

1565.1000 HEMP PROPAGULES.

Subpart 1. **Record keeping.** To sell or purchase hemp propagules, a licensee must maintain the following documents on record for three years:

- A. the lot number or other lot identification of the hemp propagule lot;
- B. a copy of the genuine grower's declaration or similar documents containing the same information;
- C. copies of invoices showing the sale of each propagule lot, including the name of the person the lot was sold to, the amount sold, the date of sale, the name of the variety, and the lot number;
- D. a copy of the label that was attached to or accompanied the propagule lot;
- E. a copy of the field and final certification documents, if applicable;
- F. a copy of each report concerning the testing of hemp seed for labeling purposes, including the total THC concentration; and
- G. a copy of required United States Department of Agriculture documents if importing the propagules from another country.

Subp. 2. **Hemp destruction required.** Upon suspension, revocation, expiration, or nonrenewal of a licensee's license under this chapter, the licensee must destroy any live cannabis plants without reimbursement.

Subp. 3. **Volunteer hemp plants.** When volunteer hemp plants are present, a licensee must either (1) destroy the volunteer hemp plants, or (2) register the location where the plants are present as a new grow location and pay any fees required by this chapter. The licensee must also update the location information with the Farm Service Agency.

Subp. 4. **Hemp seed labeler.** A hemp seed labeler selling seed in Minnesota must possess a current Minnesota seed permit and comply with Minnesota Statutes, sections 21.80 to 21.92, Minnesota Rules, parts 1510.0011 to 1510.0360, the Federal Seed Act under United States Code, title 7, sections 1551 to 1611, and Federal Seed Act Regulations under Code of Federal Regulations, title 7, part 201.

Subp. 5. **Prohibited sales.** A person must not sell hemp propagules for commercial purposes to any person in the state that is not licensed by the commissioner under this chapter. Upon request from the commissioner, a person selling hemp propagules for commercial purposes must provide records showing to whom hemp propagules were distributed.

Subp. 6. **Wild hemp.** A licensee must not acquire or grow hemp propagules of wild, landrace, or unknown origin without first obtaining written approval from the commissioner. Hemp clone lots must have the total THC concentration tested for each generation before sale of any plants from that lot.

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.

Published Electronically: *September 17, 2021*