

**CALIFORNIA STATE REGULATORY PLAN FOR HEMP PRODUCTION**  
**Recommended Language Changes Proposed by the California Industrial Hemp Advisory**  
**Board Rules & Regulations Committee**

**PRE-HARVEST REPORT**

**4940. Sampling Timeframe and Pre-Harvest Notification for Industrial Hemp.**

~~(a) Sampling Timeframe.~~

- ~~(1) Samples shall be collected no more than 11 calendar days prior to the anticipated harvest start date listed on the pre-harvest report.~~
- ~~(2) Any changes to the harvest date that result in harvest activities to occur more than 30 calendar days after the sample collection date shall require additional sampling for THC concentration prior to harvest.~~

(b) Sampling Request and Pre-Harvest Report.

- (1) In order to request sampling, registrants shall submit a sampling request signed pre-harvest report to the commissioner at least 30 calendar days before the anticipated harvest start date to initiate the sampling process.
- (2) A separate pre-harvest report shall be completed for each planting to be harvested. The pre-harvest report shall include the:
  - (A) registrant's registration number,
  - (B) name and contact information of the registrant,
  - (C) anticipated harvest start date,
  - (D) name(s) of the cultivar(s) to be harvested,
  - (E) physical address, Global Positioning System coordinates, general description of the planting location, and total acreage or square footage of the planting to be harvested, and
  - (F) name and contact information of the laboratory to conduct the testing for THC concentration.
- (3) The pre-harvest report shall be accompanied by a sample analysis request form for each composite sample to be taken. The (2) A sample analysis request form shall be used to record the following information during the sampling and testing process:
  - (A) name, contact information, and signature of the sample analysis requester,
  - (B) registration number,
  - (C) name and contact information of the commissioner,
  - (D) physical address, general description of the planting location, and total acreage or square footage of the planting sampled,
  - (E) lot identification number as provided by U.S. Department of Agriculture Farm Service Agency,
  - (F) name of the cultivar sampled,

- (G) description of the planting to be sampled including estimated average height, appearance, approximate density, homogeneity, condition of the plants, and degree of maturity of flowering material,
  - (H) unique sample identification number for the composite sample,
  - (I) number of the samples taken,
  - (J) date and time of the sample collection,
  - (K) name and signature of the sampler,
  - (L) name and contact information of the approved laboratory conducting the THC testing,
  - (M) name and signature of the person testing the sample,
  - (N) date and time of the sample testing,
  - (O) testing instrumentation used to analyze the sample for THC concentration,
  - (P) laboratory determination of THC concentration in accordance with Section 4942(c) and limit of detection (LOD), and
  - (Q) chain of custody information including the name and signature of the person who received and delivered the sample, and the date, time, and location of each possession or transfer of the sample.
- (4) The Department shall make a template of a ~~pre-harvest report~~ and sample analysis request form available on the Department's website.
  - (5) The sampler, as described in Section 4941(a)(1), shall schedule a sampling date.
  - (6) Registrants shall notify the commissioner of any changes to the above information no less than two calendar days prior to the scheduled sampling date.

#### **4941. Sampling Procedures for Testing Industrial Hemp for THC Concentration.**

##### (a) Collection of Samples.

(2) Prior to the collection of the samples, the sampler as described in Section 4941(a)(1) shall verify that the planting to be sampled corresponds to the registered cultivation site using the physical address, Global Positioning System coordinates, general description, and total acreage or square footage provided on the ~~pre-harvest report~~ and registration application.

##### (c) Handling of Samples.

(3) Samples shall be labeled with a unique sample identification number as assigned on the sample analysis request form and accompanied by the following documentation:

- (A) registrant's proof of registration,
- ~~(B) pre-harvest report,~~
- ~~(C)~~(B) sample analysis request form containing information outlined in Sections 4940(b)(3)(B) through 4940(b)(3)(L) provided by the commissioner and Section 4940(b)(3)(A) provided by the registrant.

## **HARVEST DEFINITION**

### **4890. Definitions.**

(13) "Harvest" means the removal of any flowering parts of a plant in flowering state.

i. Plants maintained indefinitely in the vegetative stage, and not brought to flower are exempt from pre-harvest testing. If brought to the flowering stage, this exemption no longer applies and plants are subject to the pre-harvest testing requirements.

iii. Small amounts of flower, less than 2 pounds dry weight, harvested solely for internal research and experimentation are exempt from this definition