montana</td>
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<td>9/15</td>
<td>200 lbs</td>
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<td>1-005</td>
<td>Clairn</td>
<td>Fail</td>
<td>Montana</td>
<td>5000 lbs</td>
<td>25000</td>
<td>9/15</td>
<td>200 lbs</td>
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2020 ANNUAL HEMP DISTRIBUTION REPORT

Imported Department of Agriculture
Montana State Hemp Program

November 2, 2020

<table>
<thead>
<tr>
<th>Planting Entity Name</th>
<th>Identification #</th>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
<th>Yield (pounds per acre)</th>
<th>Exported (pounds)</th>
<th>Received (pounds)</th>
<th>Total (pounds)</th>
<th>Caliber</th>
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</table>

| Montana 2020 Hemp Pilot Program Plan | Page 20 of 29 | Ver 1.6-10/23/2020 |
10.7 **MT Hemp Sample Lab Report**

To: Andy Gray  
Hemp Program Coordinator

From: Jona Veresh  
Laboratory Bureau

Subject: Test Result for H-1234 A

<table>
<thead>
<tr>
<th>Analyte</th>
<th>Results</th>
<th>Unit</th>
<th>Pass / Fail</th>
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<tbody>
<tr>
<td>Delta9-THC dry weight</td>
<td>0.1447</td>
<td>%</td>
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<tr>
<td>Delta9-THCA dry weight</td>
<td>0.2345</td>
<td>%</td>
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</tr>
<tr>
<td><strong>Total delta9-THC dry weight</strong></td>
<td>0.3504</td>
<td>%</td>
<td>FAIL</td>
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</table>

Laboratory Number: AC00503  
Inspector’s Name: Andy Gray  
Collected: 04/06/2020  
Received: 04/15/2020  
Printed: 04/17/2020

%Total delta9-THC = % Delta9-THC + (% Delta9-THCA x 0.8772)

Measurement uncertainty for "Total delta9-THC dry weight" is estimated to be +/- 0.0453(65% CI, k=2).

Method Reference: Montana Department of Agriculture, Cannabidiol, H, Revision D, November 2016, "Determination of Cannabinoids in Hemp and Hemp Products by Liquid Chromatography-UV Detection."

QA/Technical Reviewer: ____________________  Regulatory Reviewer: ____________________

The results issued on this report only reflect the analysis of the sample submitted.
<<DATE>>

<<FIRST NAME LAST NAME>>
<<BUSINESS NAME>>
<<ADDRESS>>
<<CITY, ST ZIP>>

License Number: MTSHP-<<LICENSE #>>

RE: **Informational** - THC Analysis Results for Hemp Sample Number: H-__________

Dear <<FIRST NAME LAST NAME>>,

Enclosed you will find the analytical results for the official sample referenced above. The sample was collected under authority of the 2018 Farm Bill and USDA's Interim Final Rule. Information related to the sample and the Lot(s) it represents can be found in the enclosed Lab Report.

We are providing these analytical results for your information. The Total Delta 9-THC percentage is within the allowable 0.3% on a dry weight basis and the referenced Lot was compliant with state and federal regulations on the date of sampling. Raw hemp plants and/or plant parts harvested within 3 weeks of the sampling date are free to enter the chain of commerce. A copy of the Lab Report must accompany product from this Lot during distribution.

The department reminds you that Section 80-18-106, MCA requires that each licensee will be responsible for notifying the department of the sale or distribution of any hemp grown by the licensee, including the name and address of the person receiving the hemp. Information on the reporting format and due date is available on our website at [https://agr.mt.gov/hemp](https://agr.mt.gov/hemp).

If you have any questions, contact me at (406) 444-0512 or by email at angray@mt.gov.

Sincerely,

Andy Gray
Hemp Program Coordinator

Enclosure: Lab Report
<<DATE>>

<<FIRST NAME LAST NAME>>
<<BUSINESS NAME>>
<<ADDRESS>>
<<CITY, ST. ZIP>>

License Number: MTSHP-<<LICENSE #>>

CERTIFIED MAIL # ____________________________

RE: Affidavit - THC Analysis Results for Hemp Sample Number: H-__________________________

Dear <<FIRST NAME LAST NAME>>,

Enclosed you will find the analytical results for the official sample noted above. The sample was collected under authority of the 2018 Farm Bill and USDA’s Interim Final Rule. Information related to the sample and the Lot(s) it represents can be found in the enclosed Lab Report.

