

9810.2000 CULTIVATION.

Subpart 1. **Applicability.** To cultivate cannabis for a commercial purpose, a person must have a license issued under Minnesota Statutes, chapter 342, which authorizes cultivation. This part does not apply to the cultivation of cannabis solely for personal use as allowed under Minnesota Statutes, section 342.09, or by a caregiver on behalf of a patient as allowed under Minnesota Statutes, section 342.52.

Subp. 2. Authorized activities.

A. A cannabis cultivator must submit a cultivation plan to the office for:

- (1) an initial license application or an annual renewal;
- (2) an endorsement application, if applicable; or
- (3) a notification of a change in business activity under item C.

B. A cannabis cultivator may conduct only the activities approved by the office in the cannabis cultivator's submitted cultivation plan.

C. A cannabis cultivator must notify the office of any changes to the cultivator's cultivation plan at least ten business days before implementing the change. A cannabis cultivator must describe a change to the cultivator's cultivation plan on forms approved by the office that the cultivator submits with all applicable fees pursuant to Minnesota Statutes, chapter 342.

Subp. 3. Cultivation plan requirements.

A. A cannabis cultivator must indicate in the cultivator's cultivation plan whether the cultivator plans to cultivate cannabis indoors or outdoors. In addition to application and business plan requirements in Minnesota Statutes, sections 342.14 and 342.25, a cultivation plan for indoor or outdoor cultivation must include information describing:

- (1) the proposed size and layout of the facility areas that the cultivator will use exclusively for cultivation, including a diagram indicating the total canopy;
- (2) a diagram of the proposed ventilation and air filtration systems;
- (3) plans for providing electricity, water, and other utilities necessary for the normal operation of any cultivation activities;
- (4) plans for wastewater disposal and solid waste disposal for any cultivation activities;
- (5) plans for recycling any supplies or environmental inputs for cultivation, including water and packaging materials;
- (6) a pest management protocol that incorporates integrated pest management principles as defined in Minnesota Statutes, section 17.114, subdivision 2, paragraph (b), to control or prevent the introduction of pests to the cultivation site;

(7) the vendor name, vendor contact information, and invoices for all products intended for propagation, including propagative material such as seeds and clones, fertilizers, nutrients, and pest control products that are chemical or biological;

(8) procedures for operational record keeping to accurately identify all crop inputs that the cultivator will enter into the statewide monitoring system and declare for laboratory testing, regulatory review, and inspection;

(9) a description of batch numbering that the cultivator will use;

(10) growing schedules that include each seeding date, planting date, or cutting and propagation cycle date, as applicable;

(11) harvesting timelines and methods;

(12) methods for drying, curing, and storing cannabis; and

(13) a security plan as described in part 9810.1500.

B. A cultivator must:

(1) regularly update the cultivator's cultivation plan; and

(2) provide the office a copy of the cultivation plan upon request.

Subp. 4. **Canopy.** A cultivator's total canopy is determined as follows.

A. For indoor cultivation, the canopy is measured by calculating the total square footage of each distinct cultivation area containing mature, flowering cannabis plants. Distinct cultivation areas include trays, tables, and shelves or may be demarcated by trellising, tiers, or other identifiable boundaries.

B. For outdoor mixed-light facilities, outdoor mixed-light cultivation may occur in a greenhouse or hoophouse. The canopy acreage is the total area of the outdoor mixed-light facility containing mature, flowering cannabis plants minus any clearly demarcated walkways.

C. The canopy acreage for cultivation occurring completely outdoors is the total area of the field containing mature, flowering cannabis plants minus any vehicle access roads and completely fallow areas where no cultivation is occurring.

