

FREQUENTLY ASKED QUESTIONS:

The 2018 Farm Bill defined hemp as an agricultural commodity and removed it from the controlled substance list. Producers across the country may now legally farm hemp as part of an approved hemp regulatory program. Since the 2018 Farm Bill passed, the Alabama Department of Agriculture and Industries (ADAI), Alabama Cooperative Extension System (ACES), and the Alabama Agricultural Experiment Station (AAES) have been inundated with questions from across the state. Please review the FAQs below to see if your question is answered before contacting the Department.

APPLYING FOR A HEMP LICENSE

1) How do I apply for a hemp license?

For the 2023 crop season, applications may be made online through Kelly Registration Solutions (KRS) with the capability of uploading required documents (maps, background checks, and other required documents), online payments, forms, and reports. Applications will be accepted for the 2023 growing season beginning at 8:00 a.m. CT on October 11, 2022, through 5:00 p.m. CT on November 30, 2022. Application access will be available on the ADAI website through the Kelly Registration System (KRS).

- Under no circumstances will consultants, advisors, or brokers be allowed to submit applications or other forms on behalf of an applicant.

2) Where can I get an application?

Applications for hemp growers, processor/handlers, and university research will be posted on the ADAI website <https://agi.alabama.gov/hemp/formsandapplications/>. The KRS online system will be active at 8:00 a.m. CT on October 11, 2022, through 5:00 p.m. CT on November 30, 2022.

3) Are there additional requirements to apply for a hemp license as a business, corporation, or partnership?

You must submit the Articles of Incorporation, formation documents, etc. for your business, as well as criminal background check reports for every key participant in your company, in addition to other required documents.

4) When is the annual registration period for the 2023 growing season?

The 2023 Hemp Program Registration period for Growers, Processors/Handlers, and Universities will run from 8:00 am CT on October 12, 2022, through 5:00 pm CT on November 29, 2022.

5) If I have more than one growing or processing/handling area, must I submit an application for each?

No. A single hemp grower application will cover every growing site. Likewise, a single processor/handler application will include all processing sites. If an applicant is applying for more than one type of license, a separate application form must be submitted for each type of license, but only one application fee is required. You will also be required to submit a participation fee of \$1000 (plus convenience fee) per growing or processing area.

6) What is the cost of participating in the Alabama hemp program in 2023?

There is an initial, non-refundable application fee of \$150, plus convenience fee, that must be paid at the time of application. If the application is approved, there is a \$1000 license fee, plus convenience fee, per growing area.

- Those who wish to participate in the Alabama Hemp Program must reapply every year during the designated application period. You may apply and pay online through KRS.

7) May I pay my hemp application fee online?

Yes. ADAI can now take credit card payments online through KRS for hemp applications. There is also an option to pay by bank draft.

8) If I have more than one growing or processing/handling site, must I pay a fee for each site?

Yes. A participation fee of \$1000 (plus convenience fee) is required for each growing or processing/handling site. Be sure to list the GPS coordinates and other requested information for each site.

9) May I submit a resume or other documents rather than filling in all the spaces on the ADAI hemp program application form?

No. The hemp program application form must be filled completely, leaving no blank spaces. You may not move forward in the application process unless all requested information and required documents are provided.

- Applications will not be processed until all required documents are received by ADAI, including but not limited to the criminal background check report.

10) What happens if an incomplete or incorrect application is submitted?

The applicant will be informed that the application is incomplete or incorrect (regarding the type of information – not the content or quality of the information). The applicant may correct the application and resubmit before the deadline. No application will be reviewed, and no licensing agreement prepared unless the application is complete and all requested information is submitted. It is incumbent upon the applicant to ensure that the content of the application is correct.

11) How do I submit GPS coordinates?

From the center of your site, use this link <https://arcg.is/PjqrG> to capture the GPS coordinates. You can also use a screenshot of the GPS coordinates as an aerial photo. Aerial photo(s) are required to be submitted in KRS with your online application. Additional requirements for the submitted aerial photo are that you must also outline the site as well as identify all structures surrounding the site

12) How do I obtain a background check?