We are providing these analytical results for your information. The Total Delta-9-THC percentage is greater than 0.3%, but less than 0.5% on a dry weight basis. As such, the referenced Lot is non-compliant and must be remediated to meet state and federal regulations prior to distribution of raw hemp plants and/or plant parts. Montana considers hemp with a Total THC concentration level of not greater than 0.5% to be in a safe harbor range. This means a Notice of Non-Compliance will not be issued if the license holder agrees to legally dispose of/destroy the Lot or to mitigate the violation through an affidavit process.

If the licensee chooses to remediate the Lot, the department requires an affidavit be signed, notarized and submitted to the department before product from the referenced Lot can be processed, commingled, transported or sold. This letter, a copy of the official state Lab Report, and a copy of the signed Affidavit must accompany any material from this Lot until it becomes a compliant product. A copy of test results showing the product is compliant must also accompany the sale of remediated product from this Lot.

The department reminds you that Section 80-18-106, MCA requires that each licensee will be responsible for notifying the department of the sale or distribution of any hemp grown by the licensee, including the name and address of the person receiving the hemp. Information on the reporting format and due date is available on our website at https://agr.mt.gov/Hemp.

If you have any questions, contact me at (406) 444-0512 or by email at angray@mt.gov.

Sincerely,

Andy Gray
Hemp Program Coordinator

Enclosure: Lab Report
Hemp Affidavit

MT 2020 Hemp Plan: Form 10.9 - Affidavit letter

Ver 4/27/2020
Hemp Affidavit

An official sample, as noted below, of hemp plant parts was collected by the Montana Department of Agriculture for the following licensee:

<<FIRST NAME LAST NAME>>
<<BUSINESS NAME>>
<<ADDRESS>>
<<CITY, ST ZIP>>

License Number: MTSHP-<LICENSE #>

Sample Number: ______________________
Variety: ______________________
Lot ID: ______________________
Lot Quantity: ______________________ (expressed in acres, pounds, sq. ft. or number of plants)

The total Delta 9-THC concentration is greater than the allowed 0.3% on a dry weight basis, but within the safe harbor range of 0.5%. The department requires this affidavit be signed by the license holder, notarized and returned to the department prior to product from the lot sampled being commingled, processed or sold.

I, the undersigned, will:

[ ___ ] process said lot to be not greater than 0.3% Total Delta 9-THC in the final product prior to selling.

[ ___ ] be responsible for assuring the buyer that processes said lot will produce a product to be not greater than 0.3% Total Delta 9-THC in the final product.

License Holder (printed name) __________________________ License Holder (signature) __________________________ Date __________

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of Montana
County of ______________________) SS.
Subscribed and sworn to (or affirmed) before me on this _____ day of ____________, 20____, by ______________________
name of signer(s)
provided to me on the basis of satisfactory evidence to be the person(s) who appeared before me.
________________________ (seal)
signature of notary public
10.11 **MT Hemp Sample Results Corrective Action Plan letter**

<<DATE>>

<<FIRST NAME LAST NAME>>

License Number: MTSHP-<LICENSE #>>

<<BUSINESS NAME>>

<<ADDRESS>>

<<CITY, ST ZIP>>

CERTIFIED MAIL # ___________________

RE: **Corrective Action Plan - THC Analysis Results for Hemp Sample Number: H-________________**

Dear <<FIRST NAME LAST NAME>>,

Enclosed you will find the analytical results for the official sample noted above. The sample was collected under authority of the 2018 Farm Bill and USDA’s Interim Final Rule. Information related to the sample and the Lot(s) it represents can be found in the enclosed Lab Report.

We are providing these analytical results for your information. The Total Delta 9-THC percentage is above the allowable 0.3% on a dry weight basis and outside the 0.5% safe-harbor range. As such, the referenced Lot is non-compliant and constitutes a negligent violation of the MT Hemp Plan. Three negligent violations in a 5-year period will result in 10-year suspension from the program. In order to meet marketable standards, the Lot must be remediated to meet state and federal regulations prior to distribution of raw hemp plants and/or plant parts. The product from the referenced Lot cannot be processed, commingled, transported or sold until this issue is resolved. Options towards resolution include an appeal of the test results or submission of a proposed Corrective Action Plan.

An appeal requires written submission to the Director of why you believe the test results are not accurate and a request of additional testing at the grower’s expense. A proposed Corrective Action Plan requires written submission to the Director outlining how you will process the product so that its final Total Delta 9-THC concentration is not more than 0.3%, on a dry matter basis; or, include a plan on how you will legally dispose of or destroy the hemp. Either option must be approved by the department.

