



Sampling & Harvest Details for Hemp Growing Permit Holders

Following the planting of their hemp lots, growing permit holders should begin thinking about lot sampling, testing and harvest.

SAMPLING: For every planted hemp lot, an official compliance sample must be taken within 30-days of harvest. This sample must be collected by a PA certified hemp sampling agent or PDA inspector/program employee. These sampling agents, inspectors and program employees shall have unrestricted access to all hemp/cannabis plants and all land, buildings, etc. used for cultivation, handling, and storage.

Any testing done for personal monitoring of cannabinoid levels does not need to be collected by an official sampling agent. ***Only the pre-harvest compliance samples must be collected by an official sampling agent.***

The details on the PA Certified Sampling Agent Program are currently found on the PDA Hemp Program webpage (<http://agriculture.pa.gov/hemp>). This is found on the right side of the page [if viewed on a computer] or at the bottom of the page [if viewed on mobile] under the tab “Certified Sampling Agent”. One of the links on this page is the Hemp Sampling Agent Directory. This is where approved sampling agents and their contact information will be listed. Select an agent in your area to contact to request a sampling. Growers are not limited to contacting agents in their county. **Please give 1-2 weeks’ notice ahead of your desired sampling date.** If you need to have an official sample collected before there are agents listed in your area, contact the Hemp Program staff at 223-666-2561 or RA-AGPLHEMP@pa.gov to be connected with a Plant Industry inspector to schedule a sampling.

Pennsylvania Hemp Sampling Agents establish their own fees and rates for the collection of the official hemp sample. The Pennsylvania Department of Agriculture does not mandate the type of fees an agent may charge, nor the price or rate. It is highly recommended that licensed hemp producers contact potential Hemp Sampling Agents to inquire what fees and costs will be associated with collecting the official sample.

The sampling agent certification is done annually. If you know businesses or individuals who might be interested in doing this, you can direct them to the webpage. ***Please be aware that no one who holds a hemp permit or has a financial interest in a hemp permit in any state will be approved as a sampling agent.***

Any grower interested in reviewing the Hemp Sampling Protocol can view the updated version in the Certified Sampling Agent materials on the Hemp Program webpage.

LABORATORY SELECTION: The Department has prepared a [Hemp Testing Laboratory Registry](#), which is a listing of laboratories approved to conduct hemp compliance testing. The laboratories on this listing meet the testing and reporting requirements specified by both the Department and the USDA (*determined by a PDA Laboratory Questionnaire*). The Registry can be found on the Hemp Program webpage (<http://agriculture.pa.gov/hemp>) under the “Laboratories” tab. Growers must select a Laboratory from this listing which the sampling agents will send their compliance samples to.

PREPARATION FOR A SAMPLING AGENT VISIT: Ahead of the hemp sampling agent visit, there are a few steps/items for you to prepare:

1) Select an analytical laboratory you will be using to test your samples from the [Hemp Testing Laboratory Registry](#) mentioned in the previous section. Make arrangements with the company to accept the samples which the sampling agent will be sending and confirm that they will send the results to PDA directly.

- 2) Have a pre-paid shipping label and box ready. It is up to you which shipping company/carrier you use, but overnight or 1-day shipping is recommended. The sampling agent will be responsible for sealing the samples in the box and dropping the samples at the shipping company or post office.
- 3) There will be a sampling visit fee charged during the visit, so please be prepared to have payment in the form requested by the sampling agent. If a PDA inspector is conducting the sampling, the payment should be in the form of a check payable to the Commonwealth of Pennsylvania.

The samples will be collected by the sampling agents. They will package and ship the samples along with a chain of custody page for the laboratory. **Either the permit holder or a representative of the farm/business must be present while the sampling agent is collecting samples.**

HARVEST AND CLEARANCE OF HEMP LOTS: Growing permit holders have 30 days following the official sampling date of hemp lots to harvest those crops. Those hemp lots will need to remain on the permitted property until a laboratory Certificate of Analysis (COA) with results under the compliance limit of 0.3% Total THC has been received. These COAs must also be sent to PDA directly by the laboratory. **Growers will not receive a letter of clearance from PDA for compliant hemp lots (as was previously done for the 2020 season).** Once a compliant test result is received (testing at or below 0.3% Total THC, with accounting of a laboratory's measurement of uncertainty), a hemp lot may be moved, processed or marketed.

Following the hemp lot harvest, permit holders will need to submit a **Hemp Harvest Report** form, available on the Hemp Program website (<http://agriculture.pa.gov/hemp>) under the "Growing & Processing" tab. This is the form used to record the date sampled, date harvested and harvested area. Reminder, PDA will be making audit inspections to confirm harvest dates and other documentation permit holders are responsible to keep track of as part of their permit responsibilities.

ACTION FOR NON-COMPLIANT HEMP LOTS: If a hemp lot has tested above 0.3% Total THC and has not met compliance (after accounting for the laboratory's Measurement of Uncertainty value), a permit holder has a few options. If a permit holder questions the THC results of the original sample, they may either request the laboratory to conduct a retest of the remainder of the original sample, **OR, if the lot has not yet been harvested,** they may request one resample of the lot. *(Permit holders considering this option should be aware that as hemp continues to grow, the THC levels will continue to increase.)* The permit holder would pay the cost of the retest or resample and would be responsible for communicating with the laboratory to expedite results. The retest results would be issued to the permit holder requesting the retest and a copy must be provided to PDA by the laboratory. If the THC results of the retest or resample are under compliance, then the lot will be considered cleared and the permit holder may move forward with processing or marketing of the lot.

If the THC results of a retest or resample are above compliance, or if the original above compliance lot was not retested or resampled, the Department will issue a control order to the permit holder with instructions for remediation or destruction of the crop. Remediation of a hemp lot is an option provided in the USDA's Final Rule. The two remediation options are removal of flower from stalks to maintain stalk material (floral material is destroyed) or chopping of the whole plant for biomass. **In both cases, resampling of the remediated material must occur by a PDA inspector.** If a permit holder does not choose to remediate the hemp crop, then they must choose a method of on-farm destruction **which will need to be observed by a PDA inspector or hemp program member.** Options for method of destruction include plowing the lot into the field, disking the lot into the field, mulching/composting, brush mowing/chopping, deep burial and burning (if allowed by the municipality). More details on remediation or destruction options will be provided in the control order issued to the permit holder.