

DOH Cannabinoid Hemp Timeline

2020

AUGUST
27TH

Gov. Ige signed into law Act 014; created Chapter 328G, HRS; interim rulemaking authority.

2021

AUGUST
9TH

DOH released Chapter 11-37 (Interim Rules), "Hemp Processing and Hemp Products"

2022

FEBRUARY
24TH

DOH updated Chapter 11-37 (Interim Rules) HAR; updated testing & labeling requirements.

2022

APRIL
29TH

DOH updated Chapter 11-37 (Interim Rules) HAR; removed update to cannabinoid testing due to lab inability to test.

2022

JUNE
27TH

Gov. Ige enacted Act 137; extended sunset date of Act 014 from 2022 to 2025.

2023

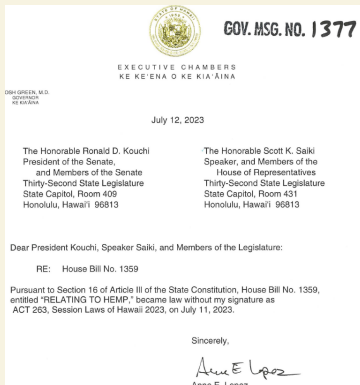
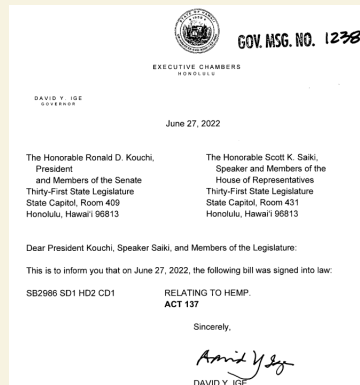
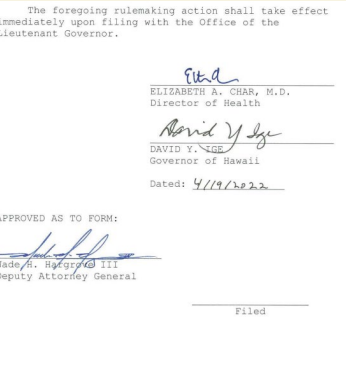
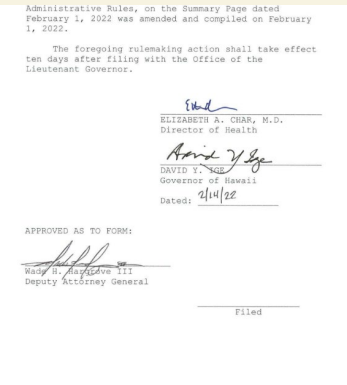
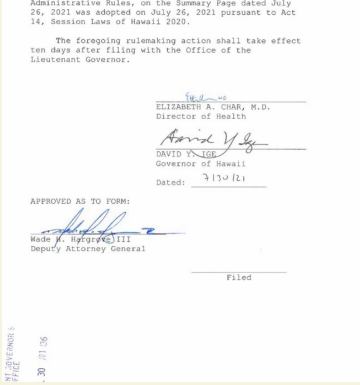
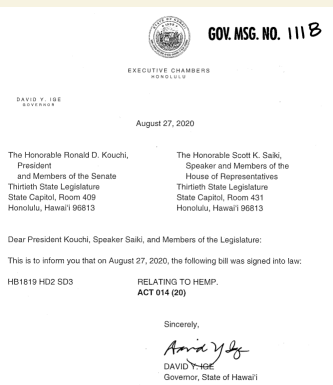
JULY
11TH

Act 263 enacted without Gov's signature; Extended repeal date & interim rulemaking to 07/01/2027.

2024

MAY
17TH

Pursuant to Act 263, DOH and DOA jointly convened first Hawaii Hemp Task Force meeting.



August 2024

HAWAII DEPARTMENT OF HEALTH - HEMP PROCESSOR PERMIT

The following hemp processing operations require a permit and compliance with interim rules 11-37, HAR

<p>A</p>  <p>Anyone processing hemp biomass to make a compliant MHP.</p> 	<p>B</p>  <p>Anyone processing hemp biomass into compliant crude extract.</p> <p><i>"Crude extract shall be sold only to a hemp processor with a valid permit issued by the department, or to a person with equivalent authority from a regulatory agency in another jurisdiction." Not allowed for sale to consumer.</i></p> 	<p>C</p>  <p>Anyone completing the process of producing a compliant MHP from crude extract.</p> <p><i>Those that do not want to process hemp biomass can obtain compliant crude extract and complete the manufacturing process into a compliant MHP.</i></p> 	<p>D</p>  <p>Anyone using a compliant MHP as an ingredient to make another MHP.</p> <p><i>Those that do not want to process hemp biomass or start with crude extract can obtain compliant MHP to use as ingredient to make another MHP. *Includes repackaging/relabeling activities.</i></p> 
<p>Crude Extract = initial cannabinoid containing extraction from hemp biomass that is not fit for use or consumption. Further processing required to create cannabinoid containing MHP.</p> <p>Hemp Biomass = floral and leaf plant material.</p> <p>Manufactured Hemp Product (MHP) = cannabinoid containing product applied topically to skin or taken orally in a form allowed in rules.</p>			

