



Industrial Hemp Do's and Don'ts

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Registration Process

Fill out the application and obtain your FBI Identity History Summary



Submit the application with the FBI Identity History Summary* to VDACS



Email confirmation (Queue)



Review (Email for questions)



Issue Registration

Industrial Hemp Registration Application

Common Mistakes

- Section 1-A and 1-B
- FBI Identity History Summary
- Coordinate format, acreage and sq ft
- Affirmations
- Signatures

Do not complete both Section 1-A and Section 1-B.


SECTION TWO – CRIMINAL HISTORY

An FBI Identity History Summary must be completed and attached to the Industrial Hemp Grower Registration Application upon submission. If applying on behalf of a business entity, an FBI Identity History Summary must be completed and attached for all key participants. The applicant is solely responsible for all associated criminal background check fees.

The FBI Identity History Summary you submit to VDACS may not be dated more than 60 days before the date of your application.

NOTE: An individual with a felony controlled substance conviction within 10 years of the application date is not eligible for an Industrial Hemp Grower Registration.

Lot 1	
Acres/Square Feet	Coordinates (for center of lot, in <u>Decimal Degrees</u>) (Ex.37.123456, -77.123456)
Physical Address/Location	



Industrial Hemp Registration Application

SECTION FIVE - NOTICES AND AFFIRMATIONS

By initialing and signing below, the applicant acknowledges that the applicant has read and agrees to the following:

- Initials

 - VDACS will forward a record of each Industrial Hemp Grower Registration issued by the Commissioner to the chief law enforcement officer of the locality in which the registered grower will grow industrial hemp.
- Initials

 - VDACS will notify the Superintendent of State Police of the locations of all industrial hemp lots.
- Initials

 - All records, data, and information filed in support of a registration application will be considered proprietary and excluded from the provisions of the Virginia Freedom of Information Act.
- Initials

 - Registered Industrial Hemp Growers must submit an Industrial Hemp Planting Report (i) within 14 calendar days following the first day of each planting or (ii) by October 31 for registered lots upon which industrial hemp will not be planted.
- Initials

 - Registered Industrial Hemp Growers must submit an Industrial Hemp Harvest Report within five calendar days following the harvest of an industrial hemp lot or the failure or voluntary destruction of an industrial hemp lot.
- Initials

 - Registered Industrial Hemp Growers must report the following to the USDA Farm Service Agency (FSA).
 - Total acreage of industrial hemp planted, harvested, and disposed or remediated
 - Registration number
 - Street address of each lot or greenhouse where industrial hemp will be produced
 - Geospatial location(s) of each lot or greenhouse where industrial hemp will be produced
 - Acreage dedicated to the production of industrial hemp or greenhouse or indoor square footage dedicated to the production of industrial hemp
- Initials

 - Registered Industrial Hemp Growers must not harvest any industrial hemp that has not been sampled by a Trained Sampling Agent.
- Initials

 - Registered Industrial Hemp Growers must obtain the services of a Trained Sampling Agent who will collect a representative sample from each industrial hemp lot.

Initials Agent who will collect a representative sample from each industrial hemp lot.

- Initials

 - Registered Industrial Hemp Growers must allow a Trained Sampling Agent to have complete and unrestricted access during business hours to all industrial hemp and other cannabis plants and to all land, buildings, and other structures used for cultivation, handling, and storage of all industrial hemp and other cannabis plants and all locations listed on the grower registration.
- Initials

 - Registered Industrial Hemp Growers must obtain the services of a VDACS-approved testing laboratory that will (i) analyze the Total THC concentration of each representative sample collected by the Trained Sampling Agent and (ii) submit its test results directly to USDA and VDACS.

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Industrial Hemp
Amount to Remit: \$150
Finance Code: 871 – 02470

- Initials

 - Registered Industrial Hemp Growers must not place into the stream of commerce any industrial hemp grown before receiving a Fit for Commerce certificate from VDACS.

I hereby affirm that, to the best of my knowledge, information, and belief, I have made no misrepresentation on this application or failed to disclose any information requested on this application.

Industrial Hemp Registration

Common Mistakes

- ▶ Losing the grower registration.
- ▶ Failing to update registration as Industrial Hemp lots change.
- ▶ Failing to apply to renew registration before planting.

Common Questions

- ▶ Can I change the coordinates on my registration after it has been issued?
- ▶ Can I change my business name after the registration is issued?
- ▶ Can I change the registration from an individual registration into a business registration?