Criminal background check reports (NOT the application for criminal background check) are required for all applicants and every key participant of partnerships, corporations, and other entities. The criminal background check must be completed within 60 days prior to application submission. Applicants must apply and pay for criminal background checks directly to the Alabama Law Enforcement Agency (ALEA). Do not send application for criminal background check to ADAI. Applicants must apply to ALEA for their background check ahead of time to ensure that they have the report in hand to submit with the application prior to the application deadline at 5:00 pm CT on November 30, 2022.

- The ALEA application requires an Affidavit of Release. This should be the applicant's own information so that the report will be issued to them. DO NOT PUT ADAI.
- There is no application extension for applicant's that fail to obtain the criminal background report before the application deadline.
- All pages of the criminal background report are required to be submitted with the application. Failure to do so will delay, or prevent, your application from being reviewed.

13) I am submitting an application as a member of a partnership. Must I submit all the requested information on each partner?

No. We require only one authorized contact person to complete the application. That person will be the primary contact between the applicant and ADAI. You may designate up to two additional contacts. You will be required to submit a criminal background check report for each key participant in your partnership.

14) If my application is approved, can my brother/wife/secretary/farm manager/partner discuss the application, request information, or submit forms to ADAI on my behalf?

Only if they were designated as an alternative contact on your application will ADAI communicate with anyone other than the applicant. You should carefully consider who will be designated as a contact on your application, as these are the only people with whom ADAI will communicate about your application or license. Remember that a fee will be charged for changes made to your license information after the license has been issued.

15) How do I amend information on my application?

Change forms will be posted on the ADAI hemp website, or you may request one at ALHemp@agi.alabama.gov. There will be a \$1000 change fee for any GPS coordinates change made after you receive your hemp license. No changes to a license will be accepted after July 31, 2022.

GPS COORDINATE DETERMINATION AND SUBMISSION

16) Why are GPS coordinates required for growing or processing sites in the Alabama hemp program?

Correct GPS coordinates allow ADAI inspectors to find a site more easily for inspection. GPS coordinates submitted by applicants are also forwarded to law enforcement so that officers may differentiate between a legal hemp site and an illegal marijuana site.

17) How do I submit GPS coordinates?

From the center of your site, use this link <https://arcg.is/PjqrG> to capture the GPS coordinates. You can also use a screenshot of the GPS coordinates as an aerial photo. Aerial photo(s) are required to be submitted in KRS with your online application. Additional requirements for the submitted aerial photo are that you must also outline the site as well as identify all structures surrounding the site.

18) What if the GPS coordinates that I submit for my site are incorrect?

If the GPS coordinates are in the wrong format, the applicant will be informed so that they can make the necessary corrections. ADAI inspectors will conduct a site visit to verify that the GPS coordinates indicate the correct location. If the GPS coordinates indicate the wrong location, law enforcement officers surveying for marijuana may conclude that plants observed at an unidentified site are marijuana rather than legally grown hemp.

19) If a grower has a 200-acre property that has several approved sites within the 200 acres, should the grower provide GPS coordinates for each site or for the entire 200-acre property?

GPS coordinates must be provided for each approved site. It is each site that is licensed, not the property itself.

APPLICATION REVIEW AND ISSUANCE OF LICENSE

20) When reviewing applications every year, does ADAI grandfather-in licensed program participants from the previous year?

No

21) When will I receive my hemp license?

Once your application has been approved and you have made the appropriate fee payment(s), both the license certificate and a signed/dated Licensing Agreement will be emailed to you after January 1, 2023.

22) Is it possible to change the name on my license after it has been issued?

No. Carefully consider if you want your license to be in your name as an individual or a company name, because you will not be able to change the name on the license after it has been issued. License name changes cannot be made until the following year's application.

23) What if I cannot attend the hemp orientation meeting?

ADAI strongly encourages new licensees, especially growers, to attend one of the orientation meetings that will be held in January 2023. The AL Cooperative Extension Agency (ACES) and ADAI conduct four meetings at different locations around the state. Information on these meetings will be available at:

<https://agi.alabama.gov/hemp/resources/>

24) May I sell my hemp license or allow another person to grow or process hemp under my license?

