



## **Hemp Grower Application Guidance Document**

### **Table of Contents**

<b>Program Overview</b> .....	1
<b>Application Sections</b> .....	2
1. <b>Business Information.</b> .....	2
2. <b>Contact Information.</b> .....	2
3. <b>Business Focus.</b> .....	2
4. <b>Experience.</b> .....	3
5. <b>Locations.</b> .....	3
6. <b>Seed Source and Varieties.</b> .....	3
7. <b>Criminal History.</b> .....	3
<b>Attestation and Signature</b> .....	4
<b>Licenses and Fees</b> .....	4
<b>Submission Checklist</b> .....	5

### **Program Overview**

The New York State Department of Agriculture and Markets (Department) is administering a Hemp Licensing Program authorized by Article 29 of the New York State Agriculture and Markets Law and the 2018 Agriculture Improvement Act (Federal Farm Bill of 2018).

The New York State Hemp Licensing Program regulates the growth, cultivation, and production of hemp, defined as the plant species *Cannabis sativa* L. and any part of that plant, whether growing or not, with a total THC concentration equal to or less than 0.3% on a dry weight basis. The Department issues licenses for hemp growers, hemp seed sellers, and nursery growers who would like to sell hemp plants.

Please review the [Program Guidance Document](#) for more information on the rules and requirements of the program.

Individuals and businesses that would like to participate in this program must submit for consideration a completed application form with all required maps, fees, and an FBI Identity History Summary Check for all [key participants](#) dated within 60 days of the date of application. Incomplete applications will be denied.

An original hardcopy of the application with all necessary attachments and fees must be submitted to the Department by mail at the address below.

New York State Department of Agriculture and Markets  
Plant Industry Division  
10B Airline Drive  
Albany, NY 12235

The Department **does not** license or regulate any growers, processors, distributors, or retailers of **marijuana**, defined as the plant species *Cannabis sativa* L. and any part of that plant with a total THC concentration exceeding 0.3% on a dry weight basis. The regulation of marijuana in the state of New York is administered by the New York State Office of Cannabis Management (OCM).

The OCM also regulates cannabidiol (CBD) processors, retailers, and distributors who manufacture, sell, or distribute products such as tinctures, oils, topicals, pills, capsules, food, beverages, and raw hemp flower that are intended for human consumption or application for their cannabinoid content.

The OCM can be contacted at the information below.

Phone: 1-888-626-5151

Email: [info@ocm.ny.gov](mailto:info@ocm.ny.gov)

Website: [www.cannabis.ny.gov](http://www.cannabis.ny.gov)

## **Application Sections**

### **1. Business Information.**

In this section, provide the name, address, and contact information for your business. You should also provide the business's Federal Employer Identification Number (EIN).

It is recommended that you provide a central business email address, separate from your personal email address. If your application is approved, the email address along with the city and county listed in this section will be made public on the program's website as a point of contact for your business.

If you have a mailing address that is different than your primary business address, you can provide it in the space provided. If you are approved for a hemp license, this address will be used to send your authorization(s) and the program information packet.

### **2. Contact Information.**

In this section, provide the name, title, address, social security number, and contact information for the person who will be the primary point of contact for your business. The Department will communicate with this person about reports, notices, and program updates.

There is also an option to add a secondary contact to your file. The Department will contact this person if attempts to reach the primary contact have failed.

### **3. Business Focus.**

In this section, check all options that apply to the focus of your business.

Selling hemp seeds requires a separate [Hemp Seed Retail License](#). Selling hemp seedlings or clones for transplant requires a separate [Nursery Grower License](#). See [Licenses and Fees](#) for more information.

#### **4. Experience.**

If you or your business participated in the New York State Industrial Hemp Agricultural Research Pilot Program, provide your previous authorization number.

If you or your business currently hold a valid Nursery Grower License from the Department, provide your license number.