Subp. 5. **Compliance-related activities and access.**

A. A cannabis cultivator must provide the office with access to:

(1) all areas where cannabis plants are growing or being harvested;

(2) all land, buildings, and other structures that the cultivator uses for cultivating, handling, producing, and storing cannabis plants;

(3) all locations identified in the cannabis cultivator's license application, business plan, and cultivation plan; and

(4) all records related to the production and propagation of cannabis plants, including trimming, culling, pest scouting and control, sampling, and testing reports.

B. A cannabis cultivator must allow the office to collect cannabis plant and cannabis flower for material laboratory analysis to establish whether the cultivator is in compliance with this chapter and Minnesota Statutes, chapter 342. A cannabis cultivator must provide the office with cannabis plants and cannabis flower for this purpose at no cost.

Subp. 6. Restrictions.

A. A cannabis cultivator must not plant, propagate, harvest, or store cannabis plants in an area that is not identified in the cultivation plan or at a site that is not approved by the office to cultivate cannabis.

B. The total area in square feet in which cannabis plants are cultivated must never exceed the total area for which the cannabis cultivator is approved by the office.

Subp. 7. Prohibited sales. A cannabis cultivator must not sell any propagative cannabis material resulting from cannabis cultivation activities to a buyer if the cannabis cultivator knows or should reasonably know that the buyer would use the material to engage in activities prohibited by Minnesota Statutes, chapter 342, or applicable local or state law.

Subp. 8. Cannabis cultivation premises; requirements.

A. A cannabis cultivator must ensure that growing, drying, processing, and storing cannabis plants and cannabis flower does not occur in dwellings unless the activity is specifically authorized under Minnesota Statutes, section 342.09. A cannabis cultivator must ensure that all activities approved by the office occur in an area of the cultivator's premises that can be accessed without passing through a dwelling.

B. A cannabis cultivator must ensure that the premises regulated under this subpart comply with all security requirements described in part 9810.1500.

C. A cannabis cultivator must ensure that all electrical equipment, including growing lights, cultivation equipment, and packaging equipment, are evaluated and approved for applicable use by an organization recognized by the Occupational Safety and Health Administration's Nationally Recognized Testing Laboratory Program.

D. A cannabis cultivator must configure each production area to allow authorized individuals to have unobstructed access to, observation of, and the ability to conduct an inventory of all plant canopy.

E. A cannabis cultivator must ensure that all cultivation activities take place in an area that complies with part 9810.1500.

F. When selling cannabis directly to consumers on the premises where cultivation is authorized by the office, a cannabis cultivator must ensure that a wall or another barrier with proper security measures is in place to separate customer areas of the premises from limited-access areas,

including any area where the cultivator collects, packages, and seals cannabis samples for mandatory testing for transport to a cannabis testing facility.

Subp. 9. Sources of plants and seeds.

A. After December 1, 2025, a cannabis cultivator must obtain cannabis seeds, immature cannabis plants, cannabis mother plants, cannabis plants, and other cannabis plant sources intended for propagation from a source authorized by the office to sell those products.

B. A cannabis cultivator must destroy or dispose of volunteer cannabis plants using a method under part 9810.1200.

Subp. 10. Plant identification and reporting. A cannabis cultivator must label each cannabis plant with the plant's batch number according to part 9810.1302.

Subp. 11. Crop inputs.

A. A cannabis cultivator must ensure that crop inputs:

(1) are handled and applied in a manner that prevents the contamination of cannabis plants with filth, residues, or other substances that would likely render products of the cannabis plant injurious to human health;

(2) comply with Minnesota Statutes, chapters 18B, 18C, and 18D, and other applicable laws;

(3) are stored in the original containers with the original labels intact or in working containers of diluted or prepared applications labeled with information required by Minnesota Statutes, chapters 18B, 18C, and 18D, and other applicable laws; and

(4) are documented in the statewide monitoring system according to parts 9810.1300 to 9810.1302.

B. A cannabis cultivator must ensure that all crop inputs, rinsate, and containers are diluted, applied, stored, and disposed of according to label instructions and in compliance with all applicable laws and regulations.