No. You are prohibited from selling or transferring your license. You must also agree not to allow another person to grow or process hemp under your license. Each program participant must apply for and receive a separate Grower License or Processor/Handler License.

SEED AND CLONE ACQUISITION

25) Will ADAI provide seed or clones to registered growers?

No. The State of Alabama will not provide seed, clones, or other materials necessary for the production of hemp.

26) Is there a list of approved hemp varieties for growing in Alabama?

No. After each season of the Alabama hemp crop, ADAI has a better idea of which hemp varieties tend to test lower than the 0.3% tolerance for THC. However, Seed/Propagule Acquisition Request forms and supporting documents will continue to be required due to the variability between seed/propagule sources and between test results from different labs, as well as between varieties.

27) How do I purchase hemp seed or clones for planting?

After you receive your license documents (and only then), you must submit a completed Seed/Propagule Acquisition Request Form, or an International Seed Acquisition form, along with all required documentation. The forms are posted on the ADAI hemp website on the public access page. The seed/propagule source must provide certification that they are part of a state hemp program, and a certificate of analysis (COA) showing that material grown from the seeds purchased will contain no more than 0.3% total Δ -9-THC by weight. **You may not purchase the seed or clones until ADAI approves your Seed/Propagule Acquisition Request.** ADAI also requires a copy of your invoice and receiving (pick-up, delivery, shipping, etc.) documents showing the source information, the amount of seed/number of seedlings purchased, variety names, etc.

28) Does ADAI require that hemp seeds or clones be delivered to the ADAI building in Montgomery for inventory?

No. You may have your seed or clones delivered to the address provided on your application. (It is prohibited to possess hemp at any location that is not licensed.) ADAI will inventory/audit the hemp obtained for the Alabama hemp program using the documents that you provide throughout the year, as well as spot check visits by an ADAI hemp inspector.

29) Does ADAI have to inspect the hemp seed or clones that I purchased before I can plant?

ADAI will conduct random inspections to assure compliance with the Alabama hemp regulations. Unless you are instructed to delay planting until an inspection has been conducted, you may plant your seed or clones after receiving ADAI approval of your acquisition request(s). Be aware that ADAI inspectors may inspect your grow site(s) at any time during the season.

HEMP SITE SECURITY

30) Are licensees in the Alabama hemp program required to have security measures around their growing or processing sites?

No specific security measures or signage for hemp sites are required by the Alabama hemp program. However, licensees are advised to evaluate the likelihood of theft or vandalism at your hemp site and take common-sense steps to prevent that.

31) Is it permitted to have a field day or open house to showcase my hemp field or processing site?

No. Because anyone handling unprocessed hemp must have a hemp license, the general public must not be permitted access to hemp crops or unprocessed hemp at processing sites.

32) If I experience theft or vandalism of my hemp, what steps am I required to take?

Report theft or vandalism to local law enforcement as soon as you discover the incident. You are required to notify ADAI of any theft of hemp within three (3) calendar days of the occurrence. You must also notify ADAI of any interaction with a representative of a law enforcement agency immediately by phone (334-240-3713) and follow up in writing (ALHemp@agi.alabama.gov) within three (3) calendar days.

PESTICIDE USE ON HEMP

33) What pesticides are approved for application to hemp in Alabama?

In Alabama, all pesticides must be registered with ADAI to be legally used, and only those pesticides that are registered with the U.S. Environmental Protection Agency (EPA) or exempt from EPA's registration process can be registered in Alabama.

