



Revised: October 21, 2021

Next Scheduled Review: October 21, 2026

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GUIDELINE SUMMARY

Texas A&M AgriLife is providing guidance in accordance with the Texas Department of Agriculture (TDA), the United States Department of Agriculture (USDA), the Food & Drug Administration (FDA), and the Drug Enforcement Agency (DEA) implementation of research regarding hemp and any other relevant U.S. governmental administrations. The Texas A&M College of Agriculture and Life Sciences (College) is committed to the security of hemp seed used in research conducted by the College, including either agricultural or academic research, regardless of the source of funding or whether or not the research is sponsored.

Click [here](#) for **Definitions**.

PROCEDURES AND RESPONSIBILITIES

1.0 HEMP RESEARCHER RESPONSIBILITY

- 1.1 All faculty, staff and students in the College are responsible for ensuring compliance while working with industrial hemp, consistent with both federal and state law or local law enforcement agencies as it continues to be developed.
- 1.2 Researchers may conduct hemp research under the federal Farm Bills of 2014 and 2018. The research must be for the purpose of agricultural or academic research. Individuals who do not hold a license with the TDA shall not produce or handle hemp within the State of Texas.
- 1.3 Principal Investigators (PIs) must contact the Associate Dean/designee before starting hemp research for approval or to add a lab/research space to the Research protocol by a facility addition or modification request. All personnel must submit a Research Protocol including GPS coordinates ten (10) days prior to the initiation of any work involving hemp and must also maintain a chain of custody, transport manifest documents regarding any movement of hemp, and any other hemp monitoring documents. The PI must keep the Research Protocol and hemp monitoring documents for three (3) years.
- 1.4 PIs must submit an annual report to the TDA. This should include information regarding the monitoring of hemp and the progress of research.
- 1.5 Per the TDA, all individuals who intend to process hemp products must register with TDA and a person shall not sell, offer for sale, distribute, or use hemp seed in the State of Texas unless their seed is certified or approved by the TDA. The TDA will maintain and provide a list of businesses for license holders that sell certified or approved hemp seeds within the State of Texas.
- 1.6 PIs must contact AgriLife Contracts if a contract or material transfer agreement is needed.

2.0 HEMP RESEARCH LICENSE FOR TEXAS A&M AGRILIFE

- 2.1 Per Agricultural or Academic Hemp Related Research TAC, Title 4, Part 1, Chapter 24, Subchapter J, Rule 24.49:
 - (a) The College may apply for a license to produce and handle hemp for agricultural or academic research. A license issued to Texas A&M University or a Texas institution of higher education pursuant to this section is known as a "Hemp Research License."

- (b) In order to obtain a hemp research license, Texas A&M University or a Texas institution of higher education must submit an application and required fees to the TDA.
- (c) A hemp research license holder must comply with and is solely responsible for compliance with all state and federal laws, rules, and guidelines pertaining to the production and handling of hemp in addition to the laws, rules, and guidelines of any other jurisdiction where such hemp research license holder may produce or handle hemp.

3.0 HEMP RESEARCH PLAN FOR TEXAS A&M AGRILIFE

3.1 Per [Agricultural or Academic Hemp Related Research TAC, Title 4, Part 1, Chapter 24, Subchapter J, Rule 24.50](#), an applicant for a hemp research license must also submit a research plan to the Associate Dean/designee and AgriLife Ethics & Compliance providing the following information:

- a detailed statement specifying the nature and purpose of the hemp related research to be conducted;
- all locations where hemp related research will be conducted;
- the varieties of hemp to be utilized for the research purposes; and
- such other information as may be requested by the Texas Department of Agriculture.

3.2 A hemp research license holder must also submit an annual research plan to the Associate Dean/designee detailing the location, activities, and results of the hemp related research conducted by the hemp research license holder during the previous twelve (12) month period. Trade secret or patent information developed due to hemp research may be omitted from the annual research plan so long as there is necessity for the research institution to protect such information.

3.3 Per the TDA license for the College, hemp researchers shall commit to the following:

- License holder shall not produce or handle hemp in any location other than locations listed in license application or facility addition or modification request.
- License holder shall notify the Texas Department of Agriculture of any theft of cannabis materials.
- License holder shall not intentionally produce any cannabis that is not hemp without the express authorization from the TDA. Without this authorization, any hemp with THC levels in excess of 0.3% will be destroyed as per section 4.0 of this document and in accordance with the TDA/USDA hemp destruction protocols.

3.4 The TDA, DEA, Texas Department of Public Safety (DPS) and local law enforcements will be provided with complete and unrestricted access to all hemp plants and all facilities used for production and storage of hemp. Local law enforcement agencies may be notified before hemp trials are begun in a respected area, but it is not required.

4.0 DISPOSAL OF HEMP

4.1 PIs must follow Environmental Health & Safety guidelines for disposal of hemp.

4.2 AgriLife will follow the Remediation and Disposal Guidelines for Hemp Growing Facilities U.S. Domestic Hemp Production Program as found at <https://www.ams.usda.gov/sites/default/files/media/HempRemediationandDisposalGuidelines.pdf>.

4.3 The license holder shall submit a completed disposal report to the TDA no later than seven (7) days after the license holder receives a final test result exceeding the acceptable hemp THC level.

4.4 The TDA's receipt of a disposal report triggers a potential field inspection by the TDA or its representative.

4.5 The TDA will inform the license holder no later than seven (7) days after receiving the disposal report of the approved method of disposal.

5.0 RECORDS RETENTION AND OPEN RECORDS

- 5.1 The College shall collect and retain, for a period of at least three (3) calendar years information for every license holder and location where the College has approved hemp to be produced, handled, sampled and collected.
- 5.2 Information and documents generated or obtained by the College in connection with the program shall be subject to disclosure pursuant to the Texas Public Information Act (TPIA).
- 5.3 With the exception of information that must or may be reported or provided to the USDA, DEA, DPS, or local law enforcement, the College shall withhold all personally identifiable information from disclosure as required or permitted by the TPIA, including physical address, mailing address, driver's license numbers, background checks, geospatial location, telephone, and email addresses.

RELATED STATUTES, POLICIES, OR REQUIREMENTS

[AGRICULTURAL OR ACADEMIC HEMP RELATED RESEARCH TAC, Chapter 24](#)

[USDA Agricultural Marketing Service Rule 84 FR 58522, Pages 58522-585564, 7 CFR 990, Doc. No. AMS-SC-19-0042-SC19-990-2 IR, Document 2019-23749](#)

[Agriculture Improvement Act of 2018 \(2018 Farm Bill\)](#)

[Texas Department of Agriculture Hemp Regulatory Programs](#)

[USDA Agricultural Marketing Service 7 CFR Part 990 – Establishment of a Domestic Hemp Production Program](#)

DEFINITIONS

Hemp: As in the 2018 Farm Bill Act: The term 'hemp' means the plant *Cannabis sativa L.* and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.

CONTACT OFFICE

Questions regarding this rule should be referred to AgriLife Ethics and Compliance at 979.845.4789.

REVISION HISTORY

Approved: September 29, 2020
Revised: January 29, 2021
October 21, 2021

Next Scheduled Review: October 21, 2026