**Section 1200.70 Testing Requirements**

a) Industrial hemp sampled for testing may be transported to a hemp testing laboratory by the Director, or the Director's designees, by approved laboratory personnel, or by a sampling agent pursuant to the following requirements:

1) An appropriate chain of custody must be maintained at all times.

2) The sampling agent, transporter, and laboratory are each responsible for their own portion of the chain of custody and sharing such with the other parties as necessary.

b) Hemp testing laboratories shall test industrial hemp using post-decarboxylation, or other similarly reliable methods approved by the USDA, to detect total THC concentration levels of the sampled hemp. Reliable methods of testing may include chromatographic technique using heat; gas chromatography, through which THCA is converted from acid to its neutral THC form; or a high-performance liquid chromatograph technique, which keeps THCA intact and requires a conversion calculation to get the THC value.

c) When a testing laboratory tests a hemp sample, the testing laboratory shall report the total THC concentration level on a dry weight basis and the measurement of uncertainty. The measure of uncertainty shall be estimated and reported with test results.

d) Samples shall be obtained in accordance with USDA sampling guidance dated January 15, 2021.

e) Treatment of Samples Post-Testing.

1) Samples shall be stored by the testing laboratory for a minimum of six months following testing.

A) Samples shall be stored in a manner that preserves the quality and content of the sample material.

B) Samples may be stored at an appropriate location other than the hemp laboratory upon approval by the Department.

2) Licensees may request re-testing of any remaining, un-tested, parts of a sample. To be considered an official result, any re-testing under this Section must be conducted under the processes outlined in Section 1200.50.

3) The laboratory shall notify the Department, in writing, at least 10 business days prior to the disposal of any sample.

f) Reporting of Test Results

1) All laboratories authorized by the Department to test hemp shall also comply with USDA hemp reporting requirements.

2) The Department will take reasonable steps to notify laboratories of specific test reporting requirements, but ultimate responsibility for compliance with USDA reporting lies with the laboratory.

3) Laboratories shall report final, official THC level, test documentation to the USDA. Laboratories are not required to report test results requested by the grower throughout the season to the USDA or the Department.

4) Laboratories shall provide growers with copies of test results. The original test documentation shall be retained by the laboratory and provided to USDA, as appropriate.

g) The Department, at a licensee's request, may conduct testing at a Department operated laboratory on behalf of licensees to meet testing requirements under this Part or for compliance testing in the event the Department offers this service.

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