



Kentucky Department of Agriculture Hemp Licensing Program

2020 PROCESSOR/HANDLER LICENSE APPLICATION PACKET

Guidelines and