

**204.10 Order of disposal.**

1. If a crop that is produced at a licensee's crop site does not qualify as hemp according to an official test conducted pursuant to [section 204.8](#), but has a maximum concentration not in excess of two percent delta-9 tetrahydrocannabinol on a dry weight basis, the department, in consultation with the department of public safety, shall order the disposal of the crop by destruction at the site or if necessary require the crop to be removed to another location for destruction.

2. The department may request assistance from the department of public safety or a local law enforcement agency as necessary to carry out the provisions of [this section](#). The department upon request shall deliver any sample of the crop to the department of public safety or a local law enforcement agency.

3. The licensee shall pay the department for all actual and reasonable costs of the destruction of the crop. If the department assumes any amount of the costs, it may charge that amount to the licensee. If the licensee fails to reimburse any of that amount to the department, the department may report the amount to the county treasurer. The amount shall be placed upon the tax books, and collected with interest and penalties after due, in the same manner as other unpaid property taxes. The county shall reimburse the department within thirty days from the collection of the property taxes.

4. To the extent allowed by applicable federal law, the department may provide for the disposal of the mature stalks of the crop confiscated by the department for the licensee's on-farm use and at the licensee's expense.

[2019 Acts, ch 130, §10, 18, 19; 2020 Acts, ch 1065, §15, 19; 2020 Acts, ch 1121, §107 – 109](#)

Referred to in [§124.506, 204.8, 204.11](#)