

For a Uruguayan grower, selling hemp into the United States now requires more than meeting a delta-9 THC threshold and finding a willing importer. The compliance question is shifting toward total THC—including THCA—and a federal limit of 0.4 mg total THC per container for covered hemp products. That change could make products that once appeared compliant a poor fit for the US market, especially flower.

The practical response is to redesign market selection, testing, packaging and paperwork before harvest or shipment. The most important near-term date in the current transition is the December 11 US hemp rule deadline. But a deadline and a product limit are not the same thing: exporters should confirm what the December 11 date applies to in the relevant notice or guidance, and separately plan for the federal statutory changes and their effective date. Do not treat a date mentioned in a trade alert as a substitute for checking the controlling document.

Takeaway: Build a product-by-product compliance file for each US buyer, and do not ship flower until the importer has confirmed—in writing—that the product, its intended use and its paperwork meet the rules that apply on the shipment date.

Why the US compliance test is changing

Historically, many hemp programs and commercial specifications focused on delta-9 THC. That remains an important measurement in many contexts, but it is no longer enough to assess the direction of US federal policy. The revised federal definition at issue uses total THC and includes THCA, the precursor that can convert to delta-9 THC when heated. A product with low delta-9 THC on a certificate may therefore still present a compliance problem if its THCA is high.

For growers, that means a familiar “under the delta-9 limit” result is not a complete US-market clearance. Ask your laboratory to report the analytes and calculations the buyer and applicable rule require. If a specification calls for total THC, the report should identify the delta-9 THC and THCA values and show how total THC was calculated. Do not assume the lab’s standard panel or the importer’s old template covers the new test.

The other central change is a 0.4 mg total THC cap per container for covered hemp products under <https://en.mercopress.com/2026/10/14/new-us-hemp-rules-take-effect-december-11-shifting-demand-for-south-american-exporters> the federal changes. That is a per-container measure, not simply a concentration percentage. A low percentage does not automatically prove that a package is under the cap: the amount of product in the container matters. Conversely, dividing a bulk lot into smaller packages is not a compliance workaround. Packaging, labeling and product classification need review by the US importer and qualified counsel.

The December 11 deadline: verify what it actually requires

Use December 11 as a compliance milestone, but first establish exactly which rule, notice or transition provision sets that date. US federal requirements can involve different dates for publication, implementation, importation and enforcement. Those dates are easy to conflate in supply-chain summaries.

- **Get the source document.** Ask the importer or US counsel for the rule, agency notice or official guidance that identifies December 11, including the year and the action due by that date.
- **Separate the deadline from the product standard.** A filing or transition deadline does not necessarily mean every product is lawful until that day—or unlawful the next day. Confirm the applicable effective date and any transition provisions.

- **Check shipment timing.** Confirm which date controls for your transaction: production, entry into the United States, customs clearance or sale. Do not rely on a buyer's informal assurance.
- **Document the decision.** Keep the official source and written importer advice in the shipment file, with the product specification and laboratory results.

For a grower, the legal language translates into one sentence: **know which rule applies on the date your product enters the US, and keep written evidence of how the buyer determined that it qualifies.**

Flower shipments are at the highest risk

Hemp flower is the product category that deserves the most caution. It is commonly sold in a form intended for smoking or vaporizing, can contain meaningful THCA even when delta-9 THC is low, and may be difficult to reconcile with a very low per-container total THC cap. The precise legal treatment depends on the product and the rules in force, but growers should not assume that a flower shipment is safe simply because it passed an older delta-9 test or was accepted by a buyer in a prior season.

If a US customer asks for flower, pause before booking freight. Request a written assessment from the importer covering product classification, intended use, total THC testing, packaging and the import pathway. If the importer cannot explain those points clearly, the safer commercial choice may be to **avoid flower shipments** to that customer or market until the position is confirmed.

