

GUIDELINES AND INSTRUCTIONS

The Hawaii Department of Agriculture (HDOA) is conducting an Industrial Hemp Pilot Program as authorized by the federal Agricultural Act of 2014 (Farm Bill) and Part II of Chapter 141, Hawaii Revised Statutes (HI Industrial Hemp Law). Individuals and companies who would like to be considered for participation in the program must complete the full application as attached and submit to the HDOA with the application fee.

- **Application Deadline:** Applications will be accepted year round, licenses will be awarded on a quarterly basis during: March, June, September, and December.
- **Applicant:** An "Applicant" is the one who signs the application: a person that is an individual residing in Hawaii or an institution of higher education, a sole proprietorship, partnership, association, corporation, limited liability corporation, limited partnership, or any other business entity having any: (1) Place of business permanently located within the State; or (2) Employees permanently assigned to work stations or areas located within the State: or (3) Tangible assets permanently located within the State.
- **Application Review:** Applications must be complete to be reviewed. Review will be done by a panel of reviewers, focusing on the following:
 - Completeness of Application
 - Research Plan **adheres narrowly to the research focus of the program**, sets forth the applicant's area(s) of research, and demonstrates how the applicant will achieve its research components
 - Attached Best Management Practices Plan outlines best management practices for growth of industrial hemp, includes security measures, and demonstrates how the applicant will implement and monitor its best management practices
 - Attached Plans demonstrate an understanding of, and ability to comply with, federal, state, and county laws applicable to the growth, cultivation, and marketing of industrial hemp

A: GENERAL INFORMATION

Applicant Name:		
Company (if different than above):		
Is this company registered to do business in the State of Hawaii? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable (Provide documentation)		
Mailing address:		
City:	State:	Zip:
Email:		
Phone Number:	Company Format:	

- 1) Provide a list of all individuals, including contractors, who will be involved in your project in any manner in handling or producing hemp or hemp products. Attach additional sheet(s) if necessary.

Name	City	State	Title/Responsibilities	DOB

- 2) Provide a list of all individuals authorized to receive correspondence from HDOA, and/or accept service of summons and legal notices of all kinds for the applicant in the state of Hawaii. Use additional sheet(s) if necessary.

Name	Phone	Address	Email

- 3) Do you currently grow crops? Yes No If yes, list the crops, acres of production, and years of experience you have for each crop below.

Crop	Acreage	Years of Production

B: PROJECT INFORMATION

1) Seed Request (if requesting seed from HDOA or seed which requires HDOA’s importation assistance):

Varietal	Amount in pounds
Yuma - \$13-17/lb	
Puma - \$17-20/lb	
OECD Certified seed*	
AOSCA Certified seed*	
	Amount by oz (approx .1000 seeds)
Otto 18 \$30/oz	
Ka'u 18 x \$30/oz	
Ka'u 18 xx \$75/oz	
Ka'u 18 xxx \$30/oz	

* Applicant must provide documentation that the varietal is certified by OECD (Organisation for Economic Co-operation and Development) or AOSCA (Association of Official Seed Certifying Agencies) and can be imported legally from an international source via HDOA’s DEA import permit.

* HDOA may on a case by case basis assist approved projects with importing approved genetics at the licensee’s expense. Seed must be paid for before it will be released to licensee. Importation can take anywhere from 2-4 months.

* Variables in climate, altitude, nutrient intake, photo period, surrounding farms and stress can lead to cannabis plants testing higher than the legal threshold established for industrial hemp. HDOA makes NO warranty as to the levels of cannabinoids in any of the genetics it approves.

* All prices are estimates and may be subject to change.

2) Seed Request (if requesting to use seed/seedlings produced by a Hawaii licensee which were produced from approved genetics).

Seller's License #:	Name:	Phone:	Email:
Varietal Name		Form of Transfer (seed, seedling, clone, cutting)	Amount

*Seed, propagules, or plants which are not reviewed and approved by HDOA are prohibited from use in Hawaii's Industrial Hemp Pilot Program. Any license holder found using seed, propagules, or plants not approved by HDOA may be subject to the revocation of its license in addition to any civil or criminal liabilities that may exist.

Intellectual Property

License holders are prohibited from growing for replication any intellectual property or genetic lines for which they do not have a license or written permission from the property owner. A copy of any license or permission from the property owner shall be provided in writing to HDOA upon request. The Department shall not approve a seed request unless the License Holder affirms in writing that the Licensee's planned activities will not infringe on the intellectual property rights of any person.