[Permit application. Law – Ch 328G, HRS and *Interim Rules – Ch 11-37, HAR](#) *tentative Aug/Sept 2024. Email: doh.hemp@doh.hawaii.gov

Applicant requirements:

1. Complete application and return with permit fee and supporting documentation:

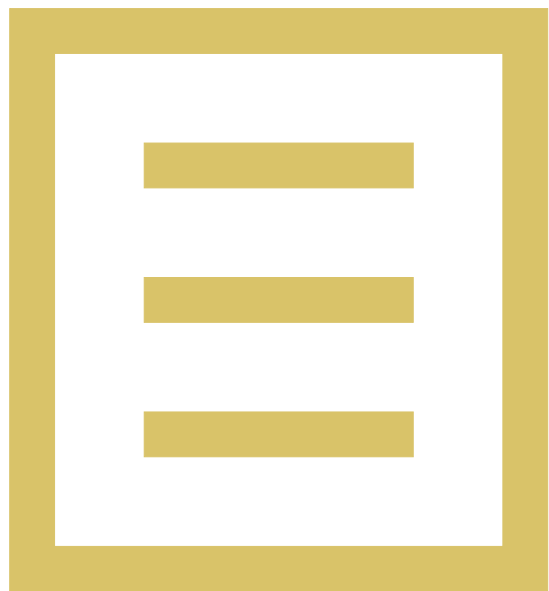
- Valid USDA license to grow hemp or consent to background check establishing proof of no disqualifying felony conviction.
- Indoor facility and planned processing operations (e.g., extraction methods) comply with local zoning, building and fire codes.
- Or, processing operations (e.g., extraction methods) do not include use of heat, volatile compounds or gases under pressure and operations occur in enclosed indoor facility that is:
 - Exempt from building permit and building code requirements pursuant to section [46-88, HRS](#).
 - Or, occurs in a food hub or agricultural park.

NOTE: Applicants sharing a facility, like a food hub or commercial kitchen, with a business permitted by [Food Safety Branch \(FSB\)](#) should consult with permit owner and FSB to ensure hemp processing operations can occur in same shared space.

