



GEORGIA DEPARTMENT OF AGRICULTURE

Hemp Processor Permit Application Guidelines

- The Georgia Department of Agriculture (GDA) is administering the Georgia Hemp Farming Act as authorized by O.C.G.A § 2-23-1 et seq.
- This Hemp Processor Permit Application Packet is designed to provide sufficient instructions for completion by any individual who would be prepared to participate in the Georgia Hemp Program. The application packets include a broad understanding of the program, but applicants should read the Georgia Hemp Farming Act (O.C.G.A. § 2-23-1 et seq.), the Hemp Processor Rules (Ga. Comp. R. & Regs. R. 40-32-3), and the USDA Interim Final Rule.
- Please make sure to fully review all application materials and Hemp Processor Rules prior to contacting hemp program staff with questions. GDA is not in a position to offer direct consultation on completing a Hemp Processor Permit application or to educate individuals about the production or processing of hemp.
- Anyone who intends to process hemp in the State of Georgia must successfully complete the full application process with the GDA and be issued a Hemp Processing Permit prior to taking possession of or processing hemp.
- A Hemp Processor Permit does not allow the Permittee to cultivate, farm, or produce living clones of hemp. A Hemp Grower License is required for the cultivation or production of hemp plants. Processors who intend to grow hemp must apply separately for a Hemp Growers License.
- Applications for 2020 Hemp Processor Permits will be accepted beginning March 1, 2020.
- Hemp Processor Permit 2021 renewal fees and annual criminal background checks must be submitted by December 1, 2020. Permits will expire on December 31, 2020 if renewal fees and background checks are not submitted in a timely manner.
- The initial Hemp Processor Permit fee is \$25,000.00. **Payment is not due at the time of application. GDA will provide information on how to make payment once the application has been approved.**
- Permittees must also have and maintain a surety bond issued by a surety company that is authorized to do business in Georgia in the amount of \$100,000.00.
- Background checks are required for each owner, key participant, and person holding a beneficial interest in the Hemp Processor Permit. Key participants include a partner in partnership, or a person with executive managerial control in a corporation (e.g. CEO, COO, CFO, etc.). Background checks must be received and reviewed by GDA prior to issuance of a Hemp Processor Permit.
- Permittees must have written agreements with each Georgia licensed hemp grower governing the business relationship between the Permittee and grower. Each Permittee must provide a copy of each such agreement, and any amendments thereto, to the GDA within ten days of execution of each such agreement or amendment thereto. Written agreements are not required for out-of-state hemp growers.



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- Applicants must provide affidavits of the applicant and every Georgia licensed hemp grower with whom the applicant has entered into a written agreement as described above. In the affidavit, both parties must swear or affirm that they have entered into or intend to enter into such an agreement. The affidavit(s) must be in the form provided by GDA.
- Any person who materially falsifies any information contained in an application for a Hemp Processor Permit will be ineligible to receive a Hemp Processor Permit or otherwise participate in the Georgia Hemp Program.
- Permittees must only accept hemp that was lawfully produced under a State or Tribal hemp plan approved by the USDA, under a hemp license issued by USDA, or by a state (or territory) or Indian Tribe in accordance with 7 U.S.C. 5940.
- Hemp products are subject to sampling by a Department-approved sampling agent for delta-9 tetrahydrocannabinol concentration level testing. The frequency of sampling and number of hemp products sampled for such testing will be determined by the Department.
- All costs associated with the processing of hemp are the responsibility of the Permittee including, but not limited to, costs for sampling and testing of hemp and hemp products.
- A Hemp Processor Permit only gives you the ability to process and handle hemp. As a reminder, “hemp” means the plant species *Cannabis sativa L.* and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a total THC concentration of not more than 0.3 percent. The Hemp Processor Permit does not give you the ability to process or handle materials with a total THC concentration greater than 0.3 percent.
- Cannabis and cannabis products with a total THC concentration greater than 0.3 percent constitute marijuana, a schedule I controlled substance, and must be disposed of by a DEA-registered reverse distributor and in the presence of local law enforcement. If your processing mechanisms result in total THC levels above 0.3 percent, you will need to contact a DEA-registered reverse distributor and local law enforcement and arrange for disposal of such controlled substances.
- Failure to comply with the Georgia Hemp Farming Act or its Rules may result in enforcement action including, but not limited to, suspension from the program and the destruction of hemp materials.
- GDA will only issue Hemp Processor Permits for processing facilities. GDA will not issue permits to applicants who only intend to operate retail outlets.





Georgia Hemp Processor Permit Application Guide

Georgia Department of Agriculture, Commissioner Gary W. Black

agr.georgia.gov

Hemp Processor application information is available on the Georgia Department of Agriculture (GDA) website at agr.georgia.gov/georgia-hemp-program.aspx

The initial Hemp Processor Permit fee is \$25,000, payable once the application has been approved.

-  **Steps to apply for a Hemp Processor permit:** 
- 1 Obtain a \$100,000 surety bond.
- 2 If you intend to process hemp grown by a licensed Georgia hemp grower, obtain affidavits of the agreement or intended agreement with each grower.
- 3 Complete the application form online at agr.georgia.gov/georgia-hemp-program.aspx
- 4 Once the GDA has notified you that your application qualifies you for a Hemp Processor permit, complete fingerprinting and background checks for all persons holding a beneficial interest in the permit (individual applicant, owner and key participants of a business). Instructions for completing the background checks will be available on the GDA website.
- 5 The GDA will notify you when all background checks have been accepted. The initial permit fee of \$25,000 is due at this point, and GDA will provide information on how to make the payment for this fee.



