

Do I need a license to grow hemp?

Any person who grows hemp in Nebraska, regardless of quantity or end-use, is required to have a cultivator license.

Do I need a license to process or handle hemp?

Yes. Any person who processes or handles hemp in Nebraska must have a processor-handler license. Processing means converting hemp into a marketable form (i.e. extracting oils, decorticating fiber, etc.). Handling includes possessing or storing hemp plants for any period of time by a person licensed to cultivate or process. A processor-handler or cultivator license is required for handling activities such as drying, storing, etc.

How do I get a license to cultivate, process, handle, or broker hemp?

Applications for each license type are now available on the NDA website [here](#). Please read the application guidance documents thoroughly before submitting your application. **Applications should be mailed. Electronic application submission is not available.**

Do I need a cultivator or processor-handler license to sell CBD oil or other finished hemp products?

No. The Nebraska Department of Agriculture does not regulate finished hemp products.

Can I start planting hemp after I have submitted my application, but before I have received my license?

No. You need a license in hand to cultivate, process, or handle any amount of hemp prior to it being a finished product in Nebraska, regardless of the size of the operation.

Where can I find hemp seeds or clones?

Individuals are responsible for sourcing their own hemp plants. Hemp seed must be labeled by a seed permit holder and comply with the [Nebraska Seed Law](#). Seed sources may apply for a seed permit [here](#). To verify licensed seed permit holders, please call 402-471-2351.

Is there a limit to how many acres of hemp I can plant and receive a license for?

You can apply for a license to plant as many acres as you want. Each site of cultivation will require an additional site registration fee.

Where can I send my hemp for testing?

You can send hemp samples to any testing facility approved by NDA (list available [here](#), under Lists of Licensees), a testing facility with a processor-handler license in Nebraska, or a testing facility out-of-state. Self-submitted samples may not be used for regulatory pre-harvest testing.

Do laboratories that test hemp need to be licensed?

Any testing facility approved by NDA for regulatory hemp testing is exempt from obtaining a processor-handler license for analytical testing. Any Nebraska testing facility not approved by NDA may obtain a processor-handler license to perform analytical testing of privately-submitted hemp samples.

Does my hemp cultivator, processor-handler, or broker license automatically renew?

No. All hemp licenses will expire December 31 in the year they were issued. Licenses do not automatically renew. You will need to reapply for a hemp license annually by submitting a new application and the applicable fees. A new application is required annually even if your information and registered land area stays the same.

Are there processes in place if hemp plants test at greater than 0.3% THC? What happens then?

The use of any or a combination of the following options would be available and at NDA's discretion:

- Re-test the hemp crop at the discretion of NDA and the cultivator's expense;
- The crop or a part of it may be ordered by NDA to be destroyed by the owner in the presence of law enforcement;
- NDA will report intentional violations of the Nebraska Hemp Farming Act to law enforcement.

What are the requirements to transport hemp in Nebraska?

Licensed cultivators and processor-handlers must carry with the hemp a copy of their cultivator and/or processor-handler license and a copy of test results pertaining to such hemp. Anyone other than a licensee who transports hemp in Nebraska must comply with the requirements found [here](#).

What pesticides can I use on my hemp crop?

Pesticides and pesticide use are regulated by NDA's Pesticide Program. Information regarding pesticides can be found on NDA's website at nda.nebraska.gov/pesticide. Pesticide applicators are responsible for ensuring hemp is an approved site for any product applied to hemp and following all requirements listed on the label.

What are the zoning laws for industrial hemp in my county?

While you can register any land within the state of Nebraska with NDA to cultivate hemp, local jurisdictions may have their own ordinances on land use. You are responsible for verifying local ordinances with anyone who may have jurisdiction over your land area (including, but not limited to your Home Owners Association, Landowner, City, Town, County, etc.) prior to applying for a license.

What are some common terms and definitions related to Nebraska's Hemp Program?

A full list of legal definitions can be found in the [Nebraska Hemp Farming Act](#).

Cultivate or cultivating means planting, watering, growing, and harvesting a hemp plant or crop.

Hemp means the plant *Cannabis sativa* L. and any part of such plant, including the viable seeds of such plant 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. Hemp shall be considered an agricultural commodity. Notwithstanding any other provision of law, hemp shall not be considered a controlled substance under the Uniform Controlled Substances Act.

Key participant is a person or persons who have a direct or indirect financial interest in the entity producing hemp, such as an owner or partner in a partnership. A key participant also includes persons in a corporate entity at executive levels including chief executive officer, chief operating officer and chief financial officer. This does not include such management as farm, field or shift managers.

Location ID means the unique identifier established by a licensee for each unique set of GPS coordinates where hemp is cultivated, handled, or processed.

Process or processing means converting hemp plants or plant parts into a marketable form.

Site means an area defined by the same legal description in a field, greenhouse, or other outdoor area or indoor structure, or for a mobile processor, such processor's primary place of business.

Lot means a contiguous area in a field, greenhouse, or indoor growing structure containing the same variety or strain of hemp throughout the area.

Handle or handling means possessing or storing hemp plants or hemp plant parts prior to cultivation, in the process of cultivation, or after being harvested or dried but before processing. Handle or handling also includes possessing or storing such hemp plants or hemp plant parts in a vehicle for any period of time other than during its actual transport from the premises of a person licensed to cultivate or process hemp to the premises of another licensee. Handle or handling does not include possessing, storing, or transporting finished hemp products or hemp seeds.

Do I have to be a Nebraska resident to obtain a license?

No, but the land area registered with the license must be in Nebraska.

Do I need to license each building where hemp will be cultivated, processed, or handled?

If the buildings are located within the same legal description, they can be registered as one site. However, each building would need to be identified with its own Location ID and GPS coordinates. See the [Cultivator](#) and [Processor-Handler](#) Application Guidance documents for more information.

Can I store and transport hemp with a cultivator license?

Yes, handling and transportation activities are allowed with a cultivator license. Each field, building, or other area where hemp will be cultivated or handled must be included on the application for the license.

When can I apply to renew my hemp license?

Applications for the next year's licenses will be available on or before November 1. It is recommended that all current licensees apply well ahead of December 31 in order to avoid a lapse in licensure.

Does the USDA Final Rule change the requirements for Nebraska hemp licensees in 2021?

No, the [Nebraska Hemp Farming Act](#) governs the regulation of hemp in Nebraska.

Does the FBI Identity History Summary Check need to be completed and submitted with the application every year?

Yes, the law requires applicants to demonstrate that they have not been convicted of a drug-related felony within the last ten years. Therefore, the FBI Identity History Summary Check must be completed within sixty days of application submission to cover the preceding ten years.

What lab will NDA send my hemp samples to?

NDA will be sending regulatory hemp samples to [Trichome Analytical, LLC](#) to determine compliance with acceptable THC level in 2023.

Does Nebraska test for total THC or delta-9 THC?

NDA tests for total THC. That means the testing methodology shall consider the potential conversion of delta-9 tetrahydrocannabinolic acid (THCA) in hemp into delta-9 THC and the test results shall measure total available THC derived from the sum of the delta-9 THC and THCA content.