The proposed Corrective Action Plan must include: the timeframe in which the plan will begin and end, a list of equipment used, an overview of the process (e.g., extraction and legal disposal of THC), and the party(s) involved. The plan is required to be submitted to the department within 15-business days of receipt of this letter. If you have any questions, contact either Andy Gray at (406) 444-0512, by email angray@mt.gov or Cort Jensen at (406) 444-5402, by email coensen@mt.gov.

Sincerely,

Andy Gray
Hemp Program Coordinator

Enclosure: Proposal for Correction/Disposal/Destruction Form
Lab Report

MT 2020 Hemp Plan: Form 10.11 - Corrective Action Plan letter

Ver 4/27/2020
10.12  MT Hemp Sample Results Disposal/Destruction letter

<<DATE>>

<<FIRST NAME LAST NAME>>
<<BUSINESS NAME>>
<<ADDRESS>>
<<CITY, ST ZIP>>

 License Number: MTSHP-<<LICENSE #>>

CERTIFIED MAIL # ______________________

RE: Disposal/Destruction - THC Analysis Results for Hemp Sample Number: H____________________

Dear <<FIRST NAME LAST NAME>>,

Enclosed you will find the analytical results for the official sample noted above. The sample was collected under authority of the 2018 Farm Bill and USDA’s Interim Final Rule. Information related to the sample and the Lot(s) it represents can be found in the enclosed Lab Report.

We are providing these analytical results for your information. The Total Delta 9-THC percentage is above the allowable 0.3% on a dry weight basis and outside the 0.5% safe-harbor range. The test results are also greater than Montana’s allowable level of 1.0% to remediate this product. As such, the referenced Lot is non-compliant and constitutes a negligent violation (at a minimum) of the MT Hemp Plan. Three negligent violations in a 5-year period will result in 10-year suspension from the program. Product from the referenced Lot(s) cannot be processed, commingled, transported or sold. Raw hemp plants and plant parts from this Lot(s) must be legally disposed of or destroyed and requires written approval from the department to do so.

An appeal requires written submission to the Director of why you believe the test results are not accurate and a request of additional testing at the grower’s expense. A Proposed Disposal/Destruction Plan requires written submission to the Director outlining how you will legally dispose of or destroy the hemp. Options depend on whether the crop remains in the field or has been harvested.

The Proposed Disposal/Destruction Plan must include: the timeframe in which the plan will begin and end, a list of equipment used, an overview of the process (e.g., incorporation into the field), and the party(s) involved. The plan is required to be submitted to the department within 15-business days of receipt of this letter. If you have any questions, contact either Andy Gray at (406) 444-0512, by email angray@mt.gov or Cort Jensen at (406) 444-5402, by email cojensen@mt.gov.

Sincerely,

Andy Gray
Hemp Program Coordinator

Enclosure: Proposed Correction/Disposal/Destruction Plan Form
Disposal/Destruction Witness Statement Form
Lab Report

MT 2020 Hemp Plan: Form 10.12 - Disposal/Destruction letter

Ver 4/27/20
Montana Hemp
Proposal for Correction/Disposal/Destruction Form

Written destruction plans are required to include the following information:

<table>
<thead>
<tr>
<th>Licensee Name:</th>
<th>License Number:</th>
<th>MTSHP -</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business Name:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lot ID:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Quantity of Lot:</td>
<td>(expressed in acres, sq. ft., pounds or number of plants)</td>
<td></td>
</tr>
<tr>
<td>Variety or strain:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Latitude/Longitude:</td>
<td>(original Lot location and location of disposal/destruction)</td>
<td></td>
</tr>
<tr>
<td>Timeframe:</td>
<td>Start date:</td>
<td>Completion date:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Method of Disposal/Destruction:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Party(s) Involved:</td>
<td></td>
</tr>
<tr>
<td>Equipment Utilized:</td>
<td></td>
</tr>
</tbody>
</table>

Proposed plans may be submitted by mail to Montana Department of Agriculture, Attn: Hemp Program, PO Box 200201, Helena, MT 59620. For assistance, contact Andy Gray by phone at (406) 444-0512 or by email at angray@mt.gov.

