

**1565.0700 CANNABIS PLANT; THC LEVEL OVER 0.3 PERCENT.**

Subpart 1. **Disposal of certain plants.** A cannabis plant with a THC level exceeding the acceptable hemp THC level constitutes marijuana, a Schedule I Controlled Substances Act drug, and the producer must dispose of the noncompliant plants.

Subp. 2. **Disposal requirements.** The producer must dispose of noncompliant plants by using a Drug Enforcement Agency-registered reverse distributor or law enforcement agency, or the producer must dispose of the noncompliant plants on site at the farm or the hemp production facility.

Subp. 3. **Remediation.** A producer may bring noncompliant plants through the remediation process. Noncompliant plants that have gone through the remediation process may be resampled and retested to ensure the plant material is within the acceptable hemp THC level before it may enter the stream of commerce. If the plant material tests above the acceptable hemp THC level, the plant material is noncompliant hemp and must be disposed.

Subp. 4. **Documentation.** A licensee must provide documentation to the commissioner in the form of in-person meetings, pictures, videos, or other proof to verify that proper disposal or remediation of noncompliant plants occurred successfully.

**Statutory Authority:** *MS s 18K.06; L 2019 1Sp1 art 2 s 20*

**History:** *46 SR 150*

NOTE: This temporary exempt rule is effective for two years and expires August 16, 2023.

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