

On January 19th, 2021, the United States Department of Agriculture (USDA) released a final rule governing the production of hemp in the United States. The final rule for hemp producers clarifies that pre-harvest samples for compliance with the acceptable hemp THC level must be taken by certified sampling agents. This means that grower registrants in Vermont are no longer allowed to take their own pre-harvest samples and are required to use certified sampling agents for this purpose. This FAQ explains who certified sampling agents are, and how to become one in Vermont.

Frequently Asked Questions

What is a certified sampling agent?

Sampling agents are trained hemp samplers, certified by the United States Department of Agriculture (USDA) to take samples of hemp crops for the purposes of compliance with the USDA Final Hemp Rule. As of January 1st, 2022, grower registrants of the Vermont Hemp Program are required to enlist certified sampling agents to take pre-harvest samples of harvest lots.

Who can be a certified sampling agent?

Sampling agents can be law enforcement officials, state or tribal employees, laboratory employees, private business owners or employees, state contractors, tribal contractors, or others.

Who is excluded from becoming a certified sampling agent?

Hemp producers (registrants of the Vermont Hemp Program), employees of individuals or businesses registered to grow or process hemp, individuals residing in the same household as a hemp producer registrant, or individuals related to Vermont Hemp Producers.

How do I become a Certified Sampling Agent in Vermont?:

Samplers must first take the [USDA's Sampler Agent Training](#) and pass with a proficiency level greater or equal to 80%.

Samplers must also read the Vermont Hemp Program's [Pre-Harvest Sampling Protocol](#) and be prepared to use the Program's [pre-harvest sampling forms](#).

Once a sampler completes and passes the USDA Sampler Agent Training and reads the [Vermont Pre-Harvest Sampling Protocol](#), interested samplers must email the following items to agr.hemp@vermont.gov:

1. Their USDA Approved Hemp Sampling Agent Certificate
2. A Copy of their USDA Certified Sampler Attestations, signed by the interested party
3. Contact Name
4. Business Name (if applicable)
5. Business Email
6. Business Phone Number
7. Business Address

Once completed, the Hemp Program will contact you, and upon approval, will add your contact information to our list of certified sampling agents, which will be provided on the

Agency's website including your name, business name, phone and email address.

What are my requirements once I become a certified sampling agent in Vermont?

Certified sampling agents are required to follow the [Vermont Pre-Harvest Sampling Protocol](#) when taking pre-harvest samples for the purposes of compliance, and use the Program's pre-harvest sampling forms to document each harvest lot sampled.

Certified sampling agents are responsible for transporting of shipping samples. Every harvest lot sample must be accompanied by a completed pre-harvest sampling form and chain of custody to a certified laboratory. Grower registrants must also be given a copy of the pre-harvest sampling form for their records.

Agency inspectors may accompany certified sampling agents for pre-harvest sampling events.

What is a certified sampling agent not responsible for?

Agents will not be responsible for determining the analytical tests to be conducted on harvest lots sampled. Grower registrants must request the appropriate analytical tests from the certified laboratory; potency, heavy metals, and pesticides as required. [Vermont Hemp Rules Section 7.3].

Agents will not be responsible for assigning harvest lot numbers to harvest lots. Growers are responsible for organizing their harvest lots by harvest lot numbers. A harvest lot is "a grower's harvested hemp produced during a single growing season in a contiguous area containing the same cultivar or variety." The harvest lot number is "a unique numerical identifier that begins with the last four digits of a grower's registration number, followed by the year of harvest, and a unique number to identify the harvest lot." [Vermont Hemp Rules section 3.25 and 3.26, respectively].

It is the responsibility of the registrant grower to pay any fees associated with sampling and testing of the hemp crop.