**Section 1200.20 General Provisions**

a) No person shall cultivate industrial hemp in the State without first receiving an Industrial Hemp Cultivation License from the Department.

b) No person shall process or handle industrial hemp in the State without first receiving a processor registration from the Department.

c) All licensees in the State must provide reports as outlined in Section 1200.40(a) and (b).

d) Licensed industrial hemp cultivators are solely responsible for procuring seeds, clones, transplants or propagules for planting.

e) All seeds, clones, transplants and propagules used to cultivate industrial hemp in Illinois shall be certified under the Association of Official Seed Certifying Agencies (AOSCA) standards and guidelines for industrial hemp or shall be accompanied by a certificate of analysis from an accredited certified laboratory from a state with a regulated industrial hemp program that certifies the industrial hemp grown will not contain in excess of 0.3% THC.

f) No land area may contain cannabis plants or parts of cannabis plants that the licensee knows or has reason to know are of a variety that will produce a plant that, when tested, will produce more than 0.3% THC concentration on a dry weight basis. No licensee shall use any such variety for any purpose associated with the cultivation of industrial hemp.

g) The minimum land area for industrial hemp cultivation shall be a contiguous land area of one quarter of an acre for outdoor cultivation and 500 square feet for indoor cultivation.

h) Licensee information may be shared with law enforcement without notice to the licensee.

i) Any violations of the Act, this Part, or any Illinois or Federal Criminal Code may subject the licensee or registrant to administrative penalties as set forth in Sections 1200.120 and 1200.130 and may also subject the licensee or registrant to criminal prosecution.

j) Licensee shall designate the area where hemp is grown into lots. A lot is to be defined by the licensee in terms of farm location, field acreage, and variety (i.e., cultivar) and to be reported as such to Farm Services Agency. Licensees shall report the appropriate designation as determined by the FSA for the specific location(s) where hemp is being grown using FSA terminology such as "farm," "tract," "field," and "subfield" to mean "lot" for the purpose of this rule.

k) Harvest Timing and Restrictions

1) No licensee shall harvest any portion of a hemp crop until after the lot to be harvested has been sampled pursuant to Section 1200.50.

2) A sample of each lot must be collected by a sampling agent within 30 calendar days prior to licensee's reported harvest date. Licensee is responsible for obtaining the services of a sampling agent approved by the testing laboratory.

3) There shall be no change of ownership of any hemp crop until laboratory testing has been completed on such crop pursuant to Section 1200.50.

l) Each licensee and registrant shall maintain all records for a period of at least 3 years. Records may be subject to audit and inspection by the Department. "Records" includes, but is not limited to:

1) harvest reports;

2) sales data including license numbers of licensees or registrants purchasing seed, propagules or raw industrial hemp;

3) testing results;

4) sampling documentation;

5) resampling results;

6) disposal reports;

7) transportation records;

8) any reports made to USDA, FSA, or the Department, and any related documentation; and

9) Records of the USDA hemp lot with lot identification number, crop year, and state of origin.

(Source: Amended at 49 Ill. Reg. 119, effective December 23, 2024)