- When choosing pesticides for use on hemp, please consider the following: 1) the active ingredient must be exempt from the requirements of a tolerance on all food crops, 2) the label must have directions for use on unspecified food crops, 3) the pesticide must be registered by the EPA or exempted from registration, 4) the pesticide must be registered by ADAI, and 5) the label must be sufficiently broad to include hemp and not prohibit its use on hemp.
- ADAI may perform pesticide testing on a random basis or if representatives of the Department have reason to believe that a pesticide may have been applied to hemp in violation of the product label. Hemp seeds, plants, and materials bearing pesticide residue in violation of the label shall be subject to forfeiture or destruction without compensation.
- It is also important to note that most processing companies will be testing for pesticide residues, and each pesticide has a residue limit. If the hemp exceeds that limit, then it fails. **Therefore, every grower is encouraged to speak with their processing company to make sure they are compliant before applying any chemical.**
- A complete copy of Alabama's laws and regulations governing the use of pesticides is available at https://agi.alabama.gov/pesticidemanagement/wp-content/uploads/sites/10/2022/02/chapter-27-title-2-code-of-alabama_1975.pdf
- For recommendations of pesticides that may be used on hemp, contact your contact your local or regional Alabama Cooperative Extension System office.

34) Is it legal to use a pre-plant herbicide on my hemp field?

A licensed grower who uses a pesticide on a site where hemp will be planted shall comply with the longest of any planting restriction interval on the product label prior to planting the hemp. For recommendations of pesticides that may be used on hemp, contact your contact your local or regional Alabama Cooperative Extension System office.

35) How do I know if a pesticide is approved to use on hemp?

In Alabama, all pesticides must be registered with ADAI to be legally used, and only those pesticides that are registered with the U.S. Environmental Protection Agency (EPA) or exempt from EPA's registration process can be registered in Alabama. For information on how to read a pesticide label, go to

<https://pesticidestewardship.org/homeowner/how-to-read-the-label/>. For recommendations of pesticides that may be used on hemp, contact your local or regional Alabama Cooperative Extension System office.

- **Hemp That Will Not Be Consumed:** When determining those pesticides that may be used on hemp that will not be consumed by humans, products must meet the following criteria: 1. The label lists "hemp" as a use site, or the label language is sufficiently broad to include hemp and does not specifically prohibit its use on hemp; 2. The pesticide is registered federally by the EPA or exempted from registration; and 3. The pesticide is registered by ADAI. Information regarding ADAI's pesticide product registration process is available here and currently registered pesticides are available at <http://npirspublic.ceris.purdue.edu/state/>.
- **Hemp That Will Be Consumed:** When determining those pesticides that may be used on hemp that will be consumed by humans, products must meet the following criteria: 1. The active ingredient is exempt from the requirements of a tolerance on all food crops (i.e., auxins, select biopesticides, copper, cytokinins, gibberellins, petroleum oil, phosphorous acid, pyrethrins, soap, sulfur, common consumer food commodities, edible fats, and oils). Information regarding food tolerances for pesticide ingredients may be found at: <https://www.epa.gov/pesticide-tolerances/how-search-tolerances-pesticide-ingredients-code-federal-regulations>. 2. The label has directions for use on unspecified food crops; 3. The pesticide is registered by the EPA or exempted from registration; 4. The pesticide is registered by ADAI; and 5. The label language is

sufficiently broad to include hemp and does not specifically prohibit its use on hemp. It is expected that in the future, EPA will undertake activities to register pesticides that specifically include use on hemp that is grown for consumption.

36) What is the Worker Protection Standard, and how do I know if I must comply?

Pesticide usage in the production of hemp must comply with label instructions and may also require compliance with the federal Worker Protection Standard. If required, the pesticide label will include an “Agricultural Use Requirements” box. For information on the Worker Protection Standard, go to <http://aji.alabama.gov/docs/default-source/pesticide-management/pesticide-use-on-hemp-2019.pdf?sfvrsn=0>.

37) A hemp grower in another state said that he uses a specific insecticide on his crop. Does that mean the same pesticide is legal for use on hemp in Alabama?

Be cautious of recommendations for pesticide products from a source other than the Alabama Cooperative Extension System (ACES) or ADAI. These are the only two agencies working to ensure the legal use of pesticides on hemp within the state of Alabama. The use of an unapproved product on hemp will result in complete crop destruction. Lists of approved pesticides from other states where hemp is grown **SHOULD NOT** be followed as a guide for use in Alabama. Each state has its own regulations regarding pesticide use on hemp, and pesticides approved for use on hemp in another state may not be approved for use in Alabama. ACES and ADAI are continuing to work on creating a complete list of pesticides that can be used on hemp and are registered in Alabama. For recommendations of pesticides to use on your hemp crop, as well as other questions about the cultivation of hemp in Alabama, please contact your local Alabama Cooperative Extension System office.