#### **5. Locations.**

In this section, provide the address, GPS coordinates, and area measurements for each site where hemp will be planted, grown, cultivated, handled, or stored. You should assign a unique name to each site and indicate if you own or lease the property.

All GPS coordinates must be unique to each site and should be given in decimal format. (Example: 42.734537, -73.817688) The GPS coordinates should be taken from the center of the field or building.

Area measurements should be given in acres for outdoor locations and square feet for indoor locations. All indoor and outdoor locations must be registered separately even if they are located at the same physical address. For example, a field, greenhouse, and drying barn at the same address would need to be registered as three separate locations.

Sites located in a location that is zoned residential will not be approved. Sites located in or attached to a residential dwelling will not be approved. Zoning classifications are locally established, and it is the applicant's responsibility to ensure that a proposed growing location is not in an area zoned residential.

You must submit with your application aerial photographs or maps of each separate site. On each map, clearly mark the site boundaries, roadways, and access points.

#### **6. Seed Source and Varieties.**

In this section, provide the name and address of the business from which you plan to obtain seeds or clones. You should also list the names of the varieties you expect to purchase from each source.

If you will have more than one seed source, you may attach additional sheets. List the varieties you will purchase from each individual source, even if the variety repeats.

#### **7. Criminal History.**

In this section, indicate if you or a key participant have had a drug-related felony conviction in the past 10 years. If yes, provide an explanation of the circumstance of the conviction.

Also, an FBI Identity History Summary (background check) for all key participants of your business operation must be submitted with the application and must have been issued no more than 60 days before the date of submission of the license application.

A key participant is defined as a sole proprietor, a partner in partnership, or a person with executive managerial control in a business or educational entity. A person with executive managerial control includes, without limitation, persons such as a chief executive officer, chief operating officer, and chief financial officer. This definition does not include nonexecutive managers such as farm, field, or shift managers.

### **Attestation and Signature**

By signing the application form, you, under the penalties of perjury:

1. certify that all information provided on the form is complete and accurate,
2. attest that you possess adequate facilities, equipment, and security to participate in the program, and
3. affirm that you will comply with all state and federal requirements and regulations.

If you do not sign the form, your application will be incomplete and denied. If you provide any false or misleading information in your application, you will be ineligible for a license.

### **Licenses and Fees**

The Department requires a non-refundable application fee for each hemp license application. Below is the list of available licenses, the fee for each application, and a description of the license.

[Hemp Grower License](#) - \$500

Authorizes the growth, cultivation, and handling of hemp plant material

License term: 3 years

[Nursery Grower License](#) - \$100

Authorizes the sale of rooted hemp plants/seedlings

License term: 2 years

[Hemp Seed Retail License](#) - \$100

Authorizes the sale of hemp seeds

License term: 3 years

Determine which license(s) you may need for your business and include all applications and fees that are necessary for your business plan.

Examples of plans and the required licenses and fees:

1. If you plan to grow hemp into seedlings and sell the plants to other licensed hemp growers as transplants, you will need a Hemp Grower License and a Nursery Grower License.  
**Total: \$600**
2. If you plan to grow hemp to collect and sell the seed to other licensed growers, you will need a Hemp Grower License and Hemp Seed Retail License.  
**Total: \$600**
3. If you plan to buy hemp seed from a grower to sell the seed to licensed growers, you will only need a Hemp Seed Retail License.  
**Total: \$100**

## **Submission Checklist**

Before submitting your application to the Department, please review the checklist below to ensure your application package is complete.

- All sections are complete, and all questions are answered.
- The total **application fee** is included as a check or money order. If you are paying by credit card, the completed credit card authorization form is included.  
See [Licenses and Fees](#) to determine the total application fee for your business.
- All additional sheets for locations/seed sources are attached.
- Aerial **photos or maps** of all locations are attached.
- Boundaries, roadways, and access points are labeled on each map or photo.
- All **FBI Identity History Summary checks** for each [key participant](#) are included.
- The application has been signed and dated.