



**HEMP REGULATORY PROGRAM
USDA PROGRAM
ADMINISTRATION
PROPOSAL**

May 2024



The State of Wyoming respectfully submits our revised plan to regulate hemp production and processing in the State of Wyoming. Enclosed in this plan you will find the following:

- Wyoming Hemp Plan Policies - Page 3
- Proposed Chapter 61 Rules Pertaining to Hemp - Page 7
- Wyoming Statutes; Title 11; Chapter 51 Hemp Production - Page 23
- Hemp License Application - Page 28
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- Sampling Guidelines for Hemp - Page 46
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The eHemp online platform is used to report all required monthly, yearly, and disposal remediation reports to the USDA.

If you have any questions, please contact us at 307-777-3502.

2024

Wyoming Department of Agriculture

Hemp Plan Policies

Wyoming Hemp Plan Department Policies

Wyoming Department of Agriculture (WDA) hereby adopts the following policies regarding the Wyoming Hemp Regulatory Program:

- WDA will collect, maintain and provide to USDA: contact information for each hemp producer licensed in Wyoming, including a legal description of the land on which the producer will produce hemp, including, to the extent practicable, its Geospatial location.
- WDA will maintain an internal database of all current and expired hemp licensees.
- WDA will maintain and report to USDA the status of licensed producers (and any changes) and licensee data through the Hemp online portal.
- WDA Analytical Services Lab will maintain DEA certification and ISO/IEC 17025 Standard Accreditation.
- WDA will annually conduct random audits of 10% of all licensees to verify hemp is being produced in accordance with the provisions of Chapter 61 Rules Pertaining to Hemp
- The Department will maintain an internal database of licensees and facilities at which hemp is produced or processed in Wyoming, including a legal description for property on which each processing facility is located, for a period of not less than three (3) calendar years.

WDA will routinely report to USDA.

By the first of each month (but not later than every 30 days) the WDA will report to the USDA a report providing:

1. The contact information and the status of the license issued to each producer covered under the Wyoming Hemp Plan.
 - (i) For each new producer who is an individual and is licensed under the State plan, the report shall include the full name of the individual, Wyoming hemp license number, business address, telephone number, and email address (if available).

- (ii) For each new producer that is a business entity and is licensed under the State plan, the report shall include the full name of the entity, the principal business location address, the EIN, Wyoming Hemp license number, and the full name, title, and email address (if available) of each key participant for whom the entity is required to submit a criminal history record report.
- (iii) For each producer that was included in a previous report and whose reported information has changed, the report shall include the previously reported information and the new information.

- 2. The status of each producer's license.
- 3. The period covered by the report.
- 4. Indication that there were no changes during the current reporting cycle, if applicable.

WDA will provide a State Hemp Disposal report.

If a producer has produced non-compliant Cannabis the Cannabis must be remediated or disposed of in accordance with Section 6 of the WDA Chapter 61 rules. The WDA will submit to USDA, by the first of each month, a report notifying USDA of any occurrence of non-conforming plants or plant material, including test results, and providing a remediation or disposal record of those plants and materials. This report will include information regarding name and contact information for each producer subject to a remediation or disposal during the reporting period, and the date the remediation or disposal was completed.

The report shall contain the following information:

- 1. Name and address of the producer.
- 2. Producer license number.
- 3. Location information, such as lot number, location type, and geospatial location or other location descriptor for the production area subject to disposal/ remediation.
- 4. Remediation method used.
- 5. Identification of a retest.
- 6. Test result.
- 7. Information on the person handling the disposal.

8. Disposal completion date.
9. Total acreage.

Annual report.

WDA shall submit an annual report to USDA. The report form shall be submitted by December 15 of each year and contain the following information:

1. Total planted acreage.
2. Total harvested acreage.
3. Total acreage disposed.
4. Total acreage remediated.

Sampling Agents.

The Department will use the WDA Sampling Guidelines for Hemp to train Sampling agents. Sampling agents will be trained annually and will adhere to the WDA Sampling Guidelines.

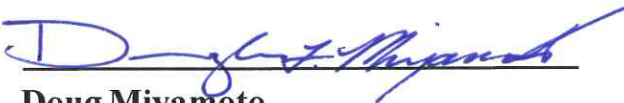
Record Retention

The Department will maintain all relevant records and information regarding licensees and facilities at which hemp is produced or processed in Wyoming, including a legal description for property on which each processing facility is located, for a period of not less than three calendar years.

Resources and Personnel

The Department will maintain adequate resources and personnel as required to carry out the activities of this plan

These Policies are to take effect May 23, 2024.



Doug Miyamoto

Wyoming Department of Agriculture, Director

Chapter 61

Rules Pertaining to Hemp

Chapter 61

Rules Pertaining to Hemp

Section 1. Authority. These rules are written in accordance with the authority provided in Wyoming Statute § 11-51-105.

Section 2. Definitions. Any applicable term defined in W.S. § 11-51-101 shall have the same meaning throughout these rules. The singular includes the plural and the plural the singular when consistent with the intent of these rules and necessary to affect their purpose.

(a) “Acceptable Hemp THC Level” means that when a laboratory tests a sample, it must report the total delta-9 tetrahydrocannabinol content concentration level on a Dry Weight Basis and the Measurement of Uncertainty. The Acceptable Hemp THC Level for the purposes of compliance with the requirements of this rule is when the application of the Measurement of Uncertainty to the reported total delta-9 tetrahydrocannabinol content concentration level on a Dry Weight Basis produces a distribution or range that includes 0.3% or less. This definition of “Acceptable Hemp THC Level” affects neither the definition of “hemp” nor the definition of “marihuana” or “marijuana” in Wyoming Statutes.

(b) “Batch” means the hemp or products processed during a specific time period indicated by a specific code as designated by a processor.

(c) “Cannabis” means a genus of flowering plants in the family Cannabaceae of which *Cannabis sativa* L. is a species, and *Cannabis indica* and *Cannabis ruderalis* are subspecies thereof. For the purposes of these rules, Cannabis also refers to:

(i) Any form of the plant in which the total delta-9 tetrahydrocannabinol concentration on a Dry Weight Basis has not yet been determined;

(ii) Any form of the plant that exceeds the Acceptable Hemp THC Level; or

(iii) Any form of the plant that has been commingled with Cannabis that exceeds the Acceptable Hemp THC Level.

(d) “Certified Laboratory” means a United States Drug Enforcement Administration certified and ISO/IEC 17025 accredited laboratory accredited for the testing of potency of cannabinoids, including THC in Cannabis.

(e) “Controlled Substances Act” or “CSA” means the Controlled Substances Act as codified in 21 U.S.C. 801 *et seq.*

(f) “Criminal History Report” means the United States Federal Bureau of Investigation’s Identity History Summary.

(g) “Culpable Mental State Greater Than Negligence” means to act intentionally,

knowingly, willfully, or recklessly.

(h) “Department” means the Wyoming Department of Agriculture.

(i) “Dry Weight Basis” means the ratio of the amount of moisture in a sample to the amount of dry solid in a sample. A basis for expressing the percentage of a chemical in a substance after removing the moisture from the substance. Percentage of THC on a Dry Weight Basis means the percentage of THC, by weight, in a Cannabis item (plant, extract, or other derivative), after excluding moisture from the item.

(j) “Geospatial Location” means a location designated through a global system of navigational satellites used to determine the precise ground position of a place or object.

(k) “Handle” means to Harvest or store hemp plants or hemp plant parts prior to the delivery of such plants or plant parts for further processing.

(l) “Harvest” means the collection of any portion of a Cannabis plant from a Licensed Area at any time. Harvest does not include the movement of Cannabis plants between Licensed Areas associated with a single hemp license.

(m) “Hemp Statute” means W.S. § 11-51-101 through -107.

(n) “Key Participant” means a sole proprietor, a partner in a partnership, a member of a limited liability company, a director of a corporation, or a person with executive managerial control in a corporation. A person with executive managerial control includes persons such as a chief executive officer, chief operating officer, chief financial officer, principal, officer, member, manager, and director. This definition does not include non-executive managers such as farm, field, or shift managers.

(o) “Licensed Area” means a field, greenhouse, hoop house, high tunnel, building, or other structure on or in which a licensee plans to produce or process hemp that is licensed by the Department. A Licensed Area may include land, buildings, or other structures that are not used for producing or processing hemp.

(p) “Lot” means a contiguous area in a field, greenhouse, or indoor growing structure containing the same variety or strain of Cannabis throughout the area.

(q) “Measurement of Uncertainty” means the parameter, associated with the result of a measurement, that characterizes the dispersion of the values that could reasonably be attributed to the particular quantity subject to measurement.

(r) “Negligence” or “Negligent” means failure to exercise the level of care that a reasonably prudent person would exercise in complying with the provisions of the Hemp Statute or these rules.

(s) “Official Test Result” means an official result prepared by a Certified Laboratory

about the analytical testing it performed and the results of the testing, including the Department's Official Test Results.

(t) "Sampling Agent" means a person trained and authorized by the Department to sample Cannabis for the purposes of these rules.

(u) "USDA" means the United States Department of Agriculture.

Section 3. Licensing.

(a) Each applicant for a license shall submit a signed, complete, accurate, and legible application. In addition to submitting the Department's application form, an applicant must submit the following:

(i) A copy of the applicant's government issued photo identification or, if a business entity, a Wyoming Secretary of State certificate of good standing.

(ii) An aerial map or photograph (e.g., from Farm Service Agency, Google, or Bing) of all the Licensed Areas on which the applicant plans to grow hemp, showing the boundaries and dimensions of each Lot in acres or square feet.

(iii) An aerial map or photograph (e.g., from Farm Service Agency, Google, or Bing) of all the Licensed Areas on which the applicant plans to process hemp, showing the boundaries and dimensions of each licensed facility in acres or square feet.

(iv) An official Criminal History Report for all Key Participants of the applicant dated within 60 days prior to the application submission date.

(b) In addition to the application, each applicant shall submit the license fee set by W.S. § 11-51-103(c)(ii).

(c) The Department will not begin reviewing an application until it receives the fee specified in W.S. § 11-51-103(c)(ii).

(d) Licenses cannot be assigned or transferred.

(e) To amend a license, including changing a Licensed Area or activity, a licensee must submit the Department's amendment request form and receive the Department's approval.

(f) A licensee must report any changes to contact information listed on the licensee's application form within 10 days of the change by completing the Department's amendment request form and submitting it to the Department via email, mail, contract carrier, or fax.

(g) A license shall be valid for the remainder of the current calendar year in which the application was approved. All licenses will expire on December 31 of each year.

Section 4. Hemp Producer Reporting and Record Keeping Requirements.

(a) A licensee who plans to produce hemp shall report to the Department and USDA Farm Service Agency:

- (i) Hemp crop acreage;
- (ii) Total acreage of hemp planted, Harvested, and disposed of;
- (iii) License number;
- (iv) Street address for each Licensed Area;
- (v) Geospatial location of each Lot or greenhouse where hemp will be produced;

and

(vi) Acreage or indoor square footage of any greenhouse dedicated to the production of hemp.

(b) A licensee must keep all records specified in this section for at least three years.

(c) A licensee must make available for inspection by the Department during reasonable business hours the following records:

- (i) Records regarding acquisition of Cannabis plants;
- (ii) Records regarding production and handling of Cannabis plants;
- (iii) Records regarding storage of Cannabis plants;
- (iv) Records regarding disposal of all Cannabis plants that do not meet the definition of hemp; and
- (v) Records pertaining to compliance with corrective action plans.

(d) Harvest Reports.

(i) No more than 30 days but not less than 15 days prior to anticipated Harvest, each licensee shall submit a Harvest report on the Department's form, via email, mail, contract carrier or fax, which must include the estimated Harvest date and location of each Lot to be Harvested within a Licensed Area.

Section 5. Hemp Producer Inspection and Sampling Protocol.

(a) Upon receipt of a Harvest report, the Department will schedule and send a Sampling Agent to the licensee's Licensed Area. Each Lot must be sampled by a Sampling Agent prior to

Harvest.

(b) A licensee must notify the Department immediately of any changes in the reported Harvest date in excess of five days. If any such changes are made, the Department may require additional sampling prior to Harvest.

(c) All licensees are subject to inspection and sampling to verify that the THC concentration level of all Cannabis does not exceed the Acceptable Hemp THC Level.

(d) During an inspection by the Department or a Sampling Agent, the licensee, a Key Participant, or a designated employee shall be present at the Licensed Area and shall provide the Department with complete and unrestricted access during reasonable business hours to all Licensed Areas and to all documents specified in Section 4 of these rules. When the Department or a Sampling Agent collects samples during an inspection, the licensee, a Key Participant, or a designated employee must accompany the Department's representative throughout the sampling process.