That is not a blanket conclusion that every flower shipment is automatically prohibited. It is a risk-based decision: flower's chemistry and use create more exposure to a total-THC standard and to scrutiny at the border. A shipment can be expensive to stop, return or destroy, and an exporter may also put future customer relationships at risk.

Build a US-ready testing and batch record

Third-party lab testing is essential, but a lab report is only useful when it matches the product, batch and compliance question. A US buyer should be able to trace the report to the exact material in the shipment—not merely to a similar cultivar or an earlier harvest.



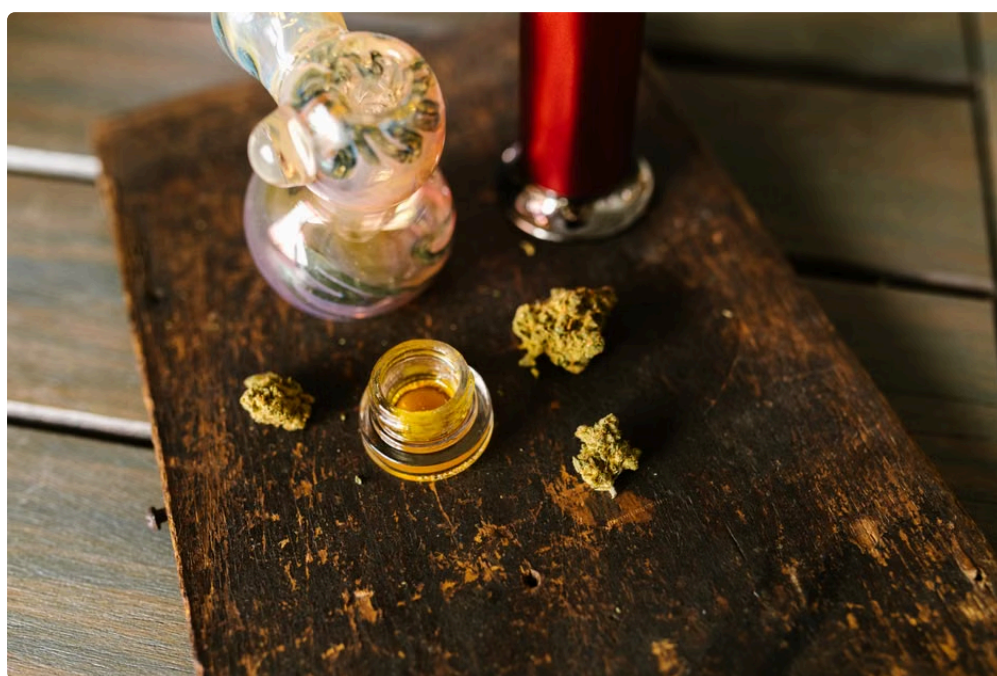
What to require from the laboratory

- Use an independent laboratory acceptable to the importer and, where applicable, accredited for the relevant methods and analytes.
- Request delta-9 THC and THCA results, plus total THC where required. Confirm the calculation method rather than relying on a headline “pass” statement.
- Test representative samples from the specific lot and retain sampling records, dates, sample identifiers and chain-of-custody information.
- Agree on testing timing with the buyer. Results from a pre-harvest sample may not represent cured, processed or packaged material.
- Keep the complete certificate of analysis (COA), not only a cropped summary or marketing claim.

For products subject to a per-container cap, work with the importer to calculate the total THC represented by the actual packaged amount. The result should be tied to a defined package size and formulation. Do not convert a concentration result into a per-container claim without documenting the arithmetic and assumptions.

Publish results with care

Batch lab results posted online can support buyer confidence and make verification easier, particularly when each report is linked to a batch number and product description. But publishing a COA does not certify that a product is lawful in every US state or under every federal rule. Keep the report current, make sure the online file matches the shipped lot, and avoid claims such as “THC-free” unless the result and applicable analytical limits justify that exact statement.



