**R66. Agriculture and Food, Medical Cannabis and Industrial Hemp.**

**R66-33. Industrial Hemp Producer Registration.**

**R66-33-1. Authority and Purpose.**

Pursuant to Section 4-41-103.1 and Subsection 4-2-103(1)(i), this rule establishes the requirements for a person seeking an industrial hemp producer registration.

**R66-33-2. Definitions.**

For the purposes of this rule:

(1) "Department" means the Utah Department of Agriculture and Food.

(2) "Handle" or "Handling" means possessing, transporting, or storing industrial hemp for any period.

(3) "Industrial hemp" means the same as the term is defined in Subsection 4-41-102(10).

(4) "Industrial hemp producer registration" means the same as the term is defined in Subsection 4-41-102(12).

(5) "Industrial hemp product" means an item processed by a person handling industrial hemp or containing any chemical compounds derived from industrial hemp, other than cannabinoid material, including:

(a) industrial hemp processed through retting or other processing such that it is suitable fiber for textiles, rope, paper, hempcrete, or other building or fiber materials;

(b) industrial hemp seed processed such that it is incapable of germination and processed such that is suitable for human consumption; or

(c) industrial hemp seed pressed or otherwise processed into oil.

(6) "Non-compliant material" means:

(a) a hemp plant or plant material that does not comply with this rule, including a cannabis plant with a concentration of 0.3% tetrahydrocannabinol or greater by dry weight; and

(b) a cannabinoid product, chemical, or compound with a concentration that exceeds the cannabinoid product THC level.

(7) "Person" means an individual, partnership, association, firm, trust, limited liability company, or corporation or any employees of such.

(8) "Premises" means a place where an industrial hemp fiber product or hemp grain product is manufactured or produced.

(9) "Tetrahydrocannabinol" or "THC" means delta-9-tetrahydrocannabinol, the cannabinoid identified as CAS #1972-08-3.

**R66-33-3. Industrial Hemp Producer Registration.**

(1) A person who manufactures industrial hemp products in the state shall secure an industrial hemp producer registration from the department.

(2) A registration shall be obtained before any industrial hemp or hemp seed is obtained.

(3) A person seeking an industrial hemp producer registration shall provide to the department:

(a) the name of the person who manufactures industrial hemp into industrial hemp product;

(b) the address of the location where the industrial hemp product is manufactured; and

(c) written consent allowing a representative of the department to enter any premises where the person is manufacturing industrial hemp products.

(4) A person shall obtain a registration for each individual manufacturing location or storage location where industrial hemp is handled.

(5) The department may deny a registration for an incomplete application.

(6) A registration is renewable for up to a one-year period with an annual renewal application due on or before December 31st of each year.

**R66-33-4. Inspection and Testing.**

(1) The department shall have unrestricted access to randomly inspect an industrial hemp producer registrant to ensure industrial hemp received and stored in Utah is in compliance with this rule and Title 4, Chapter 41, Hemp and Cannabinoid Act.

(2) The department shall periodically sample, analyze, and test industrial hemp and industrial hemp products distributed within the state for compliance.

(3) The department may inspect industrial hemp and industrial hemp products distributed or available for distribution for any other reason the department deems necessary.

(4) The sample taken by the department shall be the official sample.

(5) Pursuant to Section 4-1-105, the department may take samples at no charge to the department.

(6) The department may, upon request, inspect a registrant's records of receipt, inventory, and industrial hemp certification.

**R66-33-5. Industrial Hemp Producer Registrant Responsibilities.**

A registrant shall:

(1) Ensure that the cannabis plant product received is certified industrial hemp.

(2) Ensure that an industrial hemp product comes from a licensed source.

(3) Maintain records of receipt and distribution.

(4) Ensure that each production location is registered.

**R66-33-6. Industrial Hemp Producer Registration Restrictions.**

(1) A registrant may not process or store industrial hemp material in any structure that is used for residential purposes.

(2) A registrant may not process or handle industrial hemp or industrial hemp material from any person who is not licensed by the department or the United States Department of Agriculture (USDA) or from a person outside the state who is not authorized by the laws of that state.

**R66-33-7. Violation.**

(1) It is a violation to manufacture or produce industrial hemp products without a registration.

(2) It is a violation to handle or store cannabis above 0 .3% THC.

(3) It is a violation to distribute or market an industrial hemp product containing a cannabinoid without the required license.

(4) It is a violation to refuse inspection of an industrial hemp producer manufacturing establishment or a storage area.

(5) It is a violation to not keep records in accordance with Section R68-39-5.

(6) It is a violation for an industrial hemp producer registrant to sell viable industrial hemp seed.

**KEY: industrial hemp, hemp fiber, hemp grain, production, registration**

**Date of Last Change: May 13, 2024**

**Authorizing, and Implemented or Interpreted Law: 4-2-103(1)(i); 4-41-103.3**