(e) The Department shall only use samples collected by a Sampling Agent and analyzed by the Department or an authorized agent to determine compliance with these rules.

(f) Any Official Test Results showing that a sample's THC concentration level is greater than the Acceptable Hemp THC Level shall constitute evidence that all Cannabis in the sampled Lot has a THC concentration level greater than the Acceptable Hemp THC Level and that the licensee is therefore not in compliance with the Hemp Statute and these rules. Upon receipt of such an Official Test Result, the Department will notify the licensee and USDA and require disposal of each non-compliant Lot in accordance with Section 6. The Department will develop and issue a corrective action plan to the licensee as provided in Section 14.

(g) If a licensee believes that an Official Test Result from the Department is in error, the Department will retest the sample originally collected by the Department if:

(i) The licensee requests a retest within five days of notification of the Official Test Results;

(ii) The licensee pays all costs associated with the retest; and

(iii) Payment for retesting is received within 15 days of the request for retesting.

(h) If Cannabis in a Lot has a THC concentration level that does not exceed the Acceptable Hemp THC Level, it is considered hemp and may enter the stream of commerce.

(i) Cannabis with a THC concentration level exceeding the Acceptable Hemp THC Level must be disposed of in accordance with Section 6.

Section 6. Remediation and Destruction Requirements for Hemp Producers.

(a) A licensee must dispose of non-compliant Cannabis by destroying it in accordance with this section unless the Department's corrective action plan permits the licensee to first attempt to remediate the non-compliant Cannabis.

(b) Methods of remediation include:

(i) Removing and destroying flower material, while retaining the stalk, stems, leaf material and seeds; or

(ii) Shredding and blending the entire Cannabis plant into a biomass like material.

(c) All Cannabis that has undergone remediation must be sampled and tested by the Department to ensure that the THC concentration level does not exceed the Acceptable Hemp THC Level.

(d) Remediation of non-compliant Cannabis must be completed within 60 days after notification by the Department to the licensee of a non-compliant Lot or by the end of the current calendar year, whichever occurs first.

(e) Non-compliant Cannabis Lots that the licensee does not wish to remediate or that remain non-compliant after remediation must be destroyed.

(f) Methods of destruction include:

(i) Plowing, tilling, or disking the Cannabis into the soil;

(ii) Mulching, composting, chopping, or bush mowing Cannabis into green manure;

(iii) Burning; or

(iv) Burying by covering Cannabis with at least 12 inches of soil.

(g) The licensee shall provide proof of destruction to the Department unless a Department employee observes the destruction.

Section 7. General Hemp Processing Requirements.

(a) A licensee must assign to each Batch a unique number or way to identify the product at the time of processing.

(b) A licensee that extracts THC from hemp must submit for approval by the Department a plan that ensures that the THC is destroyed in accordance with 21 CFR part 1317

and that accounts by Batch number for all THC destroyed.

(c) A licensee must submit for approval by the Department a plan that ensures that all Batches exceeding the Acceptable Hemp THC Level will be disposed of by altering or treating it to ensure that the THC level of the Batch is brought into compliance or, if compliance is not attainable, that the Batch is disposed of in accordance with 21 CFR part 1317.

(d) The licensee may not accept hemp for processing from any source other than a person licensed by the Department, the USDA, or a state or tribe with a plan approved by USDA.

(e) If the Department discovers Cannabis at a Licensed Area for processing for which records are not available to prove that the Cannabis was received from a person licensed by the Department, USDA, or a state or tribe with a plan approved by USDA, the licensee shall ensure that the Cannabis is disposed of in accordance with 21 CFR part 1317. Any Cannabis or Cannabis product commingled with Cannabis for which those records are not available must also be disposed of in accordance with 21 CFR part 1317.

(f) A licensee may not Process or Handle any Cannabis that is not hemp.

(g) A licensee may Process or Handle hemp only on or in Licensed Areas.

Section 8. Hemp Processor Record Requirements.

(a) A licensee who processes hemp must keep the following documentation available for inspection by the Department:

(i) Copies of all written agreements with licensed growers;

(ii) The Official Test Results of samples of Cannabis or hemp products.

(b) A licensee must keep and update monthly records and make them available for inspection by the Department upon request. These records must include:

(i) Hemp intake records, which must include:

(A) The name, location, and license number (Wyoming license number or other specific hemp grower identification number) for each grower from whom the licensee accepts hemp for processing;

(B) The date on which hemp is received;

(C) The amount of each variety received;

(D) The hemp products for which each variety of hemp received will be used; and

(E) The Official Test Results providing evidence that the THC concentration level of all hemp received does not exceed the Acceptable Hemp THC Level.

(ii) Disposal records for all non-compliant Cannabis, Cannabis products, hemp, or hemp products, which must include:

- (A) The date on which disposal occurred;
- (B) The method of disposal;
- (C) The location at which disposal occurred;
- (D) The name and title of the person that performed the disposal; and
- (E) Any other information required by the CSA and 21 CFR part 1317.

(iii) Processing records, which must include:

- (A) A list of hemp products made by the licensee; and
- (B) A list of buyers or recipients of hemp products, including:

- (I) The final destination of hemp products after leaving the licensee's facility;
 - (II) The description of each product sold or otherwise distributed;
 - (III) The quantity of each product sold or otherwise distributed;
 - (IV) The date of distribution.
- and

(c) A licensee must keep copies of all records, documents, and information required by these rules for at least three years and in a manner such that they can be readily provided to the Department upon request during reasonable business hours.

Section 9. Hemp Processor Inspection and Laboratory Testing.

(a) Each licensee shall select a random sample from every Batch of hemp products made at each of the licensee's facilities that is of sufficient quantity to perform the required tests.

(b) Unless otherwise indicated by the Department, a licensee shall have a Certified Laboratory test every hemp product sample to determine whether the sample's THC concentration level exceeds the Acceptable Hemp THC Level. The licensee must obtain an Official Test Result from the Certified Laboratory for each sample tested.

(c) An Official Test Result showing that the THC concentration level of a sample of a Batch does not exceed the Acceptable Hemp THC Level is evidence that the whole Batch's THC concentration level does not exceed the Acceptable Hemp THC Level.

(d) A licensee shall not sell or otherwise distribute a hemp product unless the hemp product's THC concentration level does not exceed the Acceptable Hemp THC Level and meets all of the other processing requirements in these rules.

Section 10. Storage of Hemp.

(a) Only licensees are authorized to store hemp.

(b) A licensee may store hemp obtained from a person licensed by the Department, USDA, or a state or tribe with a USDA approved plan if:

(i) The licensee identifies each storage facility on the license application;

(ii) The storage facility is owned or leased by the licensee; and

(iii) The licensee keeps complete and accurate records detailing the licensed growers from whom hemp at each storage facility was received, the varieties stored at each storage facility, and the amount of each hemp variety stored at each storage facility.

(c) A licensee must separate Harvested Lots in storage in such a manner that maintains the unique identity of each Harvested Lot. Hemp from one Lot may not be commingled with hemp from other Lots.

(d) If a licensee stores Cannabis or Cannabis products that have a THC concentration level that exceeds the Acceptable Hemp THC Level and they are commingled with hemp or hemp products, then the licensee must ensure that the non-compliant Cannabis or Cannabis products and the commingled hemp or hemp products are disposed of in accordance with Section 6 for Cannabis and hemp and in accordance with the CSA and 21 CFR part 1317 for Cannabis products and hemp products.

(e) The licensee must permit the Department to inspect all storage areas during reasonable business hours.

(f) The licensee must keep inventory records for hemp or hemp products stored, which must include:

(i) The date of inventory;

(ii) The location of stored hemp;

(iii) The name, address, and license number for each licensee that has hemp

stored at the facility:

- (iv) The total amount of each hemp product on hand for each licensee;
- (v) The total amount of hemp and hemp seed of each variety on hand;
- (vi) The total amount of unusable hemp and hemp seed of each variety on hand; and
- (vii) The name, signature, and title of the employee performing inventory.

Section 11. Incorporation by Reference.

- (a) For all regulations incorporated by reference in these rules:
 - (i) The Department has determined that incorporation of the full text in these rules would be cumbersome or inefficient given the length or nature of the rules;
 - (ii) The incorporation by reference does not include any amendments or editions of the incorporated matter later than March 1, 2022;
 - (iii) The agency originally issuing the incorporated matter has copies of it readily available to the public; and
 - (iv) The Department maintains the incorporated regulations, which is available for public inspection and copying at cost at 2219 Carey Avenue, Cheyenne, WY 82002.
- (b) The following regulations are incorporated by reference in these rules:
 - (i) 21 CFR part 1317 (2022), found electronically at:
<https://www.ecfr.gov/current/title-21/chapter-II/part-1317>

Section 12. Research.

- (a) A person that desires to produce or process hemp solely for research purposes must:
 - (i) Obtain a license from the Department; and applicable.
 - (ii) Submit all information required in Section 4, Section 8, or both, as applicable.
- (b) A licensee that produces or processes hemp solely for research purposes is not subject to sampling by the Department.
- (c) A research licensee shall not allow any Cannabis or Cannabis products to enter the stream of commerce.

(d) A Cannabis crop grown for a research licensee's research must be disposed of in accordance with Section 6 by December 1st of the year that it was grown. Reasonable samples from a crop grown by the research licensee may be kept for continued research and testing until May 1st following the year in which the crop was grown so long as the research licensee applies for renewal and receives a new license. A research licensee that Processes hemp solely for research purposes shall dispose of all Cannabis products in accordance with the CSA and 21 CFR part 1317.

(e) The research licensee shall provide proof of disposal to the Department unless the disposal is observed by the Department.

Section 13. Violations.

(a) The Department will initiate a corrective action plan or revoke the license of any licensee who violates the requirements of the Hemp Statute or these rules.

(b) A licensee or Key Participant that violates the provisions of the Hemp Statute or these rules three times in a five year period shall be ineligible for a license to produce or process hemp for a period of five years beginning on the date of the third violation.

(c) Examples of a Negligent violation include:

(i) Failure to provide a legal description of land on which the licensee produces Cannabis.

(ii) Failure to obtain a license.

(iii) Producing Cannabis with a THC concentration level that exceeds the Acceptable Hemp THC Level.

(d) A licensee may not provide false, misleading, or incorrect information pertaining to production or processing of hemp to the Department, including information provided in any application, report, or record.

(e) A licensee may not continue producing or processing hemp if, after receiving a license, the licensee is convicted of or pleads nolo contendere to a state or federal controlled substance felony.

(f) Persons with a revoked license shall not sell, Handle, transport, or otherwise allow into the stream of commerce any Cannabis, Cannabis product, hemp, or hemp product.

(g) If the Department revokes a license, the Department shall require that each Lot of Cannabis or Batch of Cannabis products currently being produced or processed under that license be disposed of unless the ex-licensee has an Official Test Result showing that each Lot or Batch has a THC concentration level that does not exceed the Acceptable Hemp THC Level.

(h) Disposal of Non-Compliant Cannabis and Cannabis Products.

(i) All disposal must be conducted in accordance with these rules.

(ii) If the Official Test Result of a Cannabis or Cannabis product sample shows that the sample's THC concentration level exceeds the Acceptable Hemp THC Level, all Cannabis or Cannabis products in the Lot, Batch, or other unit from which the sample was taken must be disposed of. The licensee is responsible for the cost of disposal. The USDA will be notified and supplied Official Test Results of Cannabis samples above the Acceptable Hemp THC Levels. Cannabis or Cannabis products that are in non-compliant Lots or Batches cannot be further Handled (unless remediation is an allowable form of disposal), processed, or enter the stream of commerce.

(iii) No person may move or transport Cannabis or Cannabis products subject to disposal except those persons authorized by 21 CFR part 1317.

(i) Cannabis that was Harvested prior to sampling by the Department must be disposed of as outlined in Section 6(f).

(j) No licensee shall receive a violation for any Lot that tests above the Acceptable Hemp THC Level if the Department determines that the Lot was required to be resampled because the Department collected a sample incorrectly or because the sample was damaged during transportation to the Certified Laboratory. Nevertheless, any Lot that tests above the Acceptable Hemp THC Level still must be disposed of.

Section 14. Corrective Action Plan.

(a) A licensee that violates the requirements of the Hemp Statute or these rules must comply with a corrective action plan as prescribed by the Department.

(b) The corrective action plan for licensee violations shall include:

(i) A reasonable date by which the licensee will correct the violation;

(ii) A requirement that the licensee shall provide all requested compliance reports to the Department for a period of two years following the date of the violation.

(c) A licensee's violation will not be subject to criminal enforcement action by the federal, state, or local government except for violations found in subsection (f) of this section.

(d) The Department shall conduct inspections to determine if a corrective action plan has been implemented.

