

**Alabama Department of Agriculture & Industries (ADAI)**  
**Food Safety/Ag Compliance Division**  
**Industrial Hemp Program**

**Hemp Microgreens Producer Guidance**

**Introduction**

Starting in 2024, Alabama hemp growers will be able to commercially produce hemp microgreens that comply with state and federal regulations. Since these products are not produced to a mature, flowering state where a sample would be collected to determine THC concentration, an alternative protocol has been developed to determine crop compliance. This production method will be approved by USDA-AMS as part of the Alabama State Hemp Plan for Domestic Hemp Production and will be initiated on or after March 1, 2024. In addition to the requirement of utilizing verified hemp seed, and timely crop reporting, this production method will involve requiring crops to be harvested prior to flowering and requires certification by the grower that crops were grown and harvested to the standards listed in the addendum to ADAI's Standard Practice for Field Sampling of Hemp.

Crops are subject to sampling by ADAI to verify THC concentrations are below compliance levels. Crops will still be required to meet all other food safety guidelines separate from the hemp program requirements.



**Purpose**

The purpose of this document is to provide licensed hemp growers guidance on what will be required to maintain compliance with the ADAI's hemp program and ensure eligible products will be allowed to enter the stream of commerce. This document is for information purposes only and is not a substitute for the statutes, rules, and policies of ADAI for hemp production. Please see the reference section at the end of this document to locate official publishing of regulatory documents. This document is subject to change, so it is advised that the most recent version provided on ADAI's website. Use this link to go to ADAI's Resources page: <https://agi.alabama.gov/hemp/resources/>

**Contents**

- Hemp Microgreens Producer Guidance
- Industrial Hemp Performance-based Sampling Addendum
- Industrial Hemp Microgreens Production Report form
- Applicable Administrative Rules

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**HEMP MICROGREENS PRODUCER GUIDANCE continued**

Growers that are intending on planting hemp microgreens should submit an online Grower/Handler application, and once the application has been approved by ADAI, submit a Grow Plan clearly showing the grower's intent and plans for microgreens production so the hemp program staff can prepare for inspection and audit activity.

Growers will need to ensure that detailed documentation and records are kept and maintained according to the record keeping requirements outlined in USDA Rules 7 CFR Part 990 and the Alabama Hemp Rules set forth in Administrative Code 80-10-21, et seq.

Growers will also need to ensure that only the selection of hemp seed that originated from a compliant hemp crop is utilized for planting as outlined in USDA Rules 7 CFR Part 990 and the Alabama Hemp Rules set forth in Administrative Code 80-10-21, et seq. This can be domestic or foreign hemp seed.

Additionally, because of intended consumption, **only untreated, uncoated hemp seeds** can be used in the production of hemp microgreens.

**IMPORTANT:** Growers must register their crops with their local USDA-FSA office before submitting a Production Report with ADAI. USDA-FSA will provide a unique ID that must be provided when reporting a crop with ADAI. Due to the time constraints with these crops, failure to do so may result in the loss of the crop. To find your local County office, visit the interactive map at the following link: <https://www.aces.edu/blog/category/counties/>

Growers will be required to file an Industrial Hemp Microgreens Production Report form within 5 business days of planting, **each time they plant a licensed site**. A specialized report form has been developed specifically for hemp microgreens. Fillable reports are available within the online system and can be accessed once a hemp license has been issued.

The licensed grower must have an authorized representative, or previously approved additional contact, on-site during inspections conducted by ADAI.

ADAI will collect, annually, two random pre-harvest samples for determining the Total THC concentration. If the crop is determined to be non-compliant, the licensed grower will be required to hold the harvested lot until notified by ADAI of their options. Secondary harvest sample fees will apply.

The following shall apply for each crop of hemp microgreens:

A. Hemp Microgreens:

1. Hemp microgreens are described as immature hemp seedlings for human consumption that are cut-off above the soil or substrate line and harvested prior to flowering and not more than 14 days after germination. Hemp microgreens are typically between two (2) and three (3) inches in height, but not taller than five (5) inches.

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**HEMP MICROGREENS PRODUCER GUIDANCE continued**

2. Licensed growers are required to submit hemp material acquisition requests to ADAI via the online system, prior to ordering, purchasing, or receiving any hemp materials, including any carry over hemp materials from a previous licensed year. Once the grower receives the ADAI acquisition approval email(s), production activities can start.
3. Each time the grower plants a crop of hemp microgreens and submits the required Industrial Hemp Microgreens Production Report, they must **also** submit a Harvest/Destruction Request in the online system so that ADAI will know to conduct performance-based sampling/testing protocols rather than the established standard sampling/testing protocols.
4. Microgreens will be inspected and sampled not less than two random pre-harvest samples at each grow site. Once sample analyses have been returned from ADAI's Food and Drug Lab, ADAI will issue the Release/Movement documents relative to the analysis outcome.
5. The licensed grower will submit an online Microgreens Certification Form for all productions **not falling under the two annual, random ADAI samples**. This form certifies that the grower:
  - a. Obtained and planted only pre-approved hemp seed.
  - b. Harvested the crop no more than fourteen (14) calendar days after planting.
  - c. Only grew hemp plants that were no more than five inches in height; and,
  - d. Did not grow hemp plants to a flowering state.
6. A licensed grower that produces a crop that does not meet the criteria for the established legal limit shall follow ADAI's communications on remediation or destruction of the crop.

**Resources**

To contact the AL Hemp Program, email [ALHemp@agi.alabama.gov](mailto:ALHemp@agi.alabama.gov), or call 334-240-7230.

For more information on the hemp program, please visit our website at: <https://agi.alabama.gov/hemp/>

You can find the AL Hemp Rules and other helpful information on the Resources page of the website at <https://agi.alabama.gov/hemp/resources/>

**NOTE: Document pending USDA/AMS review and approval.**