Make paperwork part of the product

US importers do not just buy cannabinoids or biomass; they buy a record that lets them evaluate the shipment. Uruguay’s regulatory and production documents can be valuable, but they do not automatically replace US requirements. Prepare a shipment file for each lot and confirm its contents with the importer before dispatch.

File item What to check Product specification Product form, intended use, cultivar or batch identity, package size and agreed THC limits Laboratory records Third-party COA tied to the lot, analytes reported, sampling details and

total THC calculation where required Origin and production records Producer, harvest date, processing history, lot traceability and applicable Uruguayan authorizations Commercial and transport documents Invoice, packing list, transport documents, importer details and accurate product description Claims and labels Consistency between the label, COA, invoice and buyer-approved product description

Organic documentation needs its own review

“Organic” is a valuable claim, but certification in Uruguay does not automatically authorize use of the claim in the United States. If a grower wants to sell as organic, confirm the requirements with the importer and an appropriate certifier before putting the claim on a label, invoice or website. Ask whether the operation, product and export transaction need certification or other documentation under the USDA (US Department of Agriculture) National Organic Program, and whether the certifier is recognized for the relevant work.

Keep the certification scope, current certificate, approved inputs, field and post-harvest records, and lot-level traceability together. Organic documentation should support the actual product and production practices—not just the farm’s general status. If the documentation does not cover the exported lot or the proposed claim, leave the claim off until the gap is resolved.

One-sentence takeaway: **organic status in Uruguay is not, by itself, proof that a US-facing organic claim complies with USDA requirements.**

Use trade groups and buyers, but verify the rules

The US Hemp Roundtable can be a useful source of industry updates and policy context, while brands such as Joy Organics illustrate why US customers often expect consistent product files, testing and clear claims. Neither a trade association update nor a brand’s buying practices substitutes for the controlling law, an importer’s due diligence or product-specific legal advice. Use these sources to identify questions, then resolve those questions against official requirements and the buyer’s written specifications.

Ask a prospective buyer to answer practical questions before you commit acreage or processing capacity:

- Which US federal and state requirements does the buyer apply to this product?
- Does the buyer require delta-9 THC, total THC including THCA, or both?
- How does the buyer evaluate the 0.4 mg per-container cap, and what package size and product category are covered?
- What does the December 11 deadline apply to, and what official source supports the interpretation?
- Which laboratory, methods, sampling protocol, labels and shipment documents will the buyer accept?

A practical plan for Uruguayan growers

1. **Segment the product portfolio.** Review flower, extracts, ingredients and finished goods separately. A compliance answer for one form does not automatically carry over to another.
2. **Re-test the relevant lots.** Commission suitable third-party lab testing for delta-9 THC, THCA and total THC where required, tied to the material actually intended for export.
3. **Reassess flower economics.** Price in the risk of delays, rejection and returns. Where the buyer cannot document a lawful pathway, avoid flower shipments rather than relying on an old COA.
4. **Validate packaging and claims.** Have the US importer review the per-container calculation, label, product description and any organic or THC-related claim.

5. **Assemble the shipment file early.** Match COAs, traceability records, origin documents and commercial paperwork to one batch identifier before freight is booked.
6. **Confirm the date in writing.** Obtain the source for the December 11 deadline and establish the rule and effective date that govern the planned entry.

Bottom line

Uruguayan growers should treat the US market as a documentation-and-product-design challenge, not just a cultivation opportunity. The move from delta-9 THC alone toward total THC, including THCA, changes how a lot must be evaluated. The 0.4 mg total THC per-container cap makes package size and product category central questions, while flower shipments face the greatest practical exposure.

Invest in batch-level testing, publish accurate batch lab results online when appropriate, maintain complete organic documentation for any US-facing claim, and get the importer's written position on the December 11 deadline. When a buyer cannot explain the compliance pathway for a high-risk product, the prudent answer is to delay or avoid the shipment—not to hope the paperwork will sort itself out at the border.