(e) If a subsequent violation occurs while a corrective action plan is in place, the Department will either:

(i) Institute a new corrective action plan, which may include quality control,

training, or other quantifiable action requirements; or

(ii) Proceed to revoke the licensee's license.

(f) If the Department determines that a licensee has violated the Hemp Statute or these rules with a Culpable Mental State Greater Than Negligence the Department shall:

(i) Immediately report the licensee to the USDA, United States Attorney General, the prosecuting attorney for the jurisdiction where the violation occurred, and the State of Wyoming Attorney General; and

(ii) Either institute a corrective action plan or proceed to revoke the licensee's license.

Section 15. License Denial, Revocation, and Appeals.

(a) The Department will deny a license application if:

(i) The applicant has made a materially false statement on the application;

(ii) The applicant failed to submit the appropriate fee;

(iii) The applicant failed to submit a correct and complete application; or

(iv) Any applicant or Key Participant of the applicant has been convicted of or pled nolo contendere to a state or federal controlled substance felony within the past 10 years. An exception applies to a person who was lawfully growing hemp under the federal Agricultural Act of 2014 before December 20, 2018, and whose conviction or nolo contendere plea also occurred before that date.

(b) The Department may deny a license application if the applicant has failed to comply with the Hemp Statute or these rules.

(c) If the Department denies a license application, the Department shall provide the applicant with a notice that includes:

(i) The specific reasons for the denial and citations to the applicable provisions of the Hemp Statute or these rules;

(ii) The actions, if any, that the applicant must take to qualify for a license;

(iii) Notice of the applicant's right to request a hearing; and

(iv) The legal authority under which the hearing is to be held.

(d) If the applicant wants a hearing to contest the denial, the applicant must request a

hearing within 20 days of receiving the notice.

(e) If a hearing is requested, the Department shall schedule a time and place for the hearing, to be held not later than 30 days from the date of the request unless a later date is agreed to by the parties.

(f) The Department shall notify the applicant of the time, date and place of the hearing at least seven days before the hearing date.

(g) If prior to the hearing the applicant corrects the deficiency and all other license requirements have been met, the Department may issue a license and cancel the hearing.

(h) If the Department decides to revoke a license, the Department will provide the licensee with a revocation notice, which shall state:

(i) That the license shall be revoked 15 days after mailing of the revocation notice and that all operations shall cease at that time unless a contested case hearing is requested;

(ii) The reasons for revocation and citations to the applicable provisions of the Hemp Statute or these rules;

(iii) That the licensee may request a hearing by submitting a request to the Department within 15 days of the receipt of the notice of revocation;

(iv) The name and address of the Department representative to whom a request for a hearing may be made;

(v) That if a hearing is requested, the hearing shall be conducted by a hearing officer in accordance with the Wyoming Administrative Procedure Act, W.S. 16-3-107 through -115, and the Department's Rules of Practice and Procedure for Contested Case Hearings; and

(vi) That the licensee may appear in person or by counsel licensed to practice law in the State in Wyoming.

(i) The Department shall send all notices in this section by certified mail, return receipt requested.

(j) The director of the Department shall issue the final decision, accompanied by written findings of fact and conclusions of law.

(k) The Department shall deliver the final decision to the licensee by certified mail, return receipt requested.

(l) All hearings provided for in these rules shall be conducted in accordance with the Wyoming Administrative Procedure Act and the Department's Rules of Practice and Procedure for Contested Case Hearings. Appeal from any final order of the Department may be made as provided

by the Wyoming Administrative Procedure Act.

Section 16. Fees.

- (a) The Department will assess the following fees:
 - (i) \$200 per sampling conducted by the Department.
 - (ii) \$200 per analysis conducted by the Department.
 - (iii) \$250 for verification of effective disposal of Cannabis or Cannabis products in accordance with Section 13.

Chapter 51

Hemp Production

CHAPTER 51 - HEMP PRODUCTION

11-51-101. Definitions.

(a) As used in this chapter:

(i) "Corrective action plan" means a plan the department develops in consultation with a licensee to correct any violation of this chapter;

(ii) "Disposal" means activities to alter or treat hemp or hemp products that contain an amount of THC in excess of the amount authorized in this chapter to ensure that the THC is reduced to bring the hemp or hemp product into compliance with this chapter or, if compliance is not attainable, that the THC is rendered inaccessible;

(iii) "Hemp" or "hemp product" means all parts, seeds and varieties of the plant *cannabis sativa* L., whether growing or not, or a product, derivative, extract, cannabinoid, isomer, acid, salt or salt of isomer made from that plant with a THC concentration of not more than three-tenths of one percent (0.3%) on a dry weight basis when using post-decarboxylation or another similarly reliable testing method;

(iv) "Licensee" means a person licensed under this chapter to produce, process or test hemp;

(v) "Produce" means all acts necessary to produce and market hemp including, without limitation, planting, cultivating, harvesting, cloning, producing seeds, handling, transporting and selling;

(vi) "Process" means converting hemp into another product that contains no more than three-tenths of one percent (0.3%) THC on a dry weight basis when using post-decarboxylation or another similarly reliable testing method;

(vii) "THC" means tetrahydrocannabinol, the psychoactive component of the *cannabis* plant, with the scientific name *trans-delta 9-tetrahydrocannabinol*.

11-51-102. Hemp as agricultural crop; use of hemp.

(a) Hemp is an agricultural crop in this state. Upon meeting the requirements of this chapter, a person may produce or process hemp.

(b) Notwithstanding the requirements of this chapter, the possession, purchase, sale, transportation and use of hemp and hemp products by any person is allowable without restriction.

11-51-103. Licensing.

(a) No person shall produce or process hemp unless the person has obtained a license from the department on a form provided by the department.

(b) The application for a license under this section shall include:

(i) The name and address of the applicant;

(ii) The physical address and legal description of all land and property where the production or processing will occur;

(iii) A statement that the applicant has not been convicted of or pled nolo contendere to a controlled substance felony within the past ten (10) years, or in the event the applicant is not an individual, a statement that no member, principal, officer or director of the applicant has been convicted of or pled nolo contendere to a controlled substance felony;

(iv) Authorization for reasonable access by the department for inspections and verifications related to production or processing activities for which a licensee shall be assessed fees under W.S. 11-51-104(a); and

(v) Verification that the applicant is a business entity organized under the laws of Wyoming or a Wyoming resident, as defined by rule of the department.

(c) The department shall issue a license, or renewal thereof, which is valid for one (1) year if:

(i) The requirements of subsection (b) of this section are met including that the applicant has not been convicted of or pled nolo contendere to a controlled substance felony within the past ten (10) years; and

(ii) Seven hundred fifty dollars (\$750.00) is received for each annual license or renewal application. This

fee shall be reduced to five hundred dollars (\$500.00) for a nonprofit or educational organization.

(d) Licenses under this section may authorize producing hemp and processing hemp products at more than one (1) location for the same licensee.

(e) Any person possessing hemp or hemp products only for the purpose of testing THC levels may, but shall not be required to, obtain a license under this chapter.

11-51-104. Enforcement; fees; penalties.

(a) The department shall perform inspections and provide chemical sampling and analysis of production or processing activities by licensees to determine compliance with this chapter. The department may require verification of effective disposal by licensees of hemp or hemp products that contain in excess of three-tenths of one percent (0.3%) THC on a dry weight basis. For any sample, analysis or verification conducted under this subsection, the department shall assess the licensee fees as established by rule of the department, not to exceed the following:

(i) Two hundred dollars (\$200.00) per sample conducted by the department;

(ii) Two hundred dollars (\$200.00) per analysis conducted by the department;

(iii) Two hundred fifty dollars (\$250.00) for verification of effective disposal of hemp or hemp products that contain in excess of three-tenths of one percent (0.3%) THC on a dry weight basis.

(b) Any licensee who violates any provision of this chapter or any regulation promulgated pursuant to this chapter shall be subject to a corrective action plan. The corrective action plan may include reporting requirements, additional inspections, suspension of a license, steps necessary to restore a license, requirements related to disposal of hemp or hemp products that contain in excess of three-tenths of one percent (0.3%) THC on a dry weight basis or providing notice of the violation to the licensee's known creditors. The plan may require rendering THC inaccessible by using hemp or hemp products as a soil amendment material or by destruction of the hemp or hemp product as authorized by rule of the department.

(c) Any person who intentionally violates this chapter is guilty of a misdemeanor punishable by a fine of not more than seven hundred fifty dollars (\$750.00), imprisonment for not more than six (6) months, or both.

(d) If any person has three (3) or more violations of this chapter or any regulation promulgated pursuant to this chapter within five (5) years, the department shall revoke the license and the person shall be ineligible for licensure under this article for five (5) years.

11-51-105. Rules; agreements; research activities.

(a) The department shall adopt rules necessary to implement the provisions of this chapter.

(b) The department may enter into agreements with tribal governments related to hemp production and the processing of hemp products.

(c) The department, the University of Wyoming and Wyoming community colleges may produce or process hemp for research purposes.

11-51-106. Disposition of fees.

All fees collected under this chapter shall be deposited with the state treasurer in a separate account which is continuously appropriated to the department for the administration of this chapter.

11-51-107. Exception if this chapter is not implemented.

Nothing in this chapter shall preclude any person from applying for and receiving authorization to produce and process hemp from another authorized entity if the department does not receive authority to do so or is otherwise not implementing this chapter.

Hemp License Application



2219 CAREY AVE. | CHEYENNE, WY 82002 | PHONE: 307-777-3502 | agrhemp@wyo.gov

OFFICE USE ONLY

Payment Method: _____

Received Date: _____

Processed Date: _____

License No.: _____

**TECHNICAL SERVICES DIVISION
HEMP LICENSE APPLICATION**

PLEASE INDICATE (CHECK ONE): ☐ PRODUCER ☐ PROCESSOR ☐ BOTH

NEW APPLICATION RENEWAL Current Establishment Number if Renewing: _____

SECTION 1: INDIVIDUAL APPLICANT INFORMATION

(Only complete this section if you are an individual applying. Business entities proceed to section 2.)

NAME: _____ DATE OF BIRTH: ____/____/____
LAST FIRST MI

PRINCIPAL ADDRESS*: _____
STREET CITY STATE ZIP

MAILING ADDRESS: _____
STREET CITY STATE ZIP

PHONE NUMBER: (____) ____-____ ALTERNATE PHONE NUMBER : (____) ____-____

EMAIL ADDRESS: _____

SECTION 2: BUSINESS APPLICANT INFORMATION

(Only complete this section if you are a business entity. Additional Key Participants proceed to section 2a.)

BUSINESS NAME: _____

CONTACT NAME: _____ DATE OF BIRTH: ____/____/____
LAST FIRST MI

PRINCIPAL ADDRESS*: _____
STREET CITY STATE ZIP

MAILING ADDRESS: _____
STREET CITY STATE ZIP

PHONE NUMBER: (____) ____-____ ALTERNATE PHONE NUMBER : (____) ____-____

EMAIL ADDRESS: _____

TYPE OF BUSINESS (CHECK ONE): CORPORATION LLC PARTNERSHIP

OTHER: _____ EIN # _____

PLEASE ATTACH WYOMING SECRETARY OF STATE CERTIFICATE OF GOOD STANDING

* Principal address must be a physical address and not a Post Office Box.

SECTION 2a: KEY PARTICIPANTS

"Key participant" means a sole proprietor, a partner in a partnership, a member of a limited liability company, a director of a corporation, or a person with executive managerial control in a corporation. A person with executive managerial control includes persons such as a chief executive officer, chief operating officer, chief financial officer, principal, officer, member, manager, and director. This definition does not include non-executive managers such as farm, field, or shift managers. Please list them below and attach official criminal history reports for each key participant.

Name : _____ Title: _____

Signature: _____

Name : _____ Title: _____

Signature: _____

Name : _____ Title: _____

Signature: _____

Name : _____ Title: _____

Signature: _____

Name : _____ Title: _____

Signature: _____

SECTION 3a: LICENSED PRODUCING AREA(S)

Multiple production areas can be attached to a single application. Please make additional copies of this page as necessary. Please name and number each licensed area lot. GPS coordinates are required and obtained from the approximate center of each licensed area lot. Each field is considered a licensed area lot. An aerial map (FSA, Google, Bing, etc.) indicating the outer boundaries of each licensed area lot must also be included.

