



# Kentucky Department of Agriculture

## *Guidance for Hemp Growers: What to do with a hemp harvest you haven't sold*

February 17, 2020

**Step One:** Renew your grower's license prior to March 15. KDA currently is offering no-fee license renewals for previous-year growers who wish to store hemp harvests until they can find a buyer. (Your only cost will be the \$20 criminal background check fee. Of course, if you plan to grow hemp in 2020, then the regular licensure fees apply.) The deadline for renewals is March 15. The online application is [here](#). To get an application for storage, please fill out the grower application and do not list any growing locations. Applicants do need to list storage locations.

**Step Two: Store your hemp in a facility that is dry and secure.** Like other crops, harvested hemp floral material needs to be kept in a state with [low moisture content](#). To prevent theft, consider securing your barn or other storing facility with a lock or alarm system.

**Step Three: Continue searching for a buyer for your hemp.** We know that hemp prices are volatile, so it makes sense to stay on top of current market conditions. To that end, [here is one resource](#) that could be useful. In addition, KDA maintains a list of processors who wish for their contact information to be made available to the public. If you haven't already done so, take a look at [the list](#) and consider contacting processors to ask about their interest in your harvest. It is also acceptable for you to sell hemp to out-of-state processors, provided that it is legal for that company to possess hemp it under the laws of that state. Remember, shipped hemp must not contain more than 0.3% total THC and must be properly labeled, accompanied by the hemp licenses of the origin and the destination, and contain a Certificate of Analysis. We see a lot of communication on social media sites between companies and growers, so you may consider searching for a buyer online.

**Step Four: Explore your legal options.** If you had a contract with a processor who promised to buy your harvest but didn't follow through on that promise, then you may need to contact an attorney to discuss what options you might have to hold that processor accountable. Because KDA is not allowed to provide you legal representation or legal advice, you will need to contact an attorney in private practice.

**Step Five: Tell FDA that the bureaucratic foot-dragging must stop and we need action now.** Earlier this year, Commissioner Quarles met with U.S. Food and Drug Administration officials to press them for clarity about the future of CBD products. He also laid out his concerns [in a letter](#) to Kentucky's senators and congressmen explaining that the federal bureaucracy's inability to make regulatory decisions is one of the biggest obstacles to growth in the hemp industry. You can show your support by submitting an online comment [here](#) to FDA's Center for Drug Evaluation and Research (CDER).

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Looking forward to 2020 and beyond, we recognize that Kentucky's growing hemp community faces some significant challenges on the horizon: declining market prices, access-to-credit challenges, and a business climate that has been hindered by bureaucratic inaction at the federal agency level, particularly in FDA and the U.S. Drug Enforcement Administration. These challenges mean there is inherent risk for those farmers and entrepreneurs who choose to enter this new market. As always, a cautious approach is the best approach.

