

Kansas Administrative Regulations

State Fire Marshal

Article 26.—Commercial Industrial Hemp Processing

22-26-1. Definitions.

As used in this article of the state fire marshal's regulations, each of the following terms shall have the meaning specified in this regulation:

(a) "Act" means the commercial industrial hemp act, K.S.A. 2020 Supp. 2-3901 et seq. and amendments thereto.

(b) "Allowable THC content" means the legal level of THC concentration allowed under state and federal law.

(c) "Batch" means a quantity of hemp, by-products, distillate, or seeds acquired on the same date from the same source.

(d) "Batch identification number" means a unique, sequential number that is assigned to each batch and corresponds to a record identifying the source of the material acquired and the date of acquisition.

(e) "By-product" means the spent biomass, after the extraction of cannabinoids, that contains no greater than the allowable THC content.

(f) "CBD" means cannabidiol.

(g) "Certificate of analysis" means a document from the Kansas department of agriculture or an independent testing laboratory stating the results of laboratory testing of a sample of hemp, by-products, distillate, seeds, hemp waste, or hemp products.

(h) "Distillate" means any substance resulting from the extraction of cannabinoids that contains greater than the allowable THC content and is intended for further processing to yield final hemp products and hemp waste.

(i) "Final hemp product" means a hemp product that has no greater than the allowable THC content and is in a form suitable for lawful sale in Kansas.

(j) "Hemp" means industrial hemp.

(k) "Hemp waste" means the materials resulting from hemp processing that contain greater than the allowable THC content and cannot be further processed into a final hemp product.

(l) "KBI" means Kansas bureau of investigation.

(m) "Lot" means the quantity of hemp processed in one operation or in one continuous or semicontinuous process or cycle. A lot could consist of a single batch or batches from multiple producers.

(n) "Premises" means a hemp processing facility, the immediately surrounding areas controlled by a processor, waste receptacles, associated buildings, and parking areas.

(o) "Processor" means a person registered as a hemp processor in Kansas.

(p) "Producer" means a person lawfully engaged in the cultivation or production of industrial hemp for commercial purposes, whether inside or outside Kansas.

(q) "THC concentration" means the combined percentage of tetrahydrocannabinol and its isomers, their salts and acids, and salts of their acids, reported as free THC and measured on a dry-weight basis for any part of the plant *Cannabis sativa L.* and on a percentage-by-weight basis in distillate, by-products, hemp waste, or other materials resulting from the processing of industrial hemp.

(r) "Treated hemp waste" means hemp waste that has been treated as required by K.S.A. 2020 Supp. 2-3909, and amendments thereto, and this article of the state fire marshal's regulations to render the hemp waste unusable and unrecognizable.

(Authorized by and implementing K.S.A. 2020 Supp. 2-3907, as amended by L. 2021, ch. 76, sec. 5; effective, T-22-1-28-21, Jan. 28, 2021; effective, T-22-5-26-21, May 28, 2021; effective Oct. 22, 2021.)

***** Authenticated Kansas Administrative Regulation *****