LICENSED AREA LOT: _____ FIELD NAME: _____

LEGAL DESCRIPTION: _____
Section Township Range

GPS (REQUIRED): _____

LICENSED AREA LOT SIZE: _____ (sq/ft or acres)

OWNERSHIP (Check One): OWNED LEASED (if area is leased, please complete Section 4 for each non-owned field)

LICENSED AREA LOT: _____ FIELD NAME: _____

LEGAL DESCRIPTION: _____
Section Township Range

GPS (REQUIRED): _____

LICENSED AREA LOT SIZE: _____ (sq/ft or acres)

OWNERSHIP (Check One): OWNED LEASED (if area is leased, please complete Section 4 for each non-owned field)

LICENSED AREA LOT: _____ FIELD NAME: _____

LEGAL DESCRIPTION: _____
Section Township Range

GPS (REQUIRED): _____

LICENSED AREA LOT SIZE: _____ (sq/ft or acres)

OWNERSHIP (Check One): OWNED LEASED (if area is leased, please complete Section 4 for each non-owned field)

LICENSED AREA LOT: _____ FIELD NAME: _____

LEGAL DESCRIPTION: _____
Section Township Range

GPS (REQUIRED): _____

LICENSED AREA LOT SIZE: _____ (sq/ft or acres)

OWNERSHIP (Check One): OWNED LEASED (if area is leased, please complete Section 4 for each non-owned field)

LICENSED AREA LOT: _____ FIELD NAME: _____

LEGAL DESCRIPTION: _____
Section Township Range

GPS (REQUIRED): _____

LICENSED AREA LOT SIZE: _____ (sq/ft or acres)

OWNERSHIP (Check One): OWNED LEASED (if area is leased, please complete Section 4 for each non-owned field)

SECTION 3b: LICENSED PROCESSING AREA(S)

Multiple processing areas can be attached to a single application. Please make additional copies of this page as necessary. Please name and number each individual processing area. GPS coordinates are required and obtained from the approximate center of each processing area. Each building is considered an individual processing area. An aerial map (FSA, Google, Bing, etc.) indicating the outer boundaries of each processing area must also be included.

LICENSED AREA: _____ BUILDING NAME: _____

LEGAL DESCRIPTION: _____
Section Township Range

GPS (REQUIRED): _____

PROCESSING AREA: _____ (sq/ft or acres) Product(s) Produced: _____

OWNERSHIP (Check One): OWNED LEASED (if area is leased, please complete Section 4 for each building)

LICENSED AREA: _____ BUILDING NAME: _____

LEGAL DESCRIPTION: _____
Section Township Range

GPS (REQUIRED): _____

PROCESSING AREA: _____ (sq/ft or acres) Product(s) Produced: _____

OWNERSHIP (Check One): OWNED LEASED (if area is leased, please complete Section 4 for each building)

LICENSED AREA: _____ BUILDING NAME: _____

LEGAL DESCRIPTION: _____
Section Township Range

GPS (REQUIRED): _____

PROCESSING AREA: _____ (sq/ft or acres) Product(s) Produced: _____

OWNERSHIP (Check One): OWNED LEASED (if area is leased, please complete Section 4 for each building)

SECTION 4: LANDOWNER AGREEMENT

This section is to be completed if you are leasing the licensed area from another real property owner. Please make additional copies of this form as necessary.

The landowner of any non-owned licensed area used for production/processing hemp or hemp products MUST consent for the area to be used for hemp production/processing.

I, _____ (print name), the undersigned, am the lawful owner of real property located at the referenced licensed area number _____ in Section 3 of this application, and I hereby consent to the use of such property for the purpose of production/processing hemp consistent with and for all purposes allowed under federal law, Wyoming law, and the rules of the Wyoming Department of Agriculture ("WDA"). I further acknowledge and agree to the following terms and conditions for Applicant's license from WDA to produce/process hemp on said property.

1. Any information obtained by WDA with respect to this application and the production/processing of hemp on my property may be disclosed to the public and/or provided to law enforcement agencies without further notice to me or my representative(s).
2. I agree to allow any inspection or sampling of my property at the referenced licensed area number _____ in Section 3 of this application that WDA deems necessary relative to this application for a hemp production/processing license.
3. I agree to allow WDA to use any right of way or another entry point to access the field for inspection.

Landowner's Signature: _____ Date: ____/____/____

Landowner Contact Information: (Please print)

Name: _____

Phone: (____) ____-____ Alternate Phone: (____) ____-____ Email address: _____

Section 5: ACKNOWLEDGEMENT

Please affirm the applicant's agreement to the following terms and conditions for a hemp license.

I, _____ (print name), having legal authority to bind the applicant to the terms and conditions of this application for a hemp license, hereby acknowledge those regulations governing the production and processing of hemp under federal law, Wyoming law, and the rules of the Wyoming Department of Agriculture ("WDA"). I further acknowledge, understand, and agree to each of the following terms and conditions of a license from WDA to produce and/or process hemp.

1. Any information provided to the Department may be publicly disclosed in accordance with the Wyoming Public Records Act (W.S. § 16-4-201 through 16-4-205) and may be provided to law enforcement agencies without further notice to the license applicant or licensee. License and harvest information will also be shared with the appropriate sections of the United States Department of Agriculture or other federal agencies.
2. I agree to allow any inspection or sampling that WDA deems necessary pursuant to Wyoming law during reasonable business hours.
3. In accordance with Wyoming hemp law, I agree to pay all fees for inspection, sampling, and analysis.
4. I agree that failure to pay any invoice sent to me by WDA within 60 days of the invoice date may result in license revocation.
5. I agree to submit all reports or records requested by WDA pertaining to this license application, hemp production, and hemp processing by the applicable due dates specified by WDA.
6. I agree to produce or process hemp only in a licensed area.
7. I affirm that I have not been convicted of or pled nolo contendere to a controlled substance felony within the past 10 years.
8. If the applicant is a business entity, I affirm that no key participant of the applicant has been convicted of or pled nolo contendere to a controlled substance felony within the past 10 years.
9. I affirm that all documents and information submitted in support of this application for a hemp license are correct and complete.
10. I affirm that I have read and understand the Rules of the Wyoming Department of Agriculture, Chapter 58, Rules Pertaining to Hemp, available at <http://rules.wy.gov>.
11. I acknowledge that WDA will determine my compliance with Wyoming hemp laws based solely on samples collected by WDA and analysis performed by WDA.

Applicant Name (Please print): _____

Applicant Signature: _____

Date: ____/____/____

SECTION 6: APPLICATION CHECKLIST

Please ensure that all items listed below are included in this application packet. Any incomplete applications will be rejected and returned to the applicant.

✓	<u>APPLICATION ITEM</u>
	Completed and signed application for Hemp License
	Photo Identification
	Key Participant List
	Wyoming Secretary of State Certificate of Good Standing (Business Applications Only)
	Maps of Licensed Area (FSA, Google, Bing, etc.)
	Landowner Agreement (If applicable)
	Acknowledgement Form
	Federal Bureau of Investigation Criminal History Report for Applicant and Key Participants
	List of Products being produced
	License Application Fee - \$750.00 (\$500 for an educational or nonprofit organization) non-refundable

**Approved hemp licenses will be valid for the remainder of the current calendar year.
All licenses expire on December 31 of each year.**

Hemp License Amendment Application



Wyoming
DEPARTMENT OF Agriculture

2219 CAREY AVE. | CHEYENNE, WY 82002 | PHONE: 307-777-3502 | agrhemp@wyo.gov

TECHNICAL SERVICES DIVISION
HEMP LICENSE AMENDMENT

PLEASE TYPE OR PRINT CLEARLY (Incomplete or illegible forms will be rejected.)

PLEASE INDICATE: ☐ PRODUCER ☐ PROCESSOR ☐ BOTH

SECTION 1: INDIVIDUAL APPLICANT INFORMATION AMENDMENT

(Only complete this section if there was a name change. Business entities proceed to section 2.)

NAME: _____ DATE OF BIRTH: ____/____/____
LAST FIRST MI

PRINCIPAL ADDRESS*: _____
STREET CITY STATE ZIP

MAILING ADDRESS: _____
STREET CITY STATE ZIP

PHONE NUMBER: (____) ____-____ ALTERNATE PHONE NUMBER: (____) ____-____

EMAIL ADDRESS: _____

WYOMING HEMP LICENSE NUMBER: _____

SECTION 2: BUSINESS APPLICANT INFORMATION AMENDMENT

Only complete this section if you are a business entity. Additional Key Participants proceed to section 2a.

BUSINESS NAME: _____

CONTACT NAME: _____ DATE OF BIRTH: ____/____/____
LAST FIRST MI

PRINCIPAL ADDRESS*: _____
STREET CITY STATE ZIP

MAILING ADDRESS: _____
STREET CITY STATE ZIP

PHONE NUMBER: (____) ____-____ ALTERNATE PHONE NUMBER: (____) ____-____

EMAIL ADDRESS: _____

TYPE OF BUSINESS (CIRCLE ONE): CORPORATION LLC PARTNERSHIP OTHER: _____

EIN #: _____

WYOMING HEMP LICENSE NUMBER: _____

* Principal address must be a physical address in Wyoming and not a Post Office Box.

WDA OFFICE USE ONLY (DO NOT WRITE BELOW THIS LINE PROCEED TO SECTION 3.)

Initial Application Date Rec'd: ____/____/____

Amendment Process Date: ____/____/____

SECTION 2a: *KEY PARTICIPANTS AMENDMENT*

"Key participant" means a sole proprietor, a partner in a partnership, a member of a limited liability company, a director of a corporation, or a person with executive managerial control in a corporation. A person with executive managerial control includes persons such as a chief executive officer, chief operating officer, chief financial officer, principal, officer, member, manager, and director. This definition does not include non-executive managers such as farm, field, or shift managers. Please list them below and attach official criminal history reports for each key participant.

Initial Name: _____ Title: _____

New Name: _____ Title: _____

Initial Name: _____ Title: _____

New Name: _____ Title: _____

Initial Name: _____ Title: _____

New Name: _____ Title: _____

SECTION 3a: LICENSED PRODUCING AREA(S) AMENDMENT

Production areas can be added or amended in the application. Please make additional copies of this page as necessary. Please name and number each licensed area Lot to be amended. GPS coordinates must be included and obtained from the approximate center of each licensed area lot. Each field is considered a licensed area lot. An aerial map (FSA, Google, Bing, etc) indicating the outer boundaries of each licensed area Lot must also be included.

ORIGINAL AREA LOT

LICENSED AREA LOT: _____ FIELD NAME: _____

LEGAL DESCRIPTION: _____
Section Township Range

GPS: (LATITUDE): _____ (LONGITUDE): _____

LICENSED AREA LOT SIZE: _____ (sq/ft or acres)

OWNERSHIP (Circle One): OWNED LEASED

AMENDED AREA LOT

LICENSED AREA LOT: _____ FIELD NAME: _____

LEGAL DESCRIPTION: _____
Section Township Range

GPS: (LATITUDE): _____ (LONGITUDE): _____

LICENSED AREA LOT SIZE: _____ (sq/ft or acres)

OWNERSHIP (Circle One): OWNED LEASED (if area is leased, please complete Section 4 for each non-owned field)

ORIGINAL AREA LOT

LICENSED AREA LOT: _____ FIELD NAME: _____

LEGAL DESCRIPTION: _____
Section Township Range

GPS: (LATITUDE): _____ (LONGITUDE): _____

LICENSED AREA LOT SIZE: _____ (sq/ft or acres)

OWNERSHIP (Circle One): OWNED LEASED

AMENDED AREA LOT

LICENSED AREA LOT: _____ FIELD NAME: _____

LEGAL DESCRIPTION: _____
Section Township Range

GPS: (LATITUDE): _____ (LONGITUDE): _____

LICENSED AREA LOT SIZE: _____ (sq/ft or acres)

OWNERSHIP (Circle One): OWNED LEASED (if area is leased, please complete Section 4 for each non-owned field)

SECTION 3b: LICENSED PROCESSING AREA(S) AMENDMENT

Processing areas can be added or amended. Please make additional copies of this page as necessary. Please name and number each individual processing area. GPS coordinates must be included and obtained from the approximate center of each processing area. Each building is considered an individual processing area. An aerial map (FSA, Google, Bing, etc) indicating the outer boundaries of each processing area must also be included.

ORIGINAL LICENSED PROCESSING AREA

LICENSED AREA: _____ BUILDING NAME: _____

LEGAL DESCRIPTION: _____
Section Township Range

GPS: (LATITUDE): _____ (LONGITUDE): _____

PROCESSING AREA: _____ (sq/ft or acres)

OWNERSHIP (Circle One): OWNED LEASED

AMENDED LICENSED PROCESSING AREA

LICENSED AREA: _____ BUILDING NAME: _____

LEGAL DESCRIPTION: _____
Section Township Range

GPS: (LATITUDE): _____ (LONGITUDE): _____

PROCESSING AREA: _____ (sq/ft or acres)

OWNERSHIP (Circle One): OWNED LEASED (if area is leased, please complete Section 4 for each building)

ORIGINAL LICENSED PROCESSING AREA

LICENSED AREA: _____ BUILDING NAME: _____

LEGAL DESCRIPTION: _____
Section Township Range

GPS: (LATITUDE): _____ (LONGITUDE): _____

PROCESSING AREA: _____ (sq/ft or acres)

OWNERSHIP (Circle One): OWNED LEASED

AMENDED LICENSED PROCESSING AREA

LICENSED AREA: _____ BUILDING NAME: _____

LEGAL DESCRIPTION: _____
Section Township Range

GPS: (LATITUDE): _____ (LONGITUDE): _____

PROCESSING AREA: _____ (sq/ft or acres)

OWNERSHIP (Circle One): OWNED LEASED (if area is leased, please complete Section 4 for each building)

SECTION 4: LANDOWNER AGREEMENT AMENDMENT

This section is to be completed if you are leasing the licensed area from another real property owner. Please make additional copies of this form as necessary.