Industrial Hemp Compliance Process

- ▶ Registered Industrial Hemp Growers may grow industrial hemp **only** on the land described in their Grower Registration.
- ▶ Growers must contact their local USDA Farm Service Agency (USDA-FSA) office and obtain lot identification numbers from USDA-FSA to establish a record with the USDA-FSA to report the Grower's hemp production acreage.
- ▶ Growers must submit to VDACS an Industrial Hemp Planting and Propagation Report (pre) and an Industrial Hemp Harvest Report (post) for all hemp produced.
- ▶ Growers must report hemp crop acreage to USDA-FSA **and** VDACS.

Industrial Hemp Compliance Process

- ▶ Growers must hire a sampling agent listed on VDACS's Trained Sampling Agents List to collect a representative sample of each lot of industrial hemp no more than 30 days before the lot is harvested.
- ▶ Growers are responsible for testing of all industrial hemp using a VDACS-approved Testing Laboratory.

Industrial Hemp Compliance Process

- ▶ After VDACS reviews the results of the testing completed on the compliance sample collected from the lot, the grower will receive one of the following:
 - ▶ (i) Fit for Commerce certificate, if the THC concentration of the sample does not exceed the acceptable industrial hemp THC level.
 - ▶ (ii) information regarding your remediation or disposal options, if the THC concentration of the sample exceeds the acceptable industrial hemp THC level.
- ▶ Growers may not place any industrial hemp into commerce until you receive a Fit for Commerce certificate from VDACS.

Industrial Hemp Planting Report

Avoid Common Mistakes

- ▶ Failing to review the Planting Report instruction page.
- ▶ Report on **every** lot stated on the registration.
- ▶ Planting Report must be submitted within 14 calendar days of the initial planting date of each planting.
- ▶ A Did Not Plant Report is still required if industrial hemp is **not** planted on the production lot stated on the Grower Registration.
- ▶ Contact UDSA-FSA and obtain a lot number for your industrial hemp production lot.

You must report on every lot stated on your Industrial Hemp Grower Registration.

If you plant industrial hemp on your industrial hemp lot, you must complete and submit a Planting Report within the **14 calendar days following the first day of each planting**. If you will plant at multiple times throughout the growing season, you may need to submit multiple reports.

If you have obtained a lot number from USDA-FSA, please include that number in the appropriate cells in this report. If you have not obtained a lot number from USDA-FSA, please do so and report the number to VDACS on your Harvest Report.

You may submit completed reports via mail or email.

Hemp@vdacs.virginia.gov

Industrial Hemp Sampling

Common Mistakes

- ▶ Hemp variety on sampling report and planting report are different.
- ▶ Harvesting prior to sampling.
- ▶ Failing to review the harvest email reminder.
- ▶ Failing to review the sample collection form to ensure information is correct.

Common Questions

- ▶ Is the sampling agent a VDACS employee?
- ▶ How do I get a sampling agent?
- ▶ Can I be my own sampling agent?
- ▶ Do mothers need to be sampled and tested prior to selling clones?

Where can I sell my crop?

- ▶ To source hemp processors and handlers:

Finding a Registered Industrial Hemp Handler or Processor

Section 3.2-4115(D) of the Virginia Industrial Hemp Law provides that all records, data, and information filed in support of an industrial hemp grower, handler, or processor registration application shall be considered proprietary and excluded from the provisions of the Virginia Freedom of Information Act (FOIA). Despite this exclusion from FOIA, some registered handlers or processors have requested that VDACS provide the public with certain information.

- **List of the registered handlers who have authorized VDACS to share their contact information with the public** (pdf)
- **List of the registered processors who have authorized VDACS to share their contact information with the public** (pdf)
- **List of registered processors who are under inspection by VDACS's Food Safety Program** (pdf)

- ▶ The Virginia Hemp Coalition may offer connections. Additionally, your local Virginia Cooperative Extension office may be a great resource.
- ▶ VDACS Office of Domestic Marketing may be able to assist growers who wish to be connected to purchasers of industrial hemp. (804) 839-9003

Hemp Product Enforcement Program

- ▶ Any person that intends to manufacture, sell, or offer for sale a substance intended to be consumed orally that contains an industrial hemp-derived cannabinoid must submit an Edible Hemp Products Disclosure Form.
- ▶ Please contact the Hemp Product Enforcement program at hempenforcement@vdacs.virginia.gov or (804) 786-1382.

Adult Use Marijuana Licenses

- ▶ There is not currently a legal, adult-use marijuana retail market or an adult-use marijuana licensure program in Virginia.
- ▶ For more information regarding Virginia's Cannabis Program, please visit **cca.virginia.gov** or email info@cca.virginia.gov.



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