

Wis. Stats. § 94.55(1) requires that hemp contains no more than 0.3% delta-9 THC; the statute does not prescribe a testing method.

DATCP's lab uses high performance liquid chromatography (HPLC) with a calculation (Total THC = delta-9 THC + 0.877*THCa) to achieve equivalent results to heating. THCa is included in the assessment because THCa is a precursor to delta-9 THC, and with heat converts to delta-9 THC. To get a true picture of potential human exposure to delta-9 THC requires looking at both THCa and delta-9 THC. As stated above, when heated, the precursor THCa converts to delta-9 THC.

DATCP's testing process is on a sound technical foundation, compliant with state statute, consistent with other states, and will not need to be changed to comply with the hemp program authorized under the 2018 Farm Bill. Laboratories either use HPLC with the calculation listed above, or use Gas Chromatography (GC) to determine THC content of hemp. States that use GC are determining delta-9 THC concentrations using heat and by this method THCa has been converted to delta-9 THC. Laboratories using HPLC use a calculation (delta-9 THC = delta-9 THC + 0.877*THCa) to achieve equivalent results. Wisconsin has used the HPLC method with the calculation for both the 2018 and 2019 growing seasons. Colorado and Kentucky use GC and Wisconsin worked closely with those leading hemp states on laboratory protocols.

The active hemp states meet regularly to discuss laboratory methods and program standards. Wisconsin is in alignment with many other states and with state and federal laws. Under the 2018 Farm Bill all states will need to use a method that includes THCa.