The landowner of any non-owned licensed area used for production/processing hemp or hemp products MUST consent for the area to be used for hemp production/processing.

I, _____ (print name), the undersigned, am the lawful owner of real property located at the referenced licensed area number _____ in Section 3 of this application, and I hereby consent to the use of such property for the purpose of production/processing hemp consistent with and for all purposes allowed under federal law, Wyoming law, and the rules of the Wyoming Department of Agriculture ("WDA"). I further acknowledge and agree to the following terms and conditions for Applicant's license from WDA to produce/process hemp on said property.

1. Any information obtained by WDA with respect to this application and the growing/processing of hemp on my property may be disclosed to the public and/or provided to law enforcement agencies without further notice to me or my representative(s).
2. I agree to allow any inspection or sampling of my property at the referenced licensed area number _____ in Section 3 of this application that WDA deems necessary relative to this application for a hemp production/processing license.
3. I agree to allow WDA to use any right of way or another entry point to access the field for inspection.

Landowners Signature: _____ Date: ____/____/____

Landowner Contact Information: (Please print)

Name: _____

Phone: (____) ____-____ Alternate Phone: (____) ____-____

Section 5: ACKNOWLEDGEMENT OF AMENDMENT

Please affirm the applicant's agreement to the amendment of a hemp license.

Applicant Name (Please print): _____

Applicant Signature: _____

Date: ____/____/____

Hemp Harvest Report



Wyoming
DEPARTMENT OF Agriculture

2219 CAREY AVE. | CHEYENNE, WY 82002 | PHONE: 307-777-3502 | FAX: 307-777-6593

TECHNICAL SERVICES DIVISION
HEMP HARVEST REPORT

PLEASE TYPE OR PRINT CLEARLY (Incomplete or illegible forms will be rejected.)

REPORT IS DUE AT LEAST 15 DAYS BUT NOT MORE THAN 30 DAYS PRIOR TO HARVEST.

A LICENSEE MUST NOTIFY THE DEPARTMENT IMMEDIATELY, BY SUBMITTING AN UPDATED HARVEST REPORT, OF ANY CHANGES MADE IN THE REPORTED HARVEST DATE(S) IN EXCESS OF 5 DAYS (+/-). IF ANY SUCH CHANGES ARE MADE, THE DEPARTMENT MAY REQUIRE ADDITIONAL SAMPLING AND TESTING PRIOR TO HARVEST.

NO PLANTS SHALL BE HARVESTED UNTIL AN OFFICIAL SAMPLE HAS BEEN COLLECTED BY THE DEPARTMENT.

"Harvest" means the collection of any portion of a cannabis plant from a licensed area at any time.

Return forms to WDA Hemp Program email: agr hemp@wyo.gov

DATE OF SUBMISSION: _____

LICENSE NUMBER: _____

CONTACT NAME: _____
LAST FIRST MI
(MUST BE APPLICANT OR KEY PARTICIPANT ON APPLICATION)

BUSINESS NAME*: _____

BUSINESS ADDRESS: _____
STREET CITY STATE ZIP

PHONE NUMBER: (____) ____ - _____ ALTERNATE PHONE NUMBER: (____) ____ - _____

EMAIL ADDRESS: _____

I attest, to the best of my knowledge, that the following statements are complete and true:

All crop(s) reported in this Hemp Harvest Report are of the variety and/or cultivar that have been reported as planted, and were planted, within the location of the acreage or square footage as stated in the application previously submitted to the Department AND:

If crops died, please explain: _____

Print Name: _____ Signature: _____

HARVEST REPORT

For each Lot to be harvested, provide the following: Variety Name, Acreage or Square Footage planted, Description of each unique location where each variety is planted, and GPS coordinates (in decimal degree - i.e. 40.12345, -104.1234) of each location. If a map is attached of the licensed area, outline the boundaries of each unique location for each lot.

Please print additional copies of this page if additional lots need to be reported.

Lot # _____	Variety Name:			
	PLEASE INDICATE INDOOR OR OUTDOOR: (CHECK ONLY ONE BOX FOR EACH SEPARATE LOCATION FOR THIS VARIETY)	Indicate Whether Plant or Seed	Anticipated Harvest Date: Must report at least 15 days prior to harvest	Grow Site Size (i.e. 1,000 sq ft or acres)
	<input type="checkbox"/> Indoor <input type="checkbox"/> Outdoor			

GPS COORDINATES of center of lot: GPS - Longitude & Latitude - in decimal degree format (Lat 44.2345, Long -108.1235)

Descriptions of Location: (include adequate detail to clearly define i.e.; 1000 sq ft greenhouse in SW Corner or 100 sq ft shed on N border of licensed area.

Lot # _____	Variety Name:			
	PLEASE INDICATE INDOOR OR OUTDOOR: (CHECK ONLY ONE BOX FOR EACH SEPARATE LOCATION FOR THIS VARIETY)	Indicate Whether Plant or Seed	Anticipated Harvest Date: Must report at least 15 days prior to harvest	Grow Site Size (i.e. 1,000 sq ft or acres)
	<input type="checkbox"/> Indoor <input type="checkbox"/> Outdoor			

GPS COORDINATES of center of lot: GPS - Longitude & Latitude - in decimal degree format (Lat 44.2345, Long -108.1235)

Descriptions of Location: (include adequate detail to clearly define i.e.; 1000 sq ft greenhouse in SW Corner or 100 sq ft shed on N border of licensed area.

Lot # _____	Variety Name:			
1	PLEASE INDICATE INDOOR OR OUTDOOR: (CHECK ONLY ONE BOX FOR EACH SEPARATE LOCATION FOR THIS VARIETY)	Indicate Whether Plant or Seed	Anticipated Harvest Date: Must report at least 15 days prior to harvest	Grow Site Size (i.e. 1,000 sq ft or acres)
	<input type="checkbox"/> Indoor <input type="checkbox"/> Outdoor			

GPS COORDINATES of center of lot: GPS - Longitude & Latitude - in decimal degree format (Lat 44.2345, Long -108.1235)

Descriptions of Location: (include adequate detail to clearly define i.e.; 1000 sq ft greenhouse in SW Corner or 100 sq ft shed on N border of licensed area.

Lot # _____	Variety Name:			
	PLEASE INDICATE INDOOR OR OUTDOOR: (CHECK ONLY ONE BOX FOR EACH SEPARATE LOCATION FOR THIS VARIETY)	Indicate Whether Plant or Seed	Anticipated Harvest Date: Must report at least 15 days prior to harvest	Grow Site Size (i.e. 1,000 sq ft or acres)
	<input type="checkbox"/> Indoor <input type="checkbox"/> Outdoor			

GPS COORDINATES of center of lot: GPS - Longitude & Latitude - in decimal degree format (Lat 44.2345, Long -108.1235)

Descriptions of Locations: (include adequate detail to clearly define i.e.; 1000 sq ft greenhouse in SW Corner or 100 sq ft shed on N border of licensed area.

PLEASE READ CAREFULLY

I (print name) _____, declare under penalty of perjury that the foregoing is true and correct and that I am the owner or person with legal control of and authority to bind, the herein named applicant, and that I have read and understand all of the conditions and obligations stated herein.

Print Name _____

Signature _____

Title _____

Date _____

Sampling Guidelines for Hemp

Wyoming Sampling Guidelines for Hemp

Purpose:

1. Standard sampling guidelines are specified for field and indoor sampling of hemp.
2. Samples are taken to obtain specimens for the measurement of total tetrahydrocannabinol (THC) content, which determine whether the specimens are hemp or marijuana. The measurements are intended to be representative of the total THC content in a “lot” of hemp crop acreage as identified by the producer. Hemp producers may not harvest hemp prior to the hemp being sampled for THC concentration. Testing procedures are provided in a separate guidance document.

Scope:

1. Samples collected under this procedure are acceptable for submission to a certified laboratory for determination of total THC concentration in hemp.
2. Samples shall be collected only by designated sampling agents. Sampling agents must be trained under State of Wyoming training procedures. Hemp producers may not act as Sampling agents.
3. It is the responsibility of the licensed producer to pay any fees associated with sampling.

Summary of Practice:

1. This practice provides procedures for entering a growing area and collecting the minimum number of plant specimens necessary to represent a homogeneous composition of the “lot” that is to be sampled. A sampling agent enters a growing area, strategically examines the growing area, establishes an approach for navigating the growing area, and collects individual specimens of plants in order to obtain a representative sample of hemp in the designated lot

2. Cuttings from each “lot” of hemp crop acreage, as identified by the producer, shall be organized as composite samples. The terminology used to denote land areas include terms like “farm,” “tract,” “field,” and “subfield,” which are equivalent to “lot.” For the purposes of these procedures, a “lot” is a contiguous area in a field, greenhouse, or indoor growing structure containing the same variety or strain of cannabis throughout. In addition, “lot” refers to the batch of contiguous, homogeneous whole of a product being sold to a single buyer at a single time. The size of the “Lot” is determined by the producer in terms of farm location and field acreage.

Standard Sampling Protocols:

1. The standard sampling protocol ensures, at a confidence level of 95 percent, that no more than one percent of the plants in each lot would exceed the acceptable hemp THC level and ensures that a collected sample represents a homogeneous composition of the lot.
2. Every lot and every producer must be sampled and tested with the exception of those that turn in destruction reports.

3. All samples must be collected from the flowering tops of the plant by cutting the top five to eight inches from the “main stem” (that includes the leaves and flowers), “terminal bud” (that occurs at the end of a stem), ”or “central cola” (cut stem that could develop into a bud) of the flowering top of the plant.

4. All lots shall be sampled individually. Samples from different lots shall not be comingled.

Equipment and Supplies:

1. Garden pruners/shears (Cleaned prior to and following each composite sample. Some examples of appropriate cleaning agents and supplies to use on garden pruners/shears are bleach, rubbing alcohol, steel wool, and/or sandpaper.)

2. Sample bags, paper.

2.1. The size of the bags will depend upon the number of clippings collected per lot.

2.2. The bags should be made from material known to be free from THC.

3. Security tape

4. Permanent markers

5. Sample collection forms

6. GPS Unit of lot being sampled

7. Disposable gloves – Nitrile

Sampling Guidelines:

1. The licensee or designated employee should be present throughout the sampling process, if possible.

2. Surveillance of the growing area.

2.1. The sampling agent should estimate the average height, appearance, approximate density, condition of the plants, and degree of maturity of the inflorescences (flowers/buds).

2.2. The sampling agent should visually establish the homogeneity of the stand to establish that the growing area is of like variety.

3. Time of Sampling:

3.1. No more than 30 but not less than 15 days prior to the anticipated harvest of a designated hemp lot, a Sampling agent shall collect representative samples from such cannabis plants for THC concentration level testing.

4. Field Sampling:

4.1. The licensee or designated employee should accompany the sampling agent throughout the sampling process, if possible.

5. Surveillance of the growing area.

5.1. The sampling agent should verify the GPS coordinates of the growing area as compared with the GPS coordinates submitted by the licensee to WDA.

5.2. The sampling agent should estimate the average height, appearance, approximate density, condition of the plants, and degree of maturity of the inflorescences (flowers/buds).

5.3. The sampling agent should visually establish the homogeneity of the stand to establish that the growing area is of like variety.

6. Field Sampling:

6.1. For purposes of determining the number of individual plants to select for sampling, the size of the growing area should be considered. For sampling purposes, samples from separate lots must be kept separate and not be comingled.

6.2. For lots of less than one acre, including greenhouses, select a minimum of 1 plant, then take a cutting from the plant to form a sample. For lots of 1 to 10 acres, including greenhouses, follow the chart in example 2 below, take cuttings of each plant, then combine to form a composite sample.

6.3. For growing areas larger than ten (10) acres, including greenhouses, the number of plants that should be selected to form a composite sample is based upon the Codex Alimentarius Recommended Methods of Sampling for the Determination of Pesticide Residues for Compliance with MRLS CAC/GL 33-1999.

6.4. The sample size is estimated in a two-step process. The first step is to estimate the number of primary plants to be sampled. The second step is to adjust the estimate of primary plants by the acreage under cultivation.

