

**WAC 16-306-170 Hemp noncompliance for THC concentration. (1) (a)**

If a hemp producer licensee's hemp tests higher than the acceptable hemp THC level, the licensee may be subject to suspension or revocation of their license. The lot must be disposed of in a manner approved by the department. If determined to be appropriate, the department may give notice of noncompliance to appropriate law enforcement agencies and the Washington state liquor and cannabis board, with a summary of the actions taken to dispose of the noncompliant hemp.

(b) Producers must document the disposal of all noncompliant hemp. This documentation must be submitted to the department following the completion of the disposal process.

(2) If a licensee's hemp tests higher than 0.3 percent but less than 0.5 percent THC concentration, the licensee may either request a THC retest within 30 days or resampling of the same lot, at their own expense.

(3) If a licensee's hemp tests higher than 0.3 percent but less than 0.7 percent THC concentration, the licensee may remediate their crop using methods approved by the department. The remediated crop then must be resampled and retested within 30 days, at the licensee's own expense.

(4) If at any time a licensee's hemp tests higher than the acceptable hemp THC level, the licensee may be subject to revocation or suspension of their license.

[Statutory Authority: RCW 15.140.030. WSR 22-19-033, § 16-306-170, filed 9/14/22, effective 10/15/22. Statutory Authority: RCW 15.140.030, 15.140.060 and 2021 c 104. WSR 22-01-137, § 16-306-170, filed 12/14/21, effective 1/14/22. Statutory Authority: RCW 15.140.030 and chapter 34.05 RCW. WSR 20-03-174, § 16-306-170, filed 1/22/20, effective 2/22/20.]