- **I hereby affirm that my planned activities with the above described cannabis genetics will not infringe on the intellectual property rights of any person or business. Check this box:**

Signature of Signing Authority: _____ **Date:** _____

3) Indicate the number of acres and/or square footage which will be cultivated for each:

Fiber:
Grain:
Flower:
Other (describe):

- 4) Research Plan: Explain in detail the industrial hemp research you are interested in conducting on behalf of HDOA, including components of that research, how you plan to achieve those components, and how you plan to record and provide research results to HDOA. Projects must adhere narrowly to the research focus of the program. Attach additional sheet(s) if necessary.**

- 5) Best Management Practices Plan: Outline your best management practices plan for industrial hemp growth, including how you plan to implement and monitor these practices.**

6) Growing Area

- a. I affirm that the proposed licensed land area is in the State Agricultural District.
_____ Initial.
 - i. Attach Tax Map Key of the parcel where the proposed grow site is located.
- b. Describe your right to use the proposed land area if any (ie owner, leaseholder, etc.) and attach available documentation.

c. Provide the legal address for the proposed Growing Area:

Address:
City/Zip Code:
County:

- i. Provide the global positioning system coordinates in decimal degrees from the approximate center of the proposed Growing Area to be cultivated.

Latitude in Decimal Degrees:	Longitude in Decimal Degrees:
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Note: GPS coordinates of fields will be measured by HDOA inspectors after planting. If an exact street address is not available for the farm entrance, list an approximate number, road name, city and county.

- d. Map: Create a photo image map (not hand drawn) of the proposed Growing Area (the actual area on which growth will occur, not the entire parcel. Attach map to application).
 - i. It is suggested you use Google Earth Pro to create your map (free download).
 - ii. The map must include

- 1. A North arrow and scale bar
- 2. GPS coordinates taken at the approximate center of the Growing Area in decimal degrees (must be written on the map and be identical to the coordinates in the boxes above)
- 3. Boundaries and dimensions of the entire growing area must be accurately outlined (in marker is acceptable) with one single, clearly defined and verifiable boundary line. Outline must be accurate/to scale.
- 4. All indoor hoop houses, greenhouses, etc., whether present or anticipated upon licensing, must be identified on the map at the time of application, with both acreage and square feet inputted below and labeled on the map in appropriate areas.

Note Approval must be requested from HDOA prior to adding any other indoor structures on the growing area.

Outdoor Acres:	Indoor Square Ft:
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Note: Boundaries of the Growing Area (the area you wish to cultivate) need to be easily identifiable and delineated for your protection. Lack of clear boundaries opens you up for interpretation by outside entities such as law enforcement questioning the legality of a grow site.

- 7) Indicate which of the approved laboratories you have selected to sample and test your product, attach proof that the laboratory is willing to perform on-site sample collection on your island/in your county.
- a. Laboratory Name:
 - b. I am aware of and willing to pay the fees the laboratory I have selected will charge for on-site sample collection at my proposed location and testing. _____ Initial
 - c. I will accept and abide by the results and findings of the laboratory I have selected. _____ Initial
 - d. I attest that there are presently no conflicts of interest, and I promise that no such interest, direct or indirect, shall be acquired, between the laboratory I have selected and any member of this project. _____ Initial (Member means any officer, director, partner, or employee of the applicant, and all other individuals, including contractors, who will be involved in this project.)
 - e. I hereby authorize HDOA to release planting reports and other information as necessary to the laboratory I have selected to perform sample collection and testing of my crop. _____ Initial
 - f. I hereby authorize HDOA and the laboratory I have selected to communicate with each other regarding my project. _____ Initial
- 8) State the Intended End Use for all plants grown under this license. If you intend to grow for a specific processor, indicate so here and attach to this application a letter of intent from the processor if possible.
- 9) Include the name and address of each place where industrial hemp is to be stored, sold, or provided, indicating the form the industrial hemp will be in at each place. Attach additional pages if necessary.

Name	Address	Form of Industrial Hemp Material

- 10) Provide the address of the place in Hawaii where the applicant will keep the records, books, electronic data, or other documents that are required by chapter 4-161, Hawaii Administrative Rules.

C: TERMS AND CONDITIONS

Please affirm Applicant's agreement to the following terms and conditions.

I, (print name) _____, having legal authority to bind Applicant to the terms and conditions of this application for an industrial hemp license, hereby acknowledge, understand, and agree to comply with all laws, ordinances, rules, and regulations (collectively "laws") governing the growth, cultivation, and marketing of industrial hemp under federal, state, and county laws. In exchange for consideration of this application, I further acknowledge, understand, and agree to each of the following terms and conditions of a license from HDOA to cultivate industrial hemp.