38) Who should I contact with questions about insects, diseases, or crop management of hemp?

The Alabama Cooperative Extension System (ACES) is the primary organization to deliver research-based educational programs on agricultural production and economics. The Extension Hemp Action Team has been working diligently to identify pest problems in hemp, as well as develop cultural recommendations for hemp growers. Please contact your local or regional ACES office with questions about hemp production. The Plant Protection Division of ADAI is a regulatory agency, and as such, it is prohibited from making recommendations on crop production. ACES hemp information may be found at <https://www.aces.edu/blog/topics/crop-production/hemp-harvest-considerations>.

39) I will be selling my hemp crop to a processor that has specific requirements for pesticide residues. Is it OK to just use my processor’s recommendations?

Before applying any pesticide to hemp, it is crucial for growers to speak with their processing company to ensure their crop will be compliant. Processors have a separate set of regulations regarding both allowable pesticides and residue limits. If the hemp has been treated with a pesticide not approved by the processor, or the pesticide residues are too high, the crop will fail and be rejected. However, growers are prohibited from applying any pesticide unless it is registered for use on hemp in Alabama, so you must comply with both sets of requirements.

40) For drift potential and cross pollination issues, will ADAI provide a list of farmers in my area?

No

HEMP SAMPLING AND THC ANALYSIS

41) What chemical does ADAI test for to determine THC level in hemp?

ADAI measures the Total Δ -9-tetrahydrocannabinol (Total Δ -9-THC) concentration. This is the same chemical component for which most state hemp programs analyze, and the chemical component analysis required by the 2018 Farm Bill. The 2018 Farm Bill defines hemp as “the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.” In addition, the 2018 Farm Bill requires each state to submit its hemp program plan for approval by USDA. One of the requirements set forth is that the plan must include “a procedure for testing, using post-decarboxylation or other similarly reliable methods, delta-9 tetrahydrocannabinol concentration levels of hemp produced in the State or territory of the Indian tribe.” The Total Δ -9-THC concentration must not exceed 0.3% by dry weight for the *Cannabis sativa* plant to be considered hemp.

42) Is there a cost for the required pre-harvest sampling and THC analysis by ADAI?

The \$1000 Participation Fee includes one (1) sample and analysis of one (1) plot. The fee for sampling and analysis of additional harvests, varieties, and plots will be billed to the licensed grower. The fee for additional analyses is \$250 each.

43) Will pre-harvest sample analysis results be complete before harvest and/or sale?

The ADAI Food and Drug Lab is analyzing the pre-harvest hemp samples. The turn-around for results currently is eight (8) days. If lab results are delayed, ADAI may issue a Release/Move document based upon other analyses of the same variety.

44) May I move my harvested crop before the test results for THC are complete?

Usually, No. You must not move your crop until you have received a Release/Move document from ADAI. An exception is made to allow you to move your crop to an in-state processor or dryer, but it MUST NOT be commingled, extracted, or shipped out of state until you have received a Release/Move document from ADAI.

45) What is the procedure that ADAI follows in taking a pre-harvest hemp sample?

The protocol (SOP, or Standard Operating Procedure) for sampling and analysis that ADAI follows is posted on the ADAI hemp website under "Resources."

46) What happens to my hemp crop if the analysis reveals that it has greater than 0.3% total Δ-9-THC?

As of January 1, 2022, the USDA approved ADAI Hemp Program falls under the 2018 Farm Bill which does not allow for whole plant testing. Once the ADAI Food and Drug Lab completes analysis on the collected sample(s), if the THC level is greater than 0.3%, the crop will be destroyed under the official destruction protocol.

47) What happens if my pre-harvest sample tests above the 0.3% THC limit and I've already sold my crop?

