Update on Industrial Hemp for Texas—February 2020

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USDA & Texas Department of Agriculture Rules Updates

In late January USDA approved the Texas Department of Agriculture state hemp plan. This is an important step in the move toward legal hemp in Texas in 2020. What is somewhat surprising is TDA’s public comment period is still open another two weeks to Feb. 10. Does this mean that TDA might make some changes in their approved rules? Possibly. Will that require additional approval from USDA? It would seem so.

TDA has indicated generally that license applications should be open sometime the second full week of March 2020. As noted in January’s update, TDA has a section on their main hemp webpage listing 82 frequently asked questions (FAQs), see https://www.texasagriculture.gov/RegulatoryPrograms/Hemp.aspx If you have not read these, please do so. Also, you may read the latest version of the proposed Texas rules via the link on the main TDA hemp page.

Here are a couple of FAQs that stand out:

1) FAQ #8. TDA has up to 60 days to approve a license application ($100). We all know it will need to be much quicker than that as much of South Texas would potentially be planting late. This is compounded by...

2) FAQs #15-16. Prospective individual that will grow hemp, indoor or outdoor, will need a permit. I believe this has been overlooked by many people. Language from TDA’s hemp home page notes: “A “license” grants an applicant the authority to produce and handle hemp in Texas. A “permit” authorizes a license holder to plant a hemp crop on one lot in Texas. There are separate fees for a license and permit. One license holder may plant more than one lot of hemp per license but will need a separate permit for each lot of hemp planted.

- Few if any people have been talking about this additional requirement. You must have a permit for each location you grow hemp, indoor or outdoor. And if you have more than one variety at a location, then you must apply for as many permits as there are varieties. The potential bottleneck is that a would-be grower must have his or her license before applying for a permit ($100 each). So hopefully permit applications are handled quickly.
- Texas A&M Agrilife Extension agricultural law specialist Tiffany Dowell-Lashmet, J.D, and ag. economist Dr. Justin Benavidez, Amarillo, team up to discuss the USDA hemp rules. See https://youtu.be/I9z_zWd1kS4 (45 minutes). The video will soon be posted
3) FAQ #60. TDA will make a list of approved seeds available. The FAQs discuss certified seed, which is preferable for any planting situation but may not be available. TDA will likely need to consider possible certification standards from other states (or even Canada on fiber varieties?), especially seeds certified by the Association of Seed Certifying Agencies, http://www.aosca.org/hemp. At this time TDA has not indicated if or when a list of approved varieties for Texas may be publicized for 2020. Preferably, a prospective grower would not book or purchase seed until he or she knows what varieties will be approved by TDA. Perhaps this can’t be implemented for 2020 due to the lack of time to develop a list and use it as a guide for seed purchases. Texas A&M AgriLife does not know what criteria TDA may use to approve a variety.

Current Spot Prices for Hemp CBD Have Fallen Even Further

Last month I noted according to http://www.panXchange.com the Colorado spot market prices were $1.14 per 1% CBD per pound of dried biomass in November. This compared to $3.85 at the beginning of the cropping season in May 2019. For January 2020 in Colorado this price has now fallen to an average of $0.72. We do not know what the trend will be as we approach the 2020 cropping season. The concern is that there is a lot of dried raw hemp biomass in storage waiting to be processed. The backlog at extractors is great. So, this might curtail the demand for 2020 new crop hemp for CBD regardless whether consumer demand increases.

A Current Major Texas A&M AgriLife Question on Optimum Hemp Planting Dates (Updated)

Since the January update, nothing has provided any resolution in terms of what to expect from photoperiod-sensitive (PS) hemp lines for CBD. A very few determinant (autoflower) lines may be used for CBD production. I am not yet sure about the proportion of grain or fiber varieties that are PS responsive. To give you an example of the uncertainty, an experienced Colorado farmer—who of course has never advised on or grown hemp in Texas, believe that no PS lines should be planted in South Texas. They will likely be quite rank, or large and bushy, making harvest and drying even more difficult.