- 1) **I have read and understand the laws pertaining to the administration and enforcement of the Hawaii Industrial Hemp Pilot Program and agree to the conditions for growing Industrial Hemp and understand the penalties for noncompliance.**

Initials _____

- 2) **I am prepared to conduct the research project described in this application and comply with all other requirements of the Hawaii Department of Agriculture Industrial Hemp Pilot Program, including timely submission of fees and reporting forms and required attachments as specified by the HDOA.**

Initials _____

- 3) **I acknowledge that all the physical address of the location to be used to grow industrial hemp must be submitted with this application. This application constitutes written consent by the applicant to allow HDOA, all federal, state, and local authorities, and any institution of higher education in Hawaii access to any research pilot location as deemed necessary by HDOA for evaluation and verification of compliance and progress of research. Any changes to the physical address used in the growing of hemp must be approved in writing by the HDOA prior to that location being legally allowed for hemp cultivation.**

Initials _____

- 4) **I acknowledge that any plant material testing above 0.3% THC is defined as marijuana and is being grown outside of the protections afforded under the industrial hemp program and HDOA's authority.**

Initials _____

- 5) **I affirm that I have reasonable grounds to believe that the crop this applicant will plant is of a type and variety of Industrial Hemp that will produce a Delta-9THC concentration of no more than 0.3% on a dry weight basis.**

Initials _____

- 6) I understand that if my application is not approved, my application fee shall not be refunded.**

Initials _____

- 7) I understand that any information obtained by the HDOA may be publicly disclosed and provided to law enforcement agencies without further notice to the applicant or licensee.**

Initial _____

- 8) I agree to allow and cooperate with any inspection and sampling that the HDOA deems necessary.**

Initial _____

- 9) I agree to pay, when due, all fees and expenses of the Industrial Hemp Pilot Program, including but not limited to, application and license fees, and any sampling and analysis costs that the HDOA deems necessary. I understand that the failure to timely remit payment is grounds for denial or subsequent revocation of a license.**

Initial _____

- 10) I affirm that the applicant and any partners, directors, or members have not been convicted of any felony related to the possession, production, sale, or distribution of a controlled substance in any form in this or any other country. I acknowledge that findings of any felony convictions in conflict with this affirmation will result in the immediate revocation of any industrial hemp license, and notification of law enforcement.**

Initial _____

- 11) I affirm that all documents and information submitted in support of this application for an industrial hemp license are authentic, correct, and complete. I understand that any misrepresentation is grounds for denial or subsequent revocation of a license.**

Initial _____

- 12) I acknowledge and understand that my actions with respect to the growth, cultivation, harvest, marketing, or transportation of industrial hemp subject me to obligations and regulations imposed under federal, state, and county law, and potentially the laws of other states.**

Initial _____

13) I agree to timely complete and submit all reports and statements requested by the HDOA relating to the Industrial Hemp Pilot Program. I understand that the failure to timely remit any report or statement is grounds for denial or subsequent revocation of a license.

Initial_____

14) I shall indemnify, hold harmless, and release forever the State of Hawaii and its departments, agencies, officers, employees, and agents of any kind from all liability claims arising out of my actions involving the growth, cultivation, or marketing of industrial hemp.

Initial_____

15) I affirm that I am not an employee of the State of Hawaii and shall assume total and sole responsibility for any of my acts or omissions involving the growth or production of industrial hemp or arising out of my participation in the Industrial Hemp Pilot Program.

Initial_____

Attachments

If including any attachments to this application, list them below. Attachments may include extended answers to any questions in the above sections, a letter of intent from a processor/buyer, a business plan, or permit from other regulatory authority such as the Department of Public Safety, Department of Health, Food and Drug Administration, Drug Enforcement Administration etc., or other relevant supporting documents. If the attachment is supplementary information to a question in this form, be sure to include the Section and Question number on the document.

I hereby certify under penalty of perjury that all of the information contained in this application, including any attachments hereto, is true and complete. I understand that any misrepresentation is grounds for denial or subsequent revocation of a license.

Signature of applicant (or business representative)

Date

Printed name

D: FEES

Applications submitted without payment WILL NOT BE PROCESSED.

APPLICATION FEES ARE NON REFUNDABLE:

- **Application fee: \$500.00**
- Payment must be made by **Cashier's Check**.
- Make checks payable to: Hawaii Department of Agriculture

Mail completed application and all fees and attachments to:

Hawaii Department of Agriculture
Quality Assurance Division
Industrial Hemp Pilot Program
1851 Auiki St.
Honolulu, HI 96819

Completed applications and attachments may also be emailed

To: hemp@hawaii.gov

Applications will not be processed until application fee is received.

E. APPLICATION CHECKLIST

- Complete and sign Application for Industrial Hemp License.
- Attach all necessary supporting documents.
 - Proof of license to do business in the State of Hawaii
 - Tax Map Key to prove the proposed growing area is in the State agricultural district.
 - Deed, lease, etc., if available.
 - Proof that the selected laboratory is willing to perform sample collection at your location.
 - All additional pages (if any)
- Aerial map or photograph of the address where the growing area identified in the application is located.
- Payment of application fee equal to \$500.00