

INDUSTRIAL HEMP RESEARCH AND DEVELOPMENT ACT (EXCERPT)
Act 547 of 2014

286.850 Duties and responsibilities of a grower; prohibited conduct; post signage; conditions for sale of industrial hemp to processor.

Sec. 10.

(1) A grower consents to all of the following:

(a) Entry onto, and inspection of, all premises by the department or law enforcement agencies, with or without cause, and with or without advance notice, where industrial hemp or industrial hemp cultivation equipment or materials are located, or to be located.

(b) Testing of samples of cannabis material in possession of the grower by a testing facility. The fee for testing under this subdivision shall be limited to reasonable costs of conducting the testing.

(c) Forfeiture and destruction of any of the following, without compensation:

(i) Cannabis found to have a measured delta-9-THC content greater than 0.3% on a dry weight basis.

(ii) Industrial hemp present at a location that is not included in the grower's registration.

(iii) Industrial hemp that is grown, handled, or stored in a manner that violates this act.

(d) The risk of financial or other loss under this act is borne solely by the grower.

(2) A grower shall not do any of the following:

(a) Grow, handle, or store industrial hemp for purposes other than research into the growing of industrial hemp.

(b) Handle or store industrial hemp not grown under the authority of his or her grower registration unless licensed as a processor-handler.

(c) Grow, handle, or store industrial hemp in a location other than a location listed in his or her grower registration.

(d) Grow, handle, or store industrial hemp on land or within a structure that is not owned or completely controlled by the grower.

(e) Interplant industrial hemp with any other crop without express written permission from the department. As used in this subdivision, "interplant" means to plant a crop of industrial hemp together with a crop that is not industrial hemp on a single plot of land.

(f) Sell or transport, or permit the sale or transport of, living industrial hemp plants, viable industrial hemp seeds, industrial hemp leaf material, or industrial hemp floral material to a location not listed in his or her registration or to a person in this state who is not a registered grower or licensed processor-handler.

(3) A grower shall post signage in a conspicuous location at each boundary line of a growing location. The signage shall include the following:

(a) The statement, "Industrial Hemp Registered with the Michigan Department of Agriculture and Rural Development".

(b) The registered grower's name.

(c) The registered grower's registration number.

(4) Upon request from the department or a law enforcement agency, immediately produce a copy of his or her registration for inspection.

(5) A grower may transfer up to 2-1/2 ounces of industrial hemp per transfer to a testing facility for the purpose of measuring THC, cannabidiol, or other phytocannabinoid levels.

(6) A grower may sell harvested industrial hemp to a processor licensed under the medical marihuana facilities licensing act, 2016 PA 281, MCL 333.27101 to 333.27801. If a grower intends to sell harvested industrial hemp to a processor described in this subsection, the grower must apply for that designation on his or her grower registration application. Before selling harvested industrial hemp to a processor described in this subsection, the grower shall enter the sale into the seed-to-sale tracking system established under section 3 of the marihuana tracking act, 2016 PA 282, MCL 333.27903.

History: Add. 2018, Act 641, Eff. Jan. 15, 2019

Compiler's Notes: For the transfer of all authorities, powers, duties, functions, and responsibilities of the department of agriculture and rural development to license and regulate process handlers to the cannabis regulatory agency formerly known as the marijuana regulatory agency, see E.R.O. No. 2022-1, compiled at MCL 333.27002.