

Kansas Administrative Regulations

Kansas Department of Agriculture

Article 34.—Industrial Hemp

4-34-6. Research grower license.

(a) In addition to the requirements of K.A.R. 4-34-5, each individual who is issued a research grower license by the department shall meet the following requirements:

(1) Obtain industrial hemp plants or certified seeds from a licensed research distributor or from legally imported sources of industrial hemp;

(2) obtain and retain a copy of each seed label for all certified seed planted, cultivated, or grown;

(3) obtain and retain a copy of the following documents, if applicable:

(A) The research grower license of the primary licensee that cultivated, planted, grew, handled, harvested, conditioned, stored, distributed, or transported the industrial hemp plants or seeds being received;

(B) the research distributor license of the primary licensee that handled, conditioned, stored, distributed, or transported the industrial hemp plants or seeds being received; and

(C) the harvest certificate pertaining to the industrial hemp plants or seeds being received by the licensee or a bill of lading or other documentation identifying the source of the industrial hemp plants or seeds being received;

(4) ensure that industrial hemp plants, plant parts, grain, or seeds are not interplanted with any other crop in any research area;

(5) ensure that a copy of the harvest certificate pertaining to the industrial hemp plants, plant parts, grain, or seeds that were harvested or a bill of lading or other documentation identifying the source of the industrial hemp plants, plant parts, grain, or seeds accompanies the industrial hemp plants, plant parts, grain, or seeds being transported;

(6) ensure that industrial hemp plants, plant parts, grain, or seeds are not commingled with any other commodity or other items being transported; and

(7) survey and monitor any unlicensed growing areas, whether inactive or previously licensed as part of any research area, or never been licensed, including any ditches, fence lines, and other unmanaged land areas adjacent to the research areas, for volunteer plants and destroy any volunteer plants during the current license year and for at least three years after the last date of planting reported to the department.

(b) The primary licensee on each research grower license shall have a primary residence in Kansas.

(c) Any licensed research grower may cultivate, plant, grow, handle, harvest, condition, store, distribute, or transport industrial hemp plants, plant parts, grain, or seeds pursuant to the license issued by the department.

(d) A licensed research grower shall not handle, harvest, condition, store, distribute, transport, or process industrial hemp plants, plant parts, grain, or seeds cultivated, planted, or grown by another licensee without first obtaining any required license issued by the department.

(e) A licensed research grower shall not cultivate, plant, grow, handle, or harvest more than 80 acres in a licensed research section under one license in calendar year 2019 and shall not cultivate, plant, grow, handle, or harvest more than 320 acres in a licensed research section under one license in calendar year 2020. Each primary licensee on a research grower license who wants to cultivate, plant, grow, handle, or harvest more than the authorized acres in a licensed research section in any calendar year shall obtain an additional research grower license and pay all required application fees and license fees for the additional acreage.

(f) Each licensed research grower that cultivates, plants, grows, handles, harvests, conditions, stores, or transports industrial hemp plants or seeds that were obtained from outside Kansas shall maintain a bill of lading or other documentation that identifies the source of the industrial hemp plants or seeds to demonstrate that the industrial hemp plants or seeds were legally imported into Kansas.

(Authorized by and implementing K.S.A. 2018 Supp. 2-3902; effective Feb. 8, 2019.)