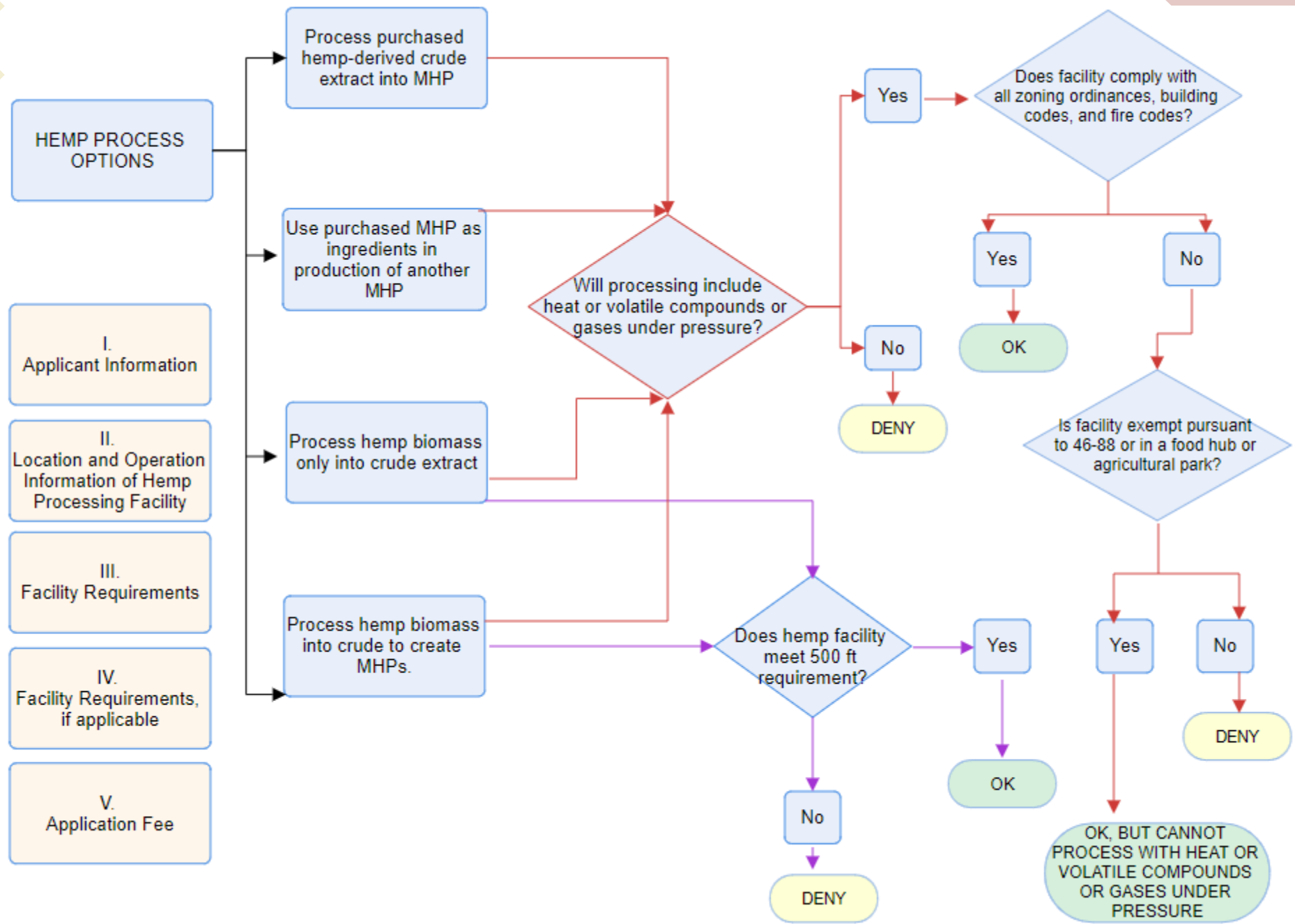
2. Indoor processing facility criteria:

- Facility used to process hemp biomass, as described in pathway "A" or "B" above, must be at least 500 ft. from playgrounds, schools, state parks, state recreation areas, residential neighborhoods, hospitals, or daycare facilities. This requirement does NOT apply to applicants that limit their processing operations to those described in pathway "C" or "D".
- Applicant must provide description how their processing facility will comply with relevant sections of Ch. 11-37, HAR, with respect to facility design and construction (e.g., easily cleanable materials), ventilation control, source water for cleaning and sanitation operations, facility plumbing to carry water to required locations and to convey sewage and liquid waste away from facility, access to plumbed hand wash sinks and toilets with water under pressure, etc.

NOTE: Please consult DOH - [Environmental Management Division](#) and [Environmental Health Services Division](#) to ensure your planned hemp processing operations comply with the laws and rules they administer. If your process uses solvents or other hazardous materials, please contact the DOH's Hazardous Waste Program (808-586-4226) for information on waste management regulations.



HEMP PROCESSOR PERMIT APPLICATION



HEMP PROCESSOR PERMIT APPLICATION

SECTION I

JOSH GREEN, M.D.
GOVERNOR OF HAWAII
KE KIM AKA O KA MOULI AKA O HAWAII



KENNETH S. FINK, MD, MGA, MPH
DIRECTOR OF HEALTH
KA LUNA KOKOLE

STATE OF HAWAII
DEPARTMENT OF HEALTH
OFFICE OF MEDICAL CANNABIS CONTROL AND REGULATION
4348 WAIALAE AVENUE, #648
HONOLULU, HI 96816

In reply, please refer to:
File:

Hemp Processor Permit Application

This application form is provided by the Office of Medical Cannabis Control and Regulation (OMCCR) for use by applicants seeking a permit to operate as a hemp processor in accordance with Hawaii Revised Statutes (HRS) chapter 328G and Hawaii Administrative Rules (HAR) chapter 11-37.

Instructions

To request a permit, all applicants must complete Sections I, II, III, and V of this application. If directed by Question 15, complete Section IV. Submit the completed application to the OMCCR at doh.hemp@doh.hawaii.gov or mail to 4348 Waiialae Avenue, #648, Honolulu, HI 96816.

A determination will be made after the OMCCR has reviewed the application. Notification of the determination will be sent to the applicant's email listed in the application. Questions may be referred to the Office of Medical Cannabis Control and Regulation at (808) 692-7450 or doh.hemp@doh.hawaii.gov.