The initial number of primary plants is estimated using:

$$n_o = \frac{\ln(1 - p)}{\ln(1 - i)}$$

where p is the confidence level to detect hemp plants testing above the acceptable THC threshold and i is the proportion of hemp plants having THC content above the acceptable threshold. The values for i are based on past experience in the same or similar growing areas, and should be consistent with the requirements currently in the Final Rule.

The initial primary plants estimate is adjusted by the number of acres to calculate the minimum number of primary plants as follows:

$$n = \frac{n_o}{1 + \frac{(n_o - 1)}{N}}$$

where n is the minimum number of primary plants to be selected for forming a composite sample, n_o is the initial number of primary plants estimated using the previous formula, and N is the number of acres under cultivation.

Examples 1 and 2 below describe the minimum number of samples that must be collected in order to meet the 95% confidence level requirements in the Final Rule. If data from a prior growing season is not available to determine the i value, the sampling charts below may be utilized or more rigorous sampling requirements may be utilized.

Example 1: The initial primary plant sample size is 299 with a confidence level of 95% to detect hemp plants having an acceptable hemp THC level and a proportion of hemp plants having THC content above the acceptable threshold equal to 0.01 is considered appropriate. The adjusted primary plant sample sizes for fields from 11 to 173 acres in size are shown in the following table:

Number of acres	Sample Size	Number of acres	Sample Size	Number of acres	Sample Size	Number of acres	Sample Size
11	11	40	36	75-76	61	119-120	86
12	12	41-42	37	77	62	121-122	87
13	13	43	38	78-79	63	123-124	88
14	14	44	39	80-81	64	125-126	89
15	15	45-46	40	82	65	127-128	90
16	16	47	41	83-84	66	129-130	91
17	17	48	42	85-86	67	131-132	92
18-19	18	49-50	43	87	68	133-134	93
20	19	51	44	88-89	69	135-136	94
21	20	52	45	90-91	70	137-138	95
22	21	53-54	46	92	71	139-140	96
23	22	55	47	93-94	72	141-143	97
24	23	56	48	95-96	73	144-145	98
25-26	24	57-58	49	97-98	74	146-147	99
27	25	59	50	99	75	148-149	100
28	26	60-61	51	100-101	76	150-152	101
29	27	62	52	102-103	77	153-154	102
30	28	63-64	53	104-105	78	155-156	103
31-32	29	65	54	106-107	79	157-157	104
33	30	66-67	55	108	80	159-161	105
34	31	68	56	109-110	81	162-163	106
35	32	69-70	57	111-112	82	164-166	107
36	33	71	58	113-114	83	167-168	108
37-38	34	72-73	59	115-116	84	169-170	109
39	35	74	60	117-118	85	171-173	110

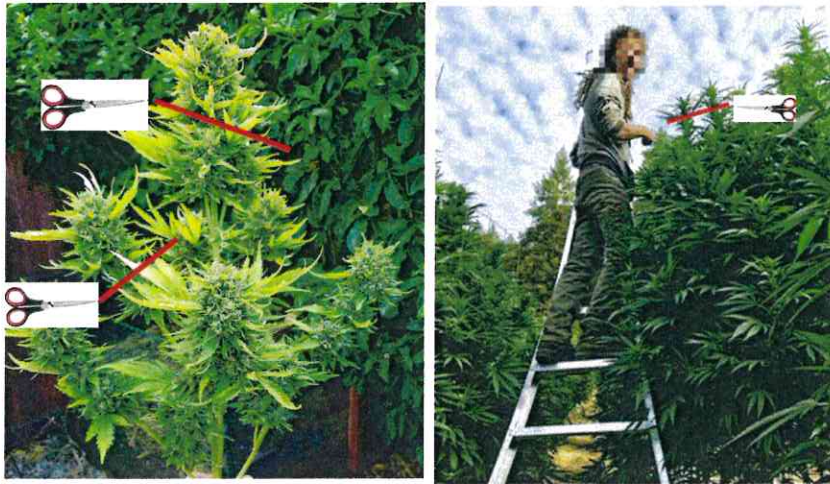
Example 2: The adjusted primary plant sample sizes for fields from less than 1 to 10 acres in size are shown in the following table:

Number of acres	Sample Size
Less than 1	1
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10

6.5. Sampling agents should always walk at right angles to the rows of plants if possible, beginning at one point of the lot and walking towards another point on the opposite side of the lot. If the lot is too dense for this to be possible, the sampling agent should take all reasonable steps to ensure that a sample is collected that represents a homogeneous composition of the lot by avoiding edges and thoroughfares.

6.6. While walking through the growing area, the sampling agent should cut at least “n” inflorescences (the flower or bud of a plant) based on the acreage of the growing area , at random but convenient distances. Avoid collecting sample specimens from the borders of the field/greenhouse.

6.7. The cut should be obtained from the flowering tops of plants when flowering tops are present, and shall be approximately five to eight inches in length from the “main stem” (that includes the leaves and flowers), “terminal bud” (that occurs at the end of a stem), or “central cola” (cut stem that develops into a bud) of the flowering top of the plant.



6.8. Utilize paper sample bag(s) for collecting sample cuttings. Ensure that each bag has the minimum number of cuttings, n , as calculated by 7.4, or in the Example Tables 1 and 2. If one bag cannot accommodate the minimum number of cuttings due to lot size, the sample may be divided into multiple bags, but must be clearly labeled in such a way that each bag is appropriately matched with the corresponding lot. (i.e. For lot 101 with three corresponding sample bags: 101 1 of 3, 101 2 of 3, 101 3 of 3.)

6.9. Seal each bag and record the sample number or other documentation as required by the WDA.


6.10. A sampling protocol must have the potential to ensure, at a confidence level of 95 percent, that the cannabis plants will not test above the acceptable hemp THC level of 0.3 percent on a dry weight basis.

7. Sample identification:

7.1 The sampling agent shall seal each bag and record the sample identification number. The sample shall also be identified with the following information: Sampling agent contact information; name and contact information of the producer; producer hemp license or authorization number; date of sample; and lot, subfield, or other identifier that may be required by WDA, mail delivery services, Customers or groups of customers.

Note: The contents of this document does not have the force and effect of law and are not meant to bind the public in any way, and the document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

Testing Guidelines for Hemp

 Analytical Services Laboratory	TITLE:	Preparation of Hemp Samples for Analysis
	Label:	CH-HEMP.002
	Revision:	2.0
Issued by: Chemistry Supervisor		Effective Date: 6/6/2023
Approved by: Laboratory Manager		Page 1 of 2

1. PURPOSE & SCOPE

- 1.1. The purpose this method is the homogenization of hemp samples for analysis. The scope includes all cannabis samples submitted to WDA-ASL for analysis.

2. SAFETY CONSIDERATIONS

- 2.1. Grinding equipment pose a physical hazard to the operator. Keep hands away from moving parts while in operation.

3. EQUIPMENT

- 3.1. Small grinding blenders
- 3.2. Robo Coupe, food processor, centrifugal rotor mill processor or similar processor
- 3.3. Sample Containers – Plastic or glass
- 3.4. Plastic storage bags, for example: Whirl-Pak or Ziploc bags.

4. CHEMICALS

- 4.1. Acetone ACS Grade or better
- 4.2. Methanol ACS Grade or better

5. PROCEDURE

- 5.1. Record all necessary information regarding the sample, processing techniques used, and analyst's observations using laboratory notebook or worksheet.

NOTE: Hemp from one LOT may not be commingled with hemp from other Lots. Commingling may not occur for hemp samples taken for compliance purposes.

5.2. Initial Sample Drying

- 5.2.1. Samples can be air dried or drying in an oven, depending on time.
- 5.2.2. Samples are dried to approximately < 12 % prior to further sample preparation by one of the following drying procedures.
 - 5.2.2.1. Note: If samples are received dry they do not need to be dried using the initial sample drying step prior to sample preparation step.
- 5.2.3. Drying Procedures:
 - 5.2.3.1. Procedure 1: Samples are air dried in a hood until dry.
 - 5.2.3.2. Procedure 2: Samples are dried using an oven at $\leq 70^{\circ}\text{C}$ until dry.
 - 5.2.3.2.1. Note: Drying time is dependent on the moisture content of the samples. Drying time may vary from sample to sample.

5.3. Sample Preparation

- 5.3.1. Grind entire sample including leaves, seeds, twigs, and stems.
- 5.3.2. Retain two separate test sample portions, a sub grind 1 specimen and a sub grind 2 specimen.
 - 5.3.2.1. Save one specimen for later use, if needed (such as a repeat analysis).

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5.3.3. Ground samples are stored in appropriate container.

5.3.3.1. For example: Plastic or glass containers, Whirl-Pak or closable plastic storage bags, etc.

5.4. **Cleaning**

5.4.1. Excess sample is disposed of in appropriate waste containers.

5.4.2. All grinding equipment and utensils used must be solvent washed between samples and at the end of processing to reduce analyte carryover. This could include grinding containers, spoons, spatulas, etc.

5.4.3. All appropriate equipment/parts in contact with sample(s) should be washed with soap and water at the end of processing.

6. **CORRECTIVE ACTIONS & TROUBLESHOOTING**

6.1. Sample processing equipment is inspected prior to use for any damage.

7. **REFERENCES & RELATED DOCUMENTS**

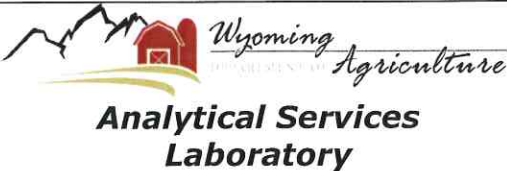
7.1. EXT-HEMP.007 – USDA – Laboratory Testing Guidelines U.S. Domestic Hemp Production Program Issued January 15, 2021

7.2. EXT-HEMP.006 – UNODC-Recommended methods for identification and analysis of cannabis and cannabis products STNAR40

8. **WASTE MANAGEMENT**

8.1. Solvent waste is collected and disposed of according to Hazardous Waste – SAFE.002

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	TITLE:	Determination of Cannabinoids by UHPLC Diode Array Detection Technique
	Label:	CH-HEMP.001
	Revision:	3.0
Issued by: Chemistry Supervisor		Effective Date: 2/4/2022
Approved by: Laboratory Manager		Page 1 of 6

1. PURPOSE & SCOPE

- 1.1. The purpose of the method is the extraction and quantitation of cannabinoids by UHPLC-DAD. The method applies to all authorized WDA-ASL staff performing cannabinoid analysis in **cannabis dried plant material, concentrates, and oils.**

2. SAMPLE REQUIREMENTS

- 2.1. *The laboratory does not perform sample collection. Samples are analyzed by the laboratory in the state that they are received from the customer.*
- 2.2. *ADMIN.021 and ADMIN.021_AttachmentsA-C for complete list of sample receipt, acceptance, and rejection criteria.*
- 2.3. After sample processing, samples are stored frozen when not in analysis unless otherwise specified by the customer.

3. EQUIPMENT

- 3.1. Geno Grinder
- 3.2. Centrifuge >3000 RPM
- 3.3. UHPLC-DAD
- 3.4. RP C-18 Column or equivalent
- 3.5. Analytical Balance
- 3.6. Pipets

4. CONSUMABLES


- 4.1. 50mL Centrifuge Tubes
- 4.2. 15mL Centrifuge Tubes
- 4.3. 2mL sample vials
- 4.4. 0.22 µm PTFE filters or equivalent

5. CHEMICALS & STANDARD MATERIAL

- 5.1. **Standard reference material concentration may be adjusted.**
- 5.2. Δ9-THC, 1.0 mg/mL
- 5.3. Δ9-THCA, 1.0 mg/mL
- 5.4. **Δ8-THC, 1.0 mg/mL**
- 5.5. Cannabinoids Standard, 1.0 mg/mL
- 5.6. Methanol (MeOH), HPLC grade
- 5.7. Acetonitrile (ACN), LC grade
- 5.8. Water (H₂O), LC grade
- 5.9. Formic Acid, 99% purity
- 5.10. Ammonium Formate, ACS grade

6. MOBILE PHASE PREPARATION

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 Analytical Services Laboratory	TITLE:	Measurement Uncertainty
	Label:	ADMIN.017
	Revision:	3.0
Issued by: QA/QC Coordinator		Effective Date: 7/1/2021
Approved by: Laboratory Manager		Page 1 of 5

1. PURPOSE

To provide written standard procedures for the estimation of measurement uncertainty (MU) in an analytical method.

2. SCOPE

This standard operating procedure (SOP) shall be followed in the Analytical Services Laboratory (ASL). It is applied to all analytical methods requiring method uncertainty. This procedure does not take into account uncertainty due to sampling done prior to sample receipt.