Moving harvested hemp without a Release/Move document issued by ADAI is prohibited by the Alabama Hemp Program requirements. If you violate the Alabama Hemp Program requirements in this or any other way, you are in jeopardy of having your hemp license revoked.

48) May I have my crop analyzed for THC level by a private lab instead of by ADAI?

Participants in the Alabama hemp program may send samples of their crop to private labs to determine THC levels and other purposes. However, the THC analysis from private labs is not considered an official sample so they will not substitute for the pre-harvest sample taken by ADAI inspectors.

- Intended transfers of industrial hemp materials to testing labs for the sole purpose of determining phytocannabinoid levels of a sample are restricted to individual samples that must not exceed 1 lb. (0.45 kg) per sample. Samples must be sent directly to the lab at the company address and be appropriately labeled. A participant's choice to send floral materials to a lab for testing is at their own risk. ADAI has no authority to authorize or regulate industrial hemp materials once they exit Alabama. For all lab transfers, program participants must be prepared to produce a copy of their hemp license upon request by the ADAI hemp staff, the Alabama Law Enforcement Division, or another law enforcement agency. The participant must ensure that a copy of their license and copies of the lab reports and release/movement documents accompany the material in transit. All hemp materials must be appropriately identified or labeled during transit.

49) Will ADAI recommend or provide a list of private labs?

No

HARVESTING HEMP CROP

50) Why am I required to notify ADAI before I harvest my hemp?

Plants from each hemp plot must be sampled and analyzed prior to harvest to assure that they contain no more than 0.3% total Δ -9-THC by weight. The 14-day notice is required to enable ADAI inspectors to schedule pre-harvest sampling as close to the requested harvest date as possible. Bear in mind that many Alabama hemp growers will be harvesting their crop within the same few weeks of time. The 14-day notice allows the ADAI hemp staff to coordinate sampling of plots with others nearby.

51) Can I request a specific date for the harvest sampling by ADAI?

No. However, by specifying your harvest date, you can be assured that the ADAI hemp staff will make every effort to schedule your pre-harvest inspection and sampling as close to that date as possible. No inspections/sampling will be scheduled for weekends or holidays.

52) How soon must I harvest my hemp crop after ADAI takes the pre-harvest samples?

Hemp must be harvested within up to 30 days of the day of sampling. If the harvest has not been completed within 30 days, a new Harvest/Destruction form must be submitted and another pre-harvest sample must be collected by ADAI.

PROCESSING HEMP

53) How do I find a processor for my hemp crop?

There is a list of some of the Alabama licensed hemp growers and processors on the ADAI website at <http://agi.alabama.gov/divisions/plant-protection/industrial-hemp>. Please be aware that this is not a complete list of growers and processors, as this list contains only those license holders who elected to have their contact information published. ADAI does not recommend or endorse any of these license holders or affiliated companies.

- Other sources for finding processors include hemp grower associations and websites for hemp programs in other states.

54) What documents must a hemp grower provide to the processor?

The processor must ensure that growers from whom they purchase hemp are licensed in their state hemp program, so they must have a copy of the grower's hemp license. They must also be sure that the grower provides a release or transfer form from their state hemp program.

55) Will the State of Alabama buy my hemp if I am unable to find a processor?

No. The State of Alabama will not purchase your hemp crop under any circumstance.

SELLING HEMP AND HEMP PRODUCTS

56) What kind of license is required for the retail sale of CBD oil and other hemp products?

Retail sale of hemp products does not fall within the regulatory authority of the Plant Protection Division of the Alabama Department of Agriculture and Industries. Check with local city and county business license offices for their requirements.

57) Is selling processed hemp products allowed at Alabama Farmers Markets?

1. Hemp seed oil (cold pressed), 2. Hemp seed protein powder, and 3. hulled hemp seed have passed the FDA GRAS [Generally Recognized As Safe] standard. These products are safe and legal to sell based on FDA standard. CBD oil appears to be legal for sale (if derived from Industrial Hemp – less than 0.3% Total Δ -9-THC). The optimal wording here is 'appears'. All other products, including infused, impregnated, etc., are not legal – **AS OF TODAY**. You cannot make any claims that CBD products have health effects, i.e., aids in this or that, relieves aches and pains, etc.!