SECTION I APPLICANT INFORMATION		
1	Date of Request	Click or tap to enter a date.
2	Are you applying as a business or legal entity and not an individual owner of a sole proprietorship?	Select One
3	Name of Applicant (Business Name, if the applicant is a business or legal entity; Name of individual owner of a sole proprietorship)	Click or tap here to enter text.
4	Name of Representative (Individual acting on behalf of a business or legal entity)	Click or tap here to enter text.
5	Applicant's Mailing Address	Street Address: Click or tap here to enter text. City: Click State: Click Zip code: Click
6	Applicant's Phone Number	Click or tap here to enter text.
7	Applicant's Email	Click or tap here to enter text.
8	Applicant must provide a valid USDA hemp license. Attach the document to this application.	

HEMP PROCESSOR PERMIT APPLICATION

SECTION II

SECTION II LOCATION AND OPERATIONS OF HEMP PROCESSING FACILITY		
9	Address of Property where Hemp Processing will Occur	Street Address: Click or tap here to enter text. City: Click State: Click Zip code: Click
10	Tax Map Key (TMK) of Property where Hemp Processing will Occur	Click or tap here to enter text.
11	Mark the Processing Operation(s) Intended for the Permit (mark all that apply)	<input type="checkbox"/> A. Process hemp biomass into crude to create manufactured hemp products <input type="checkbox"/> B. Process hemp biomass only into crude extract <input type="checkbox"/> C. Process hemp-derived crude extract into manufactured hemp products <input type="checkbox"/> D. Use manufactured hemp products as ingredients in production of another manufactured hemp product
12	Is the enclosed indoor facility where hemp processing will occur at least five hundred (500) feet away from all pre-existing playgrounds, schools, state parks, state recreation areas, residential neighborhoods, hospitals, or daycare facilities?	Select One
<p>Provide signature if you answered Yes to Question 12</p> <p>I attest that the hemp processing facility described in this application shall not be located within five hundred (500) feet of a pre-existing playground, school, state park, state recreation area, residential neighborhood, hospital, or daycare facility.</p> <p>Signature of Applicant or Representative: _____ Date: Click</p>		
13	Will the hemp processing methods include heat or volatile compounds or gases under pressure?	Select One
14	Describe the processing methods intended to be performed in the enclosed indoor facility.	Click or tap here to enter text.
15	Do the indoor facility and planned hemp processing operations comply with all zoning ordinances, building codes, and fire codes? If No , you must complete section IV.	Select One
<p>Provide signature if you answered Yes to Question 15</p> <p>I attest that the hemp processing facility and its planned operations described in this application shall comply with all zoning ordinances, building codes, and fire codes.</p> <p>Signature of Applicant or Representative: _____ Date: Click</p>		

HEMP PROCESSOR PERMIT APPLICATION

SECTION II, cont...

SECTION II LOCATION AND OPERATIONS OF HEMP PROCESSING FACILITY	
16	<p>If you answered Yes to question 15, attach evidence of compliance.</p> <p>Mark the document type attached to this application. (mark all that apply)</p> <ul style="list-style-type: none"><input type="checkbox"/> City and County Certificate of Occupancy<input type="checkbox"/> City and County Building Permit<input type="checkbox"/> City and County Building Permit Application<input type="checkbox"/> City and County Fire Inspection Report<input type="checkbox"/> Other Click
SECTION III FACILITY REQUIREMENTS	
Provide description for how the hemp processing facility complies or will comply with requirements §11-37-51 and §11-37-61.	
17	<p>Facility meets the definition of "enclosed indoor facility".</p> <p>Click or tap here to enter text.</p>
18	<p>Facility is secured to prevent unauthorized entry.</p> <p>Click or tap here to enter text.</p>
19	<p>Facility is constructed so that floors, walls, and ceilings may be adequately cleaned.</p> <p>Click or tap here to enter text.</p>
20	<p>Facility provides adequate lighting in hand-washing areas, toilet rooms, where equipment and utensils are cleaned, and in all areas where crude extract or manufactured hemp products or components are examined, manufactured, processed, packed, or held.</p> <p>Click or tap here to enter text.</p>
21	<p>Facility provides adequate ventilation or control equipment to minimize dust, odors, and vapors in areas where they may cause allergen cross-contact or contaminate crude extract or manufactured hemp products or components.</p> <p>Click or tap here to enter text.</p>