Subp. 12. Sanitary practices. The following sanitary practices apply to all cannabis cultivation activities, including harvesting, drying, curing, and storage.

A. A cannabis cultivator must conduct cultivation in a manner to limit the exposure of immature cannabis plants and cannabis plants to conditions that would likely render the products of the cannabis plants injurious to human health.

B. A cannabis cultivator must handle a harvested cannabis plant product intended for human consumption at temperatures and in environmental conditions that protect the product from physical, chemical, and microbial contamination and deterioration of the product as it is described on the product's labeling.

C. A cannabis cultivator must ensure that utensils and equipment, including storage containers, that come into direct contact with harvested product are cleanable, constructed of materials that will not transfer to the harvested product, and maintained in good condition to prevent contamination of the harvested product.

D. A cannabis cultivator must store and handle packaging materials that come into direct contact with the harvested product in a manner to prevent contamination from the environment. A cannabis cultivator must:

(1) clean packing materials between uses if the materials are designed to be cleaned and used multiple times; or

(2) discard packing materials after a single use.

Subp. 13. Record keeping.

A. A cannabis cultivator must keep and maintain records of the cultivator's cultivation activities in the statewide monitoring system according to parts 9810.1300 to 9810.1302. At a minimum, a cannabis cultivator must document:

(1) the initiation of cultivation for each batch according to item C;

(2) the application of crop inputs to the growing medium, plants, or plant material used in production according to item D;

(3) a description of plant maintenance, including dates, that involves culling plant parts or plant disposal; and

(4) the date that each plant batch is harvested.

B. A cannabis cultivator must include the following information in the cultivator's records:

(1) the date that a worker conducted cultivation;

(2) the name of the worker conducting cultivation or the name of the responsible worker when there is more than one worker conducting cultivation;

(3) the name and description of the specific cultivation activity under Minnesota Statutes, section 342.01, subdivision 27, that the worker performed;

(4) the batch number of the plants; and

(5) a description of the area where the worker conducted cultivation.

C. A cannabis cultivator must include the following information in the cultivator's records for the initiation of cultivation:

(1) a description of the source of immature cannabis plants or seeds; and

(2) the volume as measured.

D. A cannabis cultivator must include the following information in the cultivator's records for crop inputs:

- (1) the weight and concentration of the crop input that was applied to the plant;
- (2) a copy of the label of the crop input applied to the plant; and
- (3) the vendor or other origin of the crop input.

Subp. 14. **Medical and adult-use cannabis cultivation.** A license holder that is endorsed or authorized by the office to cultivate both medical cannabis and adult-use cannabis must comply with this subpart to cultivate medical and adult-use cannabis on the same premises.

A. A cannabis business may cultivate both medical cannabis and adult-use cannabis only if:

(1) the business's cultivation plan submitted under subpart 2 addresses both medical cannabis and adult-use cannabis; and

(2) the business has a valid medical cannabis endorsement issued under Minnesota Statutes, section 342.51, or is licensed under Minnesota Statutes, section 342.515.

B. If a cannabis business is cultivating both medical cannabis and adult-use cannabis on the same premises, the cannabis business must:

(1) cultivate medical cannabis in an area separated from the area used to cultivate adult-use cannabis;

(2) track all medical cannabis separately from adult-use cannabis;

(3) store all medical cannabis separately from adult-use cannabis;

(4) ensure that medical cannabis is never cultivated simultaneously with adult-use cannabis on the same piece of equipment; and

(5) keep a log for each piece of equipment that the facility uses to cultivate both medical cannabis and adult-use cannabis. The cannabis business must make the log available to the office upon request. The log must contain:

(a) the name of the cannabis worker who operated the equipment;

(b) the tracking information for the cannabis or cannabis concentrate that was processed using the equipment;

(c) the date, time, and duration that the worker used the equipment; and

(d) the tracking information for the resulting cannabis concentrate or cannabis product.

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