58) I want to sell hemp seedlings (germinated seed) and hemp clones (rooted cuttings) to other growers in Alabama. May I do that under my hemp growers license in the Alabama hemp program?
No. To legally sell growing plants (seedling or clones), you must be a registered nursery grower through the ADAI Plant Protection Division. The application to register as a nursery grower may be found at <https://aqi.alabama.gov/plantprotection/certifications/>.

- You must also provide your customer with a certificate of analysis (COA) for the seedlings or plants that you sell, as well as documentation that you are a licensed grower in the Alabama hemp program. You may not sell hemp plants to anyone who does not have a current license in the hemp program in their state.
- All plant and/or seed sources are required to provide their customer with ordering and receiving/shipping documents of the acquisition transaction(s).

59) I want to sell hemp seed to other growers in Alabama. May I do that under my hemp growers license in the Alabama hemp program?
No. To legally sell seed in Alabama, you must have a seed dealer permit from the ADAI Agricultural Compliance Division. The application for a seed dealer permit may be found at <https://aqi.alabama.gov/agcompliance/permits/>.

- You must also provide your customer with a certificate of analysis (COA) for the seeds that you sell, as well as documentation that you are a licensed grower in the Alabama hemp program. You may not sell hemp seeds to anyone who does not have a current license in the hemp program in their state.
- All plant and/or seed sources are required to provide their customer with ordering and receiving/shipping documents of the acquisition transaction(s).

60) I ordered too many seed/clones, and my friend, who is also a licensed hemp grower, needs more seed/clones. Is it permissible for me to sell or give my extra seed/clones to him?
No. Refer to the previous question. A hemp grower license does not permit you to sell or distribute hemp seed, seedlings, or clones.

- In addition to the hemp grower license, you must apply for a seed dealer permit to sell hemp seed.
- In addition to the hemp grower license, you must apply for a nursery grower license to sell, offer, or distribute plants for planting, including hemp.

61) I am a hemp seed dealer located in another state. Am I required to be licensed in Alabama to sell hemp seed there?
Yes. To legally sell seed in Alabama, you must have a seed dealer permit from the Agricultural Compliance Division. The application for a seed dealer permit may be found at <http://aqi.alabama.gov/divisions/division-AgComp>.

TRANSPORTING HEMP

62) What documents must accompany a shipment of harvested hemp from the grower to the processor?

The following documents must accompany a shipment of harvested hemp to a processor:

- A Release/Movement form supplied by ADAI (or from their state's hemp program) after sampling and testing.
- A final lab report issued by ADAI.
- A copy of the hemp grower's license.
- A copy of the hemp license for the processor to whom the hemp is being taken.

63) What documents must accompany the shipment of harvested hemp coming to a processor in Alabama from other states?

The following documents must accompany a shipment of harvested hemp coming into Alabama from other states:

- A Release/Movement form, Certificate of Analysis (COA), or similar form from the home state showing that the hemp being transported contains no more than 0.3% Total Δ -9-tetrahydrocannabinol (Total Δ -9-THC) by dry weight.
- A copy of the hemp grower's license.
- A copy of the hemp license for the processor to whom the hemp is being taken.

64) Is special documentation required to ship seed or clones from a supplier to the grow site?

The transport of unprocessed hemp of any type requires:

- A Release/Movement form, Certificate of Analysis (COA), or similar form from the home state showing that the hemp being transported contains no more than 0.3% Total Δ -9-tetrahydrocannabinol (Total Δ -9-THC) by dry weight.
- A copy of the hemp grower's license.
- A copy of the hemp license, and/or business license, for whom the hemp is being taken.

65) Does it make any difference in the required documentation if I transport my own hemp rather than pay a third party to transport it?

No matter who transports hemp, the same documents are required:

- A Release/Movement form, Certificate of Analysis (COA), or similar form from the home state showing that the hemp being transported contains no more than 0.3% Total Δ -9-tetrahydrocannabinol (Total Δ -9-THC) by dry weight.
- A copy of the hemp grower's license.
- A copy of the hemp license, and/or business license, for whom the hemp is being taken.

