

CHAPTER 62 – INDUSTRIAL HEMP COMMISSION

02 NCAC 62 .0101 APPROVED SEED FOR PLANTING

(a) Approved seed or transplants for cultivating industrial hemp in North Carolina shall be from one of the following:

- (1) Seed or transplants produced from seed or living plant parts that meet the criteria for Breeder, Foundation, Registered, or Certified categories as defined by the North Carolina Crop Improvement Association (NCCIA), including certification by other seed agencies recognized by NCCIA. All such seed and transplants shall include a certifying tag of varietal purity issued by NCCIA (www.nccrop.com) or another official certifying agency as defined in G.S. 106-277.2(23); or
- (2) Seed or transplants produced lawfully under an industrial hemp pilot program within the United States provided that the seed or transplants have accompanying documentation of:
 - (A) Being produced by a licensed grower within the state of production; and
 - (B) Have accompanying documentation that the crop from which the seed or transplants were harvested had a THC analysis of 0.3% or less by dry weight.

(b) Growers or other organizations in North Carolina may produce seed or transplants for distribution or sale for cultivation, if the source is Subparagraph (a)(1) of this Rule, in subsequent years only if it is overseen by NCCIA and certified by NCCIA to be true to type under American Organization of Seed Certifying Associations (AOSCA) guidelines. No other seed or transplants may be produced in North Carolina for distribution or sale in North Carolina.

(c) All seed or transplants produced in North Carolina for distribution or sale in North Carolina to be utilized for cultivation of industrial hemp shall include a certifying tag of varietal purity issued by NCCIA or another official certifying agency as defined in G.S. 106-277.2(23).

(d) A business entity, including an agricultural co-operative enterprise ("co-op") or other farm aggregator ("aggregator") who contracts with one or more permitted growers, may, upon registering with the Commission, obtaining any required permitting from the United States Drug Enforcement Agency, and pursuant to Federal and State law, obtain bulk quantities of seed or transplants approved under this Rule for distribution to permitted growers. A permitted grower may own and plant seed or transplants obtained from such registered co-ops or aggregators, who shall document quantities delivered to each named grower within 10 days of delivery.

History Note: Authority G.S. 106-568.53;
Temporary Adoption Eff. February 24, 2017. (Codifier's Note: This Rule shall remain in effect until the permanent rule that replaces the temporary rule becomes effective. See S.L. 2016-93, s. 7).