Hemp Seedlings and Potential Storm or Varmint Seedling Damage

The more I learn about hemp, then even more questions come about for how it is grown and managed. Hemp seedlings look like cotton seedlings. Cotton seedlings are highly susceptible to storm damage in the first 10 days or so after emergence. The stem tissue is soft. It can readily be pitted by blowing soil and sand, exposing vascular tissue. Also, the terminal early on is susceptible to hail damage. If the growing point is damaged, then yield potential may be nil. If you intend to grow hemp in Texas where cotton farmers routinely manage crop residues,
tillage, use sandfighters to pock the soil, and/or plant small grains as a cover crop to protect cotton seedlings, then be prepared to manage similarly, for industrial hemp. Small acreage might devise a piece of PVC pipe (4” in diameter and perhaps 6 to 8” long), then press into the ground around the seedling.

Another “discovery” about young hemp seedlings, especially for CBD, whether you start with feminized seed or transplants: rabbit feeding. I would consider fencing your small growing area if rabbit damage might be an issue. Hemp salad is very expensive!

Texas A&M AgriLife Hemp Variety Trials

The agency has drafted plans for fee-based variety trials for CBD/cannabinoids, grain, and fiber. Some details remain to be finalized. Target locations are Texas A&M AgriLife Research experiment station facilities near Corpus Christi, College Station, Commerce, Lubbock, and either Chillicothe/Vernon or Uvalde. We know we will not be able to hit target planting dates, especially at Corpus Christi, possibly College Station. Companies, breeders, and interested individuals should contact Dr. Calvin Trostle for trial details. Texas A&M AgriLife views these trials as perhaps our most important field task for 2020.

Ongoing Texas A&M AgriLife Extension Hemp Resources

Additional videos including updates from Texas A&M AgriLife Extension economist Dr. George Knapek are posted at the agency website for hemp, http://agrilifeextension.tamu.edu/hemp. Trostle’s comprehensive “First Things” three-part hemp PowerPoint series is AgriLife’s most detailed document to date. The most recent edition, February 4, has been submitted for posting. (Look under ‘Hot Topics & Latest Updates’ on the main page.) Other new material posted is a video of Dr. Tom Isakeit on potential diseases in hemp for Texas. Cotton root rot is Dr. Isakeit’s main concern. He believes hemp is at least moderately susceptible. That concern is mostly for south and central Texas, the Concho Valley, but less so in east Texas, and not in the Texas High Plains.

Upcoming Texas A&M AgriLife Extension Hemp Programs

- **February 11**, Dimmitt in the northern Texas South Plains. Registration 8:30 AM, program 9:00 AM—12:00 PM, Castro Co. Expo Center, 405 Southeast 4th Street, Dimmitt. Speakers Dr. Calvin Trostle, extension agronomist, Dr. Justin Benavidez, ag. economist, and Andrew Dunlap, AgriLife Extension agronomy agent for Castro/Lamb/Hale Counties. For further information and pre-registration by Feb. 10 call or e-mail the Castro Co. AgriLife Extension office, (806) 647-4115, andrew.dunlap@ag.tamu.edu. Registration payable at the door ($20).
- **February 12**, Amarillo Civic Center, North Ballroom. “Growing Hemp in Texas” discussion session at the annual symposium of the Panhandle Groundwater Conservation District, Registration 8:30 AM, program 9:00 AM—12:00 PM. This one-hour panel discussion features Dan Hunter, Texas Department of Ag.; Dr. Charles Beall, Ana-Lab (preparing to be a DEA federally approved testing lab), Dr. Calvin Trostle, Texas A&M AgriLife; and Rafe Schroder, far southeast Colorado hemp farmer who will include in his discussion his choice to plant some of his hemp CBD crop using straight-run seed with no rogueing of male plants.
• **February 13**, 9:00 AM, Lubbock Chamber of Commerce Agriculture committee. This is a member only meeting, but there are over 1,000 businesses that are CoC members. Contact your CoC leadership in Lubbock.

• **March 26**, Trostle will be participating in a New Mexico small farmer hemp conference in Santa Fe, New Mexico.

• **April 30**, late morning Texas Workforce Solutions conference, Mallet Center, Levelland. Details not set yet.

**Other AgriLife Hemp Programs in Discussion**

• **Austin, TX.** Date not set yet. Probably late February or early March.

• **East Texas**, Beaumont north to Oklahoma. I will not be able to travel in person, but we will be discussing the week of Feb. 10 possible video conferencing in several locations.

• **Southwest & Far West Texas?** Hill Country, Uvalde, and then west to El Paso. We will discuss this region shortly. The further west the less likely hemp will be considered, but AgriLife Extension still would like to ensure that we can offer programming to this more remote region.

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