66) What happens to a shipment of hemp that is not accompanied by a hemp license?

You may be stopped by law enforcement at any time and asked to provide documentation showing what crop is being transported. Because there is no test that law enforcement can conduct that will differentiate between hemp and marijuana, they may confiscate the shipment and arrest the driver.

GENERAL QUESTIONS

67) Are there grants or other financial assistance available through the State of Alabama for participants in the hemp program?

No. The State of Alabama does not provide any financial assistance to growers or processor/handlers.

68) Is there crop insurance, price support, or other programs for hemp like the traditional agronomic crops grown in Alabama?

Beginning in 2020, USDA began making crop insurance and farm loans to qualified hemp producers. See <https://www.farmers.gov/manage/hemp> for details.

69) Is there economic feasibility information available from AU, ACES, or the AAES on producing hemp?

Very little. Because of the historical moratorium on hemp research, there are no current feasibility studies for hemp production in Alabama. The amount of economic and production information about hemp will increase with each year that research is conducted in Alabama.

- Many states have published pilot research and production information which can be found on the internet. Some examples include:
- Kentucky: <https://www.uky.edu/Ag/AgEcon/pubs/reshempimpfarmer28.pdf>
- U.S. Congressional Report Overview: https://www.everycrsreport.com/files/20180622_RL32725_c276fc644a1629238199b60e4c744d9f06260a33.pdf
- Washington: <http://ses.wsu.edu/wp-content/uploads/2015/02/WP2014-10.pdf>

70) What is the minimum growing size required in the Alabama Hemp Program?

- **Outdoor site:** No less than one (1) fully plantable acre to plant no less than 1,000 plants each time you plant the outdoor site. **To plant less than the minimum, you must submit an email request to ALHemp@agi.alabama.gov and include your plan, number intended to plant, and your reasons for the request. ADAI must approve your request prior to planting. Planting without ADAI approval constitutes an intentional violation of the hemp rules.**
- **Greenhouse/Indoor Structure:** No less than 1,500 square feet to plant no less than 500 plants each time you plant the indoor structure. **To plant less than the minimum, you must submit an email request to ALHemp@agi.alabama.gov and include your plan, number intended to plant, and your reasons for the request. ADAI must approve your request prior to planting. Planting without ADAI approval constitutes an intentional violation of the hemp rules.**

71) I have read that other states have received approval from the USDA for their producers to plant hemp as an unregulated crop. Why doesn't Alabama have the same approval?

Alabama's hemp plan was approved by USDA in late 2021. Alabama will comply with the requirements of the USDA program under the 2018 Farm Bill

72) Does a hemp license exempt a program participant from complying with state and federal laws related to marijuana?

No. A hemp license only authorizes its holder to grow or process hemp within the bounds of ADAI's hemp program or a licensed university's research program. All state and federal laws pertaining to marijuana still apply, and licensees may be prosecuted for violating those laws.

73) Is the hemp program the ground floor for medical marijuana in Alabama?

No. ADAI's hemp program concerns only hemp with total THC levels at or below 0.3%. All plants with THC levels above that level fall outside the program and will be destroyed. In other words, the Alabama hemp program is not related to, nor does it regulate or seek to involve, growth of marijuana for any medical, research, or recreational purposes.

74) When can I farm hemp just as I would cotton, corn, peanuts, or soybeans?

A hemp grower or processor license and annual registration will continue to be required under the 2018 Farm Bill and the Alabama hemp regulations. Both of those documents may be viewed on the Resources page of this website. Planting areas will be identified on your application to facilitate required monitoring and sampling of the crop. Even though the 2018 Farm Bill redefined hemp as an agricultural commodity, marijuana is still classified as a Schedule I drug. Production fields must be sampled before harvest to ensure that the THC level is below 0.3%, and thus hemp instead of marijuana.

75) Is it legal to feed hemp products to animals?

Hemp is currently prohibited from use in or as animal feed.