3. DEFINITIONS

3.1. Measurement Uncertainty (MU) – a parameter associated with the result (e.g. reported analyte concentration) of a measurement that characterizes the dispersion of values attributed to the quantity being measured.

- It is not the same as error (error is a single value- the difference between a result and the true value).
- MU is expressed as a range and varies depending upon the confidence level selected. A 95% confidence level is the most commonly used, and is used in this SOP.
- If another confidence level is required, then a different coverage factor (k) must be used in the MU estimation.

4. RESPONSIBILITIES

4.1. The Quality Assurance Coordinator is responsible for performing the estimation of MU for analytical methods, and to maintain MU records.

4.2. The Section supervisors are responsible for ensuring that:

- The appropriate MU category as described in Section 5.2 below is determined.
- Appropriate data is collected and is available for MU estimations.
 - For example, QC spike recovery can be used for MU estimates.

5. PROCEDURE (METHOD)

5.1. Approaches to Measurement Uncertainty Estimation

- There are two approaches commonly employed for the estimation of MU:
 - the GUM (Guide to the Expression of Uncertainty in Measurement) or “bottom-up” approach, which is rigorous, mathematical analysis of all the individual components of an analytical process and the estimation of random and systematic errors assigned to these steps. Detailed MU “budgets” are required.
 - the “top-down” procedures are based on applying statistical analysis to data collected during in-house method validation, day-to-day quality control(QC), and proficiency testing (PT).

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Note: The Codex Committee on Pesticide Residues (CCPR) has studied the issue of MU for the field of pesticide residue analyses and has acknowledged that using the top-down approach is likely to provide more reliable information on MU. See external document EXT-G.014_rev2006_ADMIN.017 Guidelines on Estimation of Uncertainty Results (CAC/GL 59-2006).

5.2. Categories of Methods

A2LA defines three categories for determining the MU Life Sciences testing laboratories.

- a. Category I- Qualitative methods (e.g. where samples are classified using visual determination) and tests reported on a categorical or nominal scale. However, this category specifically excludes semi-quantitative screening tests reporting positive/negative based on a minimum detectable level.
- b. Category II – Well recognized methods that specify limits to the values of the major sources of uncertainty of measurement and specify the form of presentation of calculated results.
 1. Examples include, but not limited to Rapid Method kits that specify limits to the values of the major sources of MU and also well recognized rapid methods using kits to determine qualitative results. These methods are subject to MU. However, the laboratory is considered to have satisfied this clause by following the test method and reporting instructions.
- c. Category III – All other methods, including methods based on published regulatory or consensus methods (e.g. FDA, USDA, AOAC, etc.) where MU is not defined in the method. For these types of methods, A2LA allows uncertainty to be estimated using recovery data from laboratory control samples (i.e. QC spikes).

Table I. Measurement Uncertainty, Category and Calculation		
Method or Test Type	Category (I, II, III)	How MU is calculated
Biological Scope		
Microbiological Qualitative Methods (cultural identification by visual examination)	Category I	No calculation needed
Microbiological Qualitative/Semi-Quantitative Methods (screening/PCR, VIDAS) using well recognized test kits	Category II	No calculation needed
Microbiological Quantitative Methods (plate count, MPN)	Category III	Follow Health Protection Agency's (HPA) National Standard Method (NSM) for Estimating Uncertainty in [Microbiological] Testing, EXT-G.018_rev5_30082005
Chemical Scope		
Qualitative Kit Testing	Category II	No calculation needed
Chromatography	Category III	MU using control samples
Chemistry, bench and wet	Category III	MU using control samples

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Spectrophotometry	Category III	MU using control samples
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- d. Regardless of the category, the laboratory must attempt to identify and document all components of uncertainty and make reasonable estimates as to their magnitude (and/or establish that they are under control) for all methods on the scope. Similar testing methods for a given technology may share the same contributors and utilize the same procedures for estimating MU.

5.3. General

- a. When a calculated MU value is required, it can be estimated using any approach that uses statistically valid methods.
- b. An estimation of MU is performed for accredited methods. If the method employs more than one determinative end-point, then an MU may be estimated for each determinative method.
- c. MU estimation may be calculated using multi-analyte data (most common approach for multi-residue methods) or may be estimated for individual analytes.
- d. MU estimation may also be calculated from QC recovery data for the reasons stated below.
 1. QC spike samples are run through all of the procedural steps encountered by actual samples and these steps include all the significant sources of overall uncertainty.
 2. Matrix utilized for QC spikes are identical in composition (or as close as possible) to actual samples.
- e. Additional resources include, but are not limited to:
 1. Health Protection Agency– Guidance Note: Uncertainty of Measurement in Testing (typically used for microbiological methods requiring MU calculations).
 2. A2LA P103b – Annex: Policy on Estimating Measurement Uncertainty for Life Sciences Testing Labs.

5.4. Estimating/Calculating Uncertainty

- a. The standard deviation (SD) of data is calculated using the formula:

$$SD = \sqrt{\frac{\sum (X - \bar{X})^2}{n - 1}}$$

Note: The relative standard deviation (RSD) of data is typically used for calculating the estimated measurement uncertainty for pesticide compounds.

$$RSD = \frac{s}{\bar{X}} * 100\%$$

where:

s = standard deviation

\bar{X} = average

- b. The estimate of expanded MU is then calculated using the formula
 MU = k x SD

where k (the coverage factor) = 2 (corresponding to 95% confidence level)

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- c. If fewer than 60 individual data points are used for the calculation of SD, the k shall be the appropriate t-statistic for 95% confidence interval (See external document EXT-LABOP.003_rev03242017 Students t table values).

Note: In the table df is "degrees of freedom", which is equal to n-1. Example: for 15 data points, df = 14, therefore k = 2.145.

- d. List of factors affecting MU for Qualitative Microbiology Methods:
1. Pathogen Detection Methods: The major sources for uncertainty are sample matrix effect, condition of the analyte cells, and non-random distribution of the target organism within the sample matrix.
 2. Species identification: The major sources of MU in species analysis are sample matrix effects, the heterogeneity of replicate samples, and analyst interpretation of test results.
 3. PCR methods: The major sources of MU include all the factors related to pathogen detection methods, preparation of samples and variation in interpretation.
 4. Kit methods: The major sources of MU include heterogeneity of replicate samples, and analyst technique.

5.5. Reporting Measurement Uncertainty:

- a. The MU is calculated for Category III methods or as otherwise determined and reported upon request of the customer or if the uncertainty affects compliance to a specification limit.
- b. If MU is reported, it shall be reported in the same units and number of significant figures as the result. The estimate should also state the level of confidence associated with the coverage factor.

5.6. MU Estimation Records

- a. The MU estimation shall delineate the data used. If database queries are used to export data to Excel, then the record should also include the specifics of the queries used.
- b. FORM A-FORM.030_Admin.017 Measurement Uncertainty Calculation can be used to record MU estimation.

5.7. Re-calculating Measurement Uncertainty:

- a. New data shall be used to recalculate MU if any of the following major changes occur:
 1. Significant equipment changes.
 2. Significant media changes.
 3. Changes in sampling size and/or enrichment volume.
 4. Significant change in sample type.

6. RELATED DOCUMENTS

- 6.1. A-FORM.030_Admin.017 Measurement Uncertainty Calculation
- 6.2. EXT-G.014_rev2006_ADMIN.017 Guidelines on Estimation of Uncertainty Results (CAC/GL 59-2006).

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- 6.3. EXT-LABOP.003_rev03242017 Students t table values
- 6.4. EXT-QA.010_rev09222010 P103b – Annex: Policy on Measurement Traceability for Life Sciences Testing and Forensic Conformity Assessment Bodies (CAB).
- 6.5. EXT-G.018_rev5_30082005, HPA NSM Uncertainty of Measurement in Testing.

7. REFERENCES

- 7.1. EXT-QA.001, ISO/IEC 17025

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Title: Determination of Cannabinoids by UHPLC Diode Array Detection Technique	Label: CH-HEMP.001	Revision: 3.0
Approved By: Laboratory Manager	Effective Date: 2/4/2022	Page 2 of 6

6.1. Mobile phase preparation may change depending on the needs of the analysis to separate cannabinoids. Below is the typically used mobile phase combination.

6.2. 0.1% Formic Acid + 75% Acetonitrile + 25% Methanol:

6.2.1. Dilute formic acid to 0.1% v/v by mixing formic acid, acetonitrile, and methanol and dilute to volume.

6.2.1.1. Example: Add 0.5 mL Formic Acid and dilute to 500 mL with acetonitrile.

6.3. 7.5mM Ammonium Formate + 0.1% Formic Acid + Water:

6.3.1. Dilute ammonium formate and formic acid with LC grade water to 7.5mM ammonium formate and 0.1% formic acid.

6.3.1.1. Example: Mix 0.24g ammonium formate and 0.5mL formic acid with water and dilute to 500 mL.

7. STANDARD PREPARATION

7.1. Standards can be made at varying concentrations depending on the needs of the analysis. Below are the typically used concentrations.

7.2. Laboratory prepared standard solutions expiration is seven (7) days after preparation.

7.3. Calibration must include at least a minimum of three (3) calibration points. All analysis concentrations used for quantitation must be within the points of the calibration curve.

7.4. A blank may be used in the calibration for low concentration samples.

7.5. Cannabinoid Intermediate Standard:

7.5.1. Dilute 0.1 mL of 1 mg/mL reference material into 10 mL of methanol or acetonitrile.
Concentration = 10 mg/L

7.6. Cannabinoid Calibration Standards:

7.6.1. Calibration standards are made by diluting standard reference material with methanol or acetonitrile.

7.6.2. Final percent concentrations calculated as a 20 mL extraction volume.

$$7.6.2.1. \text{Concentration \%} = \frac{\frac{\text{mg}}{\text{L}} \times \text{Extraction Volume}}{10000 \frac{\text{mg}}{\text{L}} / \%}$$

7.6.3. Example of Calibration Curve:

7.6.4. **Calibration Standard 7:** 10 mg/L intermediate standard with no dilution. Concentration = 10 mg/L or 0.02%.

7.6.5. **Calibration Standard 6:** Pipet 0.5 mL of 10 mg/L intermediate standard into 0.5 mL of diluent. Concentration = 5 mg/L or 0.01%.

7.6.6. **Calibration Standard 5:** Pipet 0.25 mL of 10 mg/L intermediate standard into 0.75 mL of diluent. Concentration = 2.5 mg/L or 0.005%.

7.6.7. **Calibration Standard 4:** Pipet 0.1 mL of 10 mg/L intermediate standard into 0.9 mL of diluent. Concentration = 1 mg/L or 0.002%.

7.6.8. **Calibration Standard 3:** Pipet 0.07 mL of 10 mg/L intermediate standard into 0.93 mL of diluent. Concentration = 0.7 mg/L or 0.0014%.

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7.6.9. **Calibration Standard 2:** Pipet 0.05 mL of 10 mg/L intermediate standard into 0.95 mL of diluent. Concentration = 0.5 mg/L or 0.001%.

7.6.10. **Calibration Standard 1:** Blank – solvent diluent only.

7.7. Calibration Verification Standards:

7.7.1. Calibration Verification standards must be at a concentration within the calibration curve diluted with methanol or acetonitrile.

7.7.2. Example: 0.3 mL of 10 mg/L diluted to 0.7 mL methanol = 3 mg/L or 0.006%

8. PROCEDURE

8.1. Extraction:

8.1.1. **Final extraction dilution volume may change.**

8.1.2. Weigh 0.25g of sample into 50 mL centrifuge tube.

8.1.2.1. Reagent Blank does not contain any sample and no weight is recorded.

8.1.3. Add 20 mL of MeOH.

8.1.3.1. Samples may be vortexed or shaken prior to shaking on Geno Grinder.

8.1.4. Shake for at least 20 min at 750 rpm (**Instrument Settings**) using Geno Grinder.

8.1.5. Centrifuge sample at > 3000 rpm for at least 5 min.

8.1.6. Filter sample with a 0.22 PTFE filter.

8.1.7. Dilute sample if necessary.

8.1.7.1. Typical dilutions are 5 to 10x for hemp products.

8.1.7.2. Larger dilutions may be necessary for high concentration products.

8.1.7.3. Results used for reporting must be within calibration points. Sample and quality control are diluted into calibration range.

