



DELAWARE DEPARTMENT OF  
**AGRICULTURE**

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## **2019 Delaware Hemp Research Pilot Program Grower's Guide**

### **Overview**

The Department has established the Delaware Hemp Research Pilot Program under section 7606 of the 2014 Farm Bill and Delaware Senate Bill 266. The purpose of the Hemp Research Pilot Program is to explore an alternative to the traditional row crops grown in Delaware. The program authorizes growers to work with permitted institutions of higher education to gain knowledge of any aspect of hemp cultivation, harvesting, processing, marketing, or transportation of hemp for agricultural, industrial, or commercial purposes. The Department's long-term goal is to establish a permanent program for hemp production to provide additional opportunities for growers to diversify, along with developing products that will support other agricultural industries.

This program requires farmers to establish a research agreement with Delaware State University, an institute of higher education, to grow hemp under a research program. Production of hemp for research purposes is limited to 10 acres per approved operation. An operation will be defined by the grower's USDA Farm Service Agency report FSA-578. Growers must apply to the Delaware Department of Agriculture and be approved and authorized to participate in the Delaware Hemp Research Pilot Program. Hemp may not be grown in Delaware for general commercial activity, only as part of a research program; however, growers participating in the program are able to sell their crop if all research requirements are met.

The Delaware Department of Agriculture cannot advise that a viable market will exist for any grower of hemp to sell their crop. The Delaware Department of Agriculture does not hold any responsibility for ensuring that an end market for hemp or hemp products exists and does not take any responsibility for any losses that may be incurred by the grower.

### **How to Apply**

**Note: Production of hemp for research purposes is limited to 10 acres per approved operation. A grower must be 18 years of age or older to be eligible to receive a Delaware Hemp Grower Authorization Certificate.**

1. Grower downloads and completes the Hemp Grower Checklist, Grower Application, and DSU Hemp Research Agreement available at <https://agriculture.delaware.gov/plant-industries/hemp-program/>
2. Grower submits the signed Research Agreement to Delaware State University.
3. Grower obtains completed fingerprint card (fees will apply) from a National Background Information approved law enforcement agency located in Delaware, listed online at: <https://www.nbinformation.com/locations/lawEnforcement/DE.php>

4. Grower applies online at <https://www.fbi.gov/services/cjis/identity-history-summary-checks> for a FBI Criminal Background Check.
  - The cost is \$18 per sealed copy.
  - The Delaware Department of Agriculture requires one sealed copy.
  - When applying on their website, the applicant must fill in all required fields. Specifically under the following tabs, the grower should respond:
    - Personal Information Tab, the Reason for Needing a Background Check: "Personal Review"
    - Mailing Address Tab: Fill in the In Care of Section  
In Care of: Delaware Department of Agriculture  
2320 S. DuPont Hwy  
Dover, DE 19901
    - Preferences Tab: Date of Birth Included with Results: "Yes"
    - When the application is filled out, click "Complete."
  - Following the completion of the online application, the FBI will send a confirmation email that they have received the grower's application for a Federal Criminal Background Check. A copy of this email must be printed out and submitted along with the Grower's Application and Site Registration.
5. If the grower plans to see hemp plants, then the grower is required to obtain a Delaware Nursery License. This is an online application that is available free of charge at: <https://agriculture.delaware.gov/plant-industries/nursery-inspection>. Click on Nursery Industry License Application and follow the instructions to apply.

### **Approval Process**

1. Once the grower returns a completed Hemp Research Program Checklist and Grower Application to the Delaware Department of Agriculture (DDA), the approval process will begin.
2. DDA will review the documents and attachments to confirm the grower's eligibility.
3. DDA will contact the grower for any follow-up information needed.
4. DDA will issue and mail a Grower Authorization Certificate and Authorization Number to the grower.
5. Approved applications are subject to revocation pending results of the FBI Criminal Background Check.
6. DDA will communicate with Delaware State University and the Delaware State Police the grower's approval status.
7. DDA will maintain a digital/paper file of all documents for record, which may be subject to disclosure under the Freedom of Information Act (FOIA).

### **Seed Procurement**

**Note: Only an authorized grower can pick up the hemp seed from the Delaware Department of Agriculture. The grower must show government-issued identification and their Authorization Number in order to obtain the seed.**

1. The grower will order hemp seed, providing his or her Delaware Hemp Grower Authorization Number to the seed company for tracking purposes. The seed must be shipped to the:  
Delaware Department of Agriculture  
2320 S. DuPont Hwy, Dover, DE 19901

2. DDA will conduct purity tests on the hemp seed, using as little seed as possible to meet standardization requirements.
3. Upon notification, the grower will pick up the hemp seed from DDA by presenting government-issued identification and their Delaware Hemp Grower Authorization Number.
  - Only the authorized grower may pick up the hemp seed from DDA.
  - The grower must retrieve the hemp seed within 7 days of notification from DDA that the seed is available to be picked up.

### **Sampling for THC**

**Note: The Delaware Department of Agriculture will need to be notified in sufficient time for the Delaware Department of Agriculture to sample the crop at least 15 days prior to the start of harvest for testing of the THC levels in the crop.**

1. The grower will inform DDA of intent to harvest in sufficient time for the Department to sample the crop for at least 15 days prior to the start of harvest. The grower can notify DDA by calling 302-698-4596 or e-mailing [DDA\\_HempProgram@delaware.gov](mailto:DDA_HempProgram@delaware.gov).
2. DDA will collect a representative sample of the hemp crop. The sample will be sent to an external laboratory for analysis of delta (9)-Tetrahydrocannabinol concentration. Fees will apply.
3. Upon receipt of the test results, DDA will provide those results to the grower by e-mail or mail.
4. If test results show a delta (9)-Tetrahydrocannabinol concentration greater than 0.3 percent dry weight, the grower may request a retest of the submitted sample or to have a new sample be collected for testing.

### **Additional Information**

1. An affiliation with an institute of higher education is required. The approved institution for Delaware is Delaware State University.
2. The contact for Delaware State University is Dr. Marikis Alvarez, Associate Dean, College of Agriculture and Related Sciences, 1200 N. DuPont Hwy, Dover, DE 19901; [malvarez@desu.edu](mailto:malvarez@desu.edu); 302-857-6400.
3. The Delaware Department of Agriculture plans to initiate a permanent commercial hemp program when USDA authorizes states to do so.
4. For more information or questions regarding Delaware's Hemp Program, email [DDA\\_HempProgram@delaware.gov](mailto:DDA_HempProgram@delaware.gov).

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