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Hemp Processor Permit Application

Any person or business processing or storing hemp must have a valid Hemp Processor Permit prior to receiving, processing, handling, or storing hemp. For more information, see the Georgia Department of Agriculture Hemp Growers and Processors Rules, chapter 40-32-3.

The initial Hemp Processor Permit fee is \$25,000, payable once the application has been approved.

Applicant Contact Information

Applicant Name (individual full name or legal business name) _____

Applicant Physical Address

Street _____

City _____ State _____ Zip _____ County _____

Applicant Mailing Address

Street or PO Box _____

City _____ State _____ Zip _____

Phone _____ Email _____



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Applicant Business Information

If applying as a business:

Business Structure Type (LLC, Sole Proprietorship, etc.) _____

Employer Identification Number (EIN) _____

Primary Contact

Name _____

Mailing Address: Street or PO Box _____

City _____ State _____ Zip _____

Phone _____ Email _____ Job Title _____

List all key participants (each owner, executive, and person holding a beneficial interest).

Name	Title	Phone	Email
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____



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Processing and Storage Facilities

Enter the following information for each property on which a processing or handling facility is located.

Physical Address _____

City _____ State _____ Zip _____ County _____

Legal Description of this property (obtained from the county courthouse).

List all processing and storage facilities on this property.

Type (Processing or storage)	GPS coordinates of entrance to building (decimal degrees)	Square Footage
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____



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Products and Disposal

List each product and the estimated volume to be produced.

Description	Estimated Volume
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Intended end use and/or disposal plan for all parts of hemp plants and hemp material received for processing.

Check all that apply:

- I intend to receive and process hemp from a Georgia licensed hemp grower. *(Must attach affidavits of the applicant and every Licensee with whom such applicant has entered into a written agreement pursuant to O.C.G.A. § 2-23-7 in which both parties swear that they have entered into or intend to enter into such an agreement.)*
- I intend to receive and process hemp from an out-of-state grower who is authorized to produce hemp under a State or Tribal hemp plan approved by the USDA, under a hemp license issued by USDA, or under 7 U.S.C. 5940.
- I intend to become a Georgia licensed hemp grower and process the hemp that I grow.



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Certification and Signature

Initial each of the statements below:

_____ I have read and understand the **Processor Permit Terms and Conditions** of the Rules of the Georgia Department of Agriculture concerning Hemp Growers and Processors (Chapter 40-32-3-.02), and I agree to abide by all of these terms and conditions.

_____ I hereby consent and agree to allow representatives of the Department, the Georgia Bureau of Investigation, and other affected state and local law enforcement agencies to enter all premises where hemp is being processed or handled for the purpose of conducting physical inspections and ensuring compliance with the requirements of the Georgia Hemp Farming Act and its Rules.

_____ I understand that by providing inaccurate or false information, my application may be rejected or the Hemp Processor's Permit may be revoked.

Signature of Applicant or Authorized Representative

Date

Print Name



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Application Checklist

Please make sure your application packet includes each of the documents below:

If applying as a business:

- Current Certificate of Existence obtained through the Georgia Secretary of State's Office.
- Any required local business license(s).

Facilities:

- An aerial map or photograph (satellite imagery) that clearly shows the boundaries and dimensions of each processing and storage facility.

If you intend to receive and process hemp from a Georgia licensed hemp grower:

- Affidavits of the applicant and every Licensee with whom such applicant has entered into a written agreement pursuant to O.C.G.A. § 2-23-7 in which both parties swear that they have entered into or intend to enter into such an agreement.

Surety Bond:

- Copy of surety bond issued by a surety company that is authorized to do business in Georgia in the amount of \$100,000.

Background Check

Once the GDA has notified you that your application qualifies you for a Hemp Processor permit, you must complete fingerprinting and background checks for all persons holding a beneficial interest in the permit (individual applicant, owner and key participants of a business). Instructions for completing the background checks will be available on the GDA website.



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Appendix: Affidavits

If you intend to receive and process hemp from a Georgia licensed hemp grower, GDA must receive affidavits of the applicant and every Licensee with whom such applicant has entered into a written agreement pursuant to O.C.G.A. § 2-23-7 in which both parties swear that they have entered into or intend to enter into such an agreement.

Use the template on the following page for all affidavits. The affidavit is available for download on the Georgia Department of Agriculture (GDA) website at agr.georgia.gov/georgia-hemp-program.aspx



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AFFIDAVIT ATTESTING TO THE EXISTENCE OF AN AGREEMENT OR THE INTENT TO ENTER INTO AN AGREEMENT GOVERNING THE BUSINESS RELATIONSHIP BETWEEN A HEMP PROCESSOR AND A HEMP GROWER AS REQUIRED BY O.C.G.A. § 2-23-6(b)(2)

I, _____ (Processor Agent), am a legal agent for _____ (Processor Legal Business Name), a hemp processing facility located at _____ (Physical Address) that intends to apply for, has made an application for, or has been issued a Hemp Processing Permit by the Georgia Department of Agriculture.

I, _____ (Grower), am a qualified agricultural producer located at _____ (Physical Address) who intends to apply for, has made an application for, or has been issued a Hemp Grower License by the Georgia Department of Agriculture.

We, the above-described parties, do hereby swear or affirm that we have entered into or intend to enter into an agreement governing our business relationship, as required by O.C.G.A § 2-23-7.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Processor Agent Signature

Grower Signature

Date

Date

Sworn to and subscribed before me this

Sworn to and subscribed before me this

____ day of _____, _____.

____ day of _____, _____.

NOTARY PUBLIC

NOTARY PUBLIC

My commission expires: _____

My commission expires: _____