**Section 1200.50 Inspection and Sampling**

a) All licensees shall be subject to inspections at the discretion of the Department to ensure compliance with the Act.

b) The Department shall provide a minimum of 5 business days' notice to the licensee of the inspection. The notification shall inform the licensee of the scope and process by which the inspection will be conducted.

c) Failure to comply with a properly noticed inspection shall result in the initiation of disciplinary proceedings pursuant to Section 1200.100.

d) Either the licensee or an agent of the licensee shall be present for the inspection and sampling and shall provide the inspector with unrestricted access to all industrial hemp plants, parts, seeds, and harvested material, including all buildings and other structures used for the cultivation and storage of industrial hemp and all documents pertaining to the licensee's industrial hemp cultivation and business.

e) All industrial hemp plants are subject to sampling and testing to verify that the delta-9 THC concentration does not exceed 0.3% on a dry weight basis.

1) Individual or composite samples of each variety of cannabis may be sampled from the licensee's land area, including indoor cultivation sites, at the Department's discretion.

2) A representative sample will be taken by Department personnel or approved laboratory personnel.

3) The sampled material shall be tested by an approved laboratory.

4) Quantitative laboratory determination of the delta-9 THC concentration on a dry weight basis will be performed.

5) A sample test result with a delta-9 THC concentration on a dry weight basis that exceeds 0.3% but is less than 0.7% may be retested at the expense of the licensee. A request for a retest by the licensee must be received by the Department within 3 days after initial receipt of the original test results by the licensee.

6) All harvested industrial hemp receiving a sample test result with a delta-9 THC concentration on a dry weight basis that exceeds 0.3% and is not retested at the request of the licensee shall be destroyed.

7) All harvested industrial hemp receiving both a sample test result and a sample retest result with delta-9 THC concentrations on a dry weight basis that exceeds 0.3% shall be destroyed.

8) All harvested industrial hemp receiving a sample test result with a delta-9 THC concentration on a dry weight basis that equals or exceeds 0.7% shall be destroyed.

9) All harvested industrial hemp awaiting test results shall be stored by the licensee or processor and shall not be processed or transported until test results are obtained and the industrial hemp is released by the Department.

10) Testing of industrial hemp will be completed by the Department or by a third-party laboratory approved by the Department pursuant to this Part.

11) Actual cost of testing shall be paid by the licensee.