8.1.8. Analyze using UHPLC-DAD within seven (7) days of extraction.

8.1.8.1. Extractions are stored frozen until the day of analysis.

8.2. Instrument Operation:

8.2.1. *See EXT-UHPLC.001, EXT-UHPLC.002, and EXT-UHPLC.003 for instrument and software operation instructions.*

8.2.2. Perform any necessary maintenance.

8.2.3. Attach mobile phases to instrument.

8.2.4. Equalize column temperature and instrument flow/pressure.

8.2.5. Analyze 3 or more conditioners prior to the calibration curve.

8.2.6. Analyze at least one blank prior to calibration curve.

8.2.7. Analyze absorbance of filtered sample(s) and standards.

8.2.8. Analyze CCV and CCB after calibration curve, every 10 samples, and at the end of the analysis.

9. CALCULATIONS

9.1. **Dry Weight Factor:** Obtained from CH-HEMP.003 – Loss on Drying (Moisture) in Hemp

9.1.1. If dry weight calculation is not required use 1.0 as *Dry Weight Factor*

9.2. % Cannabinoid in sample:

$$9.2.1. \% \text{ Cannabinoid} = \frac{\left(\frac{\text{mg}}{\text{L}} \text{ in solution}\right)(\text{Dilution})(\text{Extraction Volume})}{\text{Sample weight in Grams}} / 10000$$

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$$\text{Example: } \frac{\left[\left(\frac{5 \text{ mg}}{\text{L}} \right) (10 \times \text{Dilution}) (50 \text{ mL extraction Volume}) \right]}{0.5 \text{ g}} = 0.5\%$$

9.3. **Total Δ9-THC:**

$$9.3.1. \text{ Total } \Delta 9\text{-THC} = \frac{[(\Delta 9\text{THC}) + (\text{THCA} \times 0.877)]}{\text{Dry Weight Factor}}$$

9.4. **Spike Recovery:**

$$\% \text{ Recovery} = \frac{C_f - C_u}{F} * 100\%$$

Where:

C_f = Fortified sample concentration

C_u = Unfortified sample concentration corrected for differences in sample weight or volume.

F = Concentration of fortification added to sample

C_u Corrected for sample weight and/or volume in solution is calculated as follows:

$$C_u = S_u * \frac{S_{wf}}{S_{wu}} * \frac{S_{vu}}{S_{vf}}$$

Where:

S_u = Sample unfortified

S_{wf} = Sample Weight Fortified

S_{wu} = Sample Weight Unfortified

S_{vu} = Sample Volume Unfortified

S_{vf} = Sample Volume Fortified

10. **QUALITY CONTROL & QUALITY ASSURANCE**

10.1. **Batch Size and QC Samples per Batch:**

10.1.1. The batch size of actual samples, not including QC samples, is a maximum of 50

10.1.2. Multiple batches may be analyzed in a single day, although recalibration must occur after 50 samples.

10.1.3. Each batch shall contain QC samples including at least the following:

10.1.3.1. Laboratory Control Sample (LCS)

10.1.3.2. Continuing Calibration Blank (CCB)

10.1.3.3. Reagent Blank (RB)

10.1.3.4. Calibration Verification (CCV)

10.2. **Quality Control Acceptance Criteria:**

10.2.1. **Calibration Correlation Coefficient R²:** ≥0.995 using a linear curve with at least 3 points.

10.2.2. **Continuing Calibration Blank (CCB):** < Lowest calibration point.

10.2.3. **Reagent Blank (RB):** Free of analyte.

10.2.4. **Laboratory Control Sample (LCS):** Within acceptance criteria of the published value or two Standard Deviations.

10.2.5. **Calibration Verification (CV):** Value ± 30%

11. **CORRECTIVE ACTIONS & TROUBLESHOOTING**

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- 11.1. Corrective action is taken if general troubleshooting such as maintenance, re-making standards, and re-analysis does not correct the problem occurring.
- 11.2. If calibration R^2 is < 0.995 re-calibrate instrument.
 - 11.2.1. If R^2 is < 0.995 after re-calibration remake calibration standards and reagents.
 - 11.2.2. If R^2 is < 0.995 after remaking calibration standards and reagents, perform corrective action.
 - 11.2.3. Calibration points may be excluded as long as results used for quantitation and reporting remain within included calibration points.
 - 11.2.3.1. Reasons for excluded calibration points are recorded.
 - 11.2.4. A minimum of three calibration points must be used.
- 11.3. If the CCB is $>$ lowest calibration point clean instrument and/or replace mobile phase. Rinse between injections may be increased to prevent carryover.
- 11.4. If Reagent Blank contains analytes of interest the entire analysis is re-extracted and re-analyzed.
- 11.5. If Laboratory Control Sample is out of the published acceptance criteria then re-extract and re-analyze all samples.
 - 11.5.1. Standards and reagents may be remade.
 - 11.5.2. A second LCS may be used to confirm that the failure is not isolated to a particular LCS.
- 11.6. If Calibration Verification falls outside of acceptance criteria then the CV is remade and/or instrument is re-calibrated.
 - 11.6.1. Samples within the bracket of the failing calibration verification standard are re-analyzed.
- 11.7. Depending on the analyte(s) being analyzed and the sample matrix, compounds may need to be further separated using chromatography.
 - 11.7.1. Chromatographic separation may be performed by a change in flow rate, temperature, curve, gradient, and mobile phase.
 - 11.7.2. Mobile phase composition may also be used to separate analytes.
 - 11.7.2.1. Neutral compounds (e.g. $\Delta 9$ -THC and $\Delta 8$ -THC) retention may be adjusted by modifying the organic phase, by adjusting concentration of acetonitrile and/or methanol.
 - 11.7.2.2. Acidic (e.g. $\Delta 9$ -THCA) retention may be adjusted by modifying the aqueous phase modifier, by adjusting the concentration of the ammonium formate.

12. RESULTS & REPORTING

- 12.1. Samples are reported in percent (%) to two decimal places, unless otherwise specified by the customer.
- 12.2. Measurement Uncertainty is reported with each regulatory customer sample.
- 12.3. Samples that are above the 0.3% total THC + Measurement Uncertainty can be re-analyzed for confirmation, at the customer's request.

13. RELATED DOCUMENTS & REFERENCES

- 13.1. CH-HEMP.002 – Preparation of Hemp Samples for Analysis
- 13.2. CH-HEMP.003 – Loss on Drying (Moisture) in Hemp
- 13.3. EXT-UHPLC.001 – Equipment Manuals Ultimate 3000 Series
- 13.4. EXT-UHPLC.002 – Ultimate 3000 Series – Drain Tubing – Installation
- 13.5. EXT-UHPLC.003 – Chromeleon 7.2 Quick Start Guide

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13.6. EXT-HEMP.004 – USDA - Testing Guidelines for Identifying Delta-9 Tetrahydrocannabinol (THC) Concentration in Hemp

13.7. EXT-HEMP.005 – AOAC 2018.11 Quantitation of Cannabinoids in *Cannabis* Dried Plant Materials, Concentrates, and Oils

14. APPENDICES

14.1. **Instrument Parameters:**

14.2. *Instrument parameters may change based on analytes and matrices. Changes may occur for chromatographic or selectivity purposes. Parameters will change if column length or pore size changes. Below are typical instrument parameters.*

UHPLC-DAD Method Parameters:

Solvent A = H₂O + 7.5mM Ammonium Formate + 0.1% Formic Acid

Solvent B = 75% Acetonitrile + 25% Methanol + 0.1% formic acid

Injection Volume: 5 µL

Run Time: Approximately 12 minutes


Wavelength: 220 nm (primary) or 228 nm (secondary)

Column temperature = 30.0°C +/- 3°C

Typical inlet method gradient for a 2.7µm 150 x 2.1mm column:

Time, min:	Flow rate	%A1	%B1	Curve
1. -2.00	0.600mL/min	25.0	75.0	5
2. 0.00	0.600	25.0	75.0	5
3. 11.00	0.600	25.0	75.0	5
4. 11.00	0.600	0.0	100.0	5
5. 12.00	0.600	0.0	100.0	5

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 WDA-ASL Analytical Services Laboratory	Quick Guide		
	Title:	HeMP Portal Reporting Lab Results	
	No./Revision:	/ 1.0	
Approved by:	Effective Date:	6/6/2023	Page 1 of 1

USDA Industrial Hemp Program states:

Information Sharing:

1. Laboratories performing THC testing for compliance purposes of this program are required to share test results with the licensed producer, the appropriate State Department of Agriculture or Tribe, and USDA. All hemp testing laboratories, whether government, public or private, shall report test results, passing or failing, to USDAs Hemp eManagement Platform (HeMP). Refer to <https://www.ams.usda.gov/rules-regulations/hemp/hemp-emanagement-platform> for information on obtaining access to HeMP.
1. Per the information sharing section of the USDA Laboratory Testing Guidelines U.S. Domestic Hemp Production Program, WDA Analytical Services Laboratory is required to enter every hemp sample result into the HeMP Portal.
 - a. The portal is the Hemp eManagement Platform (HeMP) for USDA producers, states, tribes, testing laboratories and sampling agents.
 - b. The chemistry supervisor or the laboratory manager is responsible for reporting results into the HeMP Portal.
 - c. Results should be entered within 1-2 days of hemp sample validation.
2. Each user will create an eAuth account (USDA eAuthentication). Once the eAuth account has been verified, it will be used to log into the HeMP portal.
3. Log in to the HeMP Portal using: <https://hemp.ams.usda.gov>
4. A user guide for the HeMP Portal is available in External Documents.

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DEA REGISTRATION NUMBER	THIS REGISTRATION EXPIRES	FEE PAID
PW0083030	05-31-2024	Exempt
SCHEDULES	BUSINESS ACTIVITY	ISSUE DATE
1,2,3, 3N,4,5	ANALYTICAL LAB	04-13-2023
WYOMING DEPT OF AGRICULTURE 1174 SNOWY RANGE RD ANALYTICAL SERVICES LABORATORY LARAMIE, WY 820706752		

CONTROLLED SUBSTANCE REGISTRATION CERTIFICATE
UNITED STATES DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION
WASHINGTON D.C. 20537

Sections 304 and 1008 (21 USC 824 and 958) of the Controlled Substances Act of 1970, as amended, provide that the Attorney General may revoke or suspend a registration to manufacture, distribute, dispense, import or export a controlled substance.

THIS CERTIFICATE IS NOT TRANSFERABLE ON CHANGE OF OWNERSHIP, CONTROL, LOCATION, OR BUSINESS ACTIVITY, AND IT IS NOT VALID AFTER THE EXPIRATION DATE.

Form DEA-223 (9/2016)

CONTROLLED SUBSTANCE REGISTRATION CERTIFICATE
UNITED STATES DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION
WASHINGTON D.C. 20537

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PW0083030	05-31-2024	Exempt

REGISTERED	BUSINESS ACTIVITY	ISSUE DATE
1,2,3, 3N,4,5	ANALYTICAL LAB	04-13-2023

WYOMING DEPT OF AGRICULTURE
 1174 SNOWY RANGE RD
 ANALYTICAL SERVICES LABORATORY
 LARAMIE, WY 820706752

CONTROLLED SUBSTANCE/REGULATED CHEMICAL
 REGISTRATION CERTIFICATE
 UNITED STATES DEPARTMENT OF JUSTICE
 DRUG ENFORCEMENT ADMINISTRATION
 WASHINGTON D.C. 20537

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REPORT
 CHANGES
 PROMPTLY

BE OUR STING MONITORATIONS TO YOUR
 REGISTRATION CERTIFICATE

To request a change in your registered name, address, the drug schedule or the drug codes you handle, please:

1. visit our web site at deafire.dhs.gov using your PIN

or visit our Customer Service Center at 10000 Hwy 100, Ste. 100, Denver, CO 80231

2. submit your application in writing to:

Drug Enforcement Administration
 P.O. Box 1386
 Washington, DC 20543-0138

For more information, visit our website at deafire.dhs.gov or call 1-800-885-5415

----- You have been registered to handle the following chemical/drug codes: -----

Laboratory Test Results Report Form



Laboratory Sample Report

Lab Number: AA39358

Received Date/Time: 01/20/2022 11:15 am

CUSTOMER PROVIDED INFORMATION:

Monte Hill
2219 Carey Avenue
Cheyenne, WY 82002

Sample Description: Teton Tranquility

Lot Number: 56-0008A-22-126

Sample #: 56-0008A-22-126

Sample Weight:

Bags per Lot:

Collection Date: 01/18/2022

Compliance:

Remarks:

Establishment

Establishment #: 56-0008

TEST RESULTS:

Analyte	Result	Unit	Qualifier	Date Analyzed	Method
Delta 9 THC Potency	0.09	%		01/24/2022	CH-HEMP.001

Sample Comment: GPS: 43°6'37" N 111°1'15" W

Qualifier

Measurement Uncertainty

Method CH-HEMP.001 - Combined Expanded Uncertainty at 95% Confidence Level using a Coverage Factor of 2 is 0.05% Total Delta-9-THC

Samples were received at the laboratory in acceptable condition unless noted in Comments.

The results included in this report relate only to the specific items submitted and as they were received for testing.

This report shall not be reproduced except in full without the written approval of the laboratory.