HEMP PROCESSOR PERMIT APPLICATION

SECTION III

SECTION III FACILITY REQUIREMENTS	
Provide description for how the hemp processing facility complies or will comply with requirements §11-37-61 and §11-37-63.	
22	Facility provides adequate screening or other protection against entry of pests.
Click or tap here to enter text.	
23	Facility supplies running water, from an adequate source of proper sanitary quality for its intended use, under pressure and to all areas in the facility where the processing of crude extract or manufactured hemp products, cleaning of equipment, contact surfaces, or for employee sanitary facilities (toilets, hand wash sinks) occurs.
Click or tap here to enter text.	
24	Facility has plumbing of adequate size and design and properly installed to carry water to required locations and to properly convey sewage and liquid waste from the facility. Plumbing must avoid being source of contamination to crude extract or manufactured hemp products, water supplies, equipment or create unsanitary condition. Must provide adequate floor drainage in all areas where floors are subjected to cleaning or where discharge of liquid waste onto floor occurs. Plumbing must be installed to ensure there is not backflow from, or cross-connection between, piping systems that discharge wastewater/sewage and piping systems that carry water for crude extract or manufactured hemp product manufacturing.
Click or tap here to enter text.	
25	Facility disposes of sewage into an adequate sewerage system or disposed of through other adequate means.
Click or tap here to enter text.	
26	Facility provides employees with adequate, readily accessible toilet facilities.
Click or tap here to enter text.	

HEMP PROCESSOR PERMIT APPLICATION

SECTION III, cont...

SECTION III FACILITY REQUIREMENTS	
Provide description for how the hemp processing facility complies or will comply with requirements §11-37-63 and §11-37-66.	
27	Facility provides hand washing sinks, conveniently located, and designed to ensure employee's hands are not a source of contamination, and furnished with running water.
Click or tap here to enter text.	
28	Provides for rubbish disposal that shall be conveyed, stored, and disposed of to minimize development of odor, minimize potential for waste becoming an attractant for pests, and protect against contamination of crude extract or manufactured hemp products, contact surfaces, ingredients, packaging, water supplies, and ground surfaces.
Click or tap here to enter text.	
29	Provides storage conditions for crude extract or manufactured hemp products and the components used in their processing and manufacturing, that will protect against allergen cross-contact and against biological, chemical (including radiological), and physical contamination, as well as against deterioration of the crude extract or manufactured hemp product or component and the container.
Click or tap here to enter text.	

HEMP PROCESSOR PERMIT APPLICATION

SECTION IV

SECTION IV FACILITY REQUIREMENTS FOR THOSE NOT MEETING ZONING ORDINANCES, BUILDING PERMIT OR CODES, OR FIRE CODES Complete only if question 15 was answered NO			
You must submit documentation that the facility to be used for hemp processing is: <ul style="list-style-type: none">• Exempt from building permit and building code requirements pursuant to section 46-88, HRS; or• In a food hub or agricultural park.			
30	<table border="1"><tr><td>Attach evidence of compliance. Mark the document type attached to this application. (mark all that apply)</td><td><input type="checkbox"/> The enclosed indoor facility that will be used for hemp processing is exempt from building permit and building code requirements pursuant to section 46-88, HRS. <input type="checkbox"/> The enclosed indoor facility that will be used for hemp processing is in a food hub or agricultural park.</td></tr></table>	Attach evidence of compliance. Mark the document type attached to this application. (mark all that apply)	<input type="checkbox"/> The enclosed indoor facility that will be used for hemp processing is exempt from building permit and building code requirements pursuant to section 46-88, HRS. <input type="checkbox"/> The enclosed indoor facility that will be used for hemp processing is in a food hub or agricultural park.
Attach evidence of compliance. Mark the document type attached to this application. (mark all that apply)	<input type="checkbox"/> The enclosed indoor facility that will be used for hemp processing is exempt from building permit and building code requirements pursuant to section 46-88, HRS. <input type="checkbox"/> The enclosed indoor facility that will be used for hemp processing is in a food hub or agricultural park.		

HEMP PROCESSOR PERMIT APPLICATION

SECTION V

SECTION V APPLICATION FEE

The applicant must submit with the application a non-refundable application fee of \$500.

The fee must be paid by business or cashier's check payable to:

Hawaii Department of Health

Mail to:

**State of Hawaii Department of Health
Office of Medical Cannabis Control and Regulation**

4348 Waialae Avenue, #648

Honolulu, HI 96816

The information provided in this application is complete and correct to the best of my knowledge. My signature constitutes an acknowledgment and agreement that the applicant will comply with chapter 11-37, Hawaii Administrative Rules.

Signature of Representative (or Individual
applicant or owner of sole proprietorship) _____

Date [Click](#) _____

Printed Name [Click or tap here to enter text.](#) _____

Job Title [Click or tap here to enter text.](#) _____