NOTE: Any disposal or destruction of hemp must be visually observed by an independent third party and requires a signed Hemp Disposal/Destruction Witness form be submitted to the department. The local sheriff’s office must be notified of each disposal/destruction occurrence.
10.14 **MT Hemp Corrective Action Plan template**

**Corrective Action Plan: HEMP. [__] (template)**

**Parties**
The Montana Department of Agriculture (Department) _______ (Grower) and _______ (Processor)

**Summary**
_________ (Grower) is a licensed hemp grower [State Number: MT[______]] in the Montana Hemp Pilot program. The Montana Hemp Pilot Program is operated under the 2018 Farm Bill's extension of the 2014 hemp bill hemp pilot program. The pilot program is funded by both Federal (USDA) and State (Montana) laws, rules and regulations regarding the production of hemp and hemp products.

Official hemp samples, as outlined below, are sent to the Department and the grower sends the samples to the Department of Agriculture's Analytical Lab (DAL) for testing.

<table>
<thead>
<tr>
<th>License</th>
<th>Entry</th>
<th>Sample Number</th>
<th>Variety</th>
<th>Lot Number</th>
<th>Lot Size</th>
<th>Total delta-9 THC %</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

The Grower wishes to have the [lot(s)] listed above processed at a Montana licensed hemp processing facility [_______] _______ [_______] (Processor) that will remove all of the THC.

**Issues**
There are no pending issues.

**Agreements**
The Department finds that the results of the sample(s) are above 0.3% Total delta-9 THC. Given the nature of hemp harvesting and the proposed sale method, it is in the best interest that the crop in question would not pass the state and/or federal definition of hemp without mitigation. The crop or plant parts from the above mentioned lots cannot be sold as hemp without an approved Corrective Action Plan.

Any blending or dilution of plant materials, in pursuit of lowering the level of Total delta-9 THC, must be done at a licensed Montana hemp processor. Seed from said lots must be maintained to a non-propagative state. All products must be removed from legal products, and additional testing may be required, prior to leaving the state.

In ______________, MT will preserve the raw product so that the derivative contains not more than 0.3% Total delta-9 THC and will ensure the extracted THC is legally destroyed and disposed.

The raw product can be transported to a licensed processing facility in Montana under conditions of this agreement. A copy of this Agreement must accompany the product to be transported.

This would count as a strike under the Federal hemp as the total amount of THC is well above 0.3%, but it appears to have been inadvertent. Low enforcement will be enforced of this exception but will be warned that it has been mitigated under the state pilot program and no additional action is needed from the Department. Grower is notified of state law requiring the testing of all sales by grower and prohibits selling propagable hemp material to parties that do not have a state, federal, or tribal license to grow hemp.

**Limitations**
This current agreement is not binding against changes and future actions through State or Federal laws, rules, and regulations. MT does this agreement in any way to limit the ability of third parties to take actions against the grower for representations about the hemp city.

The statement above is not guaranteed that other state, federal, or tribal authorities will agree with the Department and acting results of this Department.

**Acceptance or Appeal**
The Director of the Department and as such the department's administrative decision made in the writing of this agreement, will be final and only issued to the Director of the Department of Agriculture. If disagree, the Department will issue the notice of the hearing.

If you choose to accept and sign this agreement, you must sign two copies and one set back to the Department of Agriculture. We will then sign both and mail back to you.

_________ (Grower) as of: ___________________________ Date: ___________________________

[Signature]

_________ as of: ___________________________ Date: ___________________________

[Signature]

_________ (Processor) as of: ___________________________ Date: ___________________________

[Signature]


Ver 1.6-10/23/2020
**Montana Hemp**

**Disposal/Destruction Witness Statement Form**

<table>
<thead>
<tr>
<th>License Holder Name:</th>
<th>License Number:</th>
<th>MTSHP-</th>
</tr>
</thead>
<tbody>
<tr>
<td>Variety or strain:</td>
<td>Lot ID:</td>
<td></td>
</tr>
<tr>
<td>Quantity and form of crop or product destroyed:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Acknowledgment:**
This form represents a legal document for which civil or criminal liability may attach. By signing below, both Witness and License Holder assert the truth of statements and information provided.

Any false statements or misrepresentations of material fact contained herein shall constitute perjury and may result in the imposition of a fine, imprisonment, or both.

<table>
<thead>
<tr>
<th>Witness Name:</th>
<th>Date of Destruction:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Witness’ Signature:</td>
<td>Signature Date:</td>
</tr>
<tr>
<td>Witness’ Relationship with Licensee:</td>
<td></td>
</tr>
<tr>
<td>Statement [include names of individuals involved, method of destruction, and quantity destroyed]:</td>
<td></td>
</tr>
</tbody>
</table>

I attest the above information is accurate and truthful.

<table>
<thead>
<tr>
<th>License Holder Signature:</th>
<th>Date:</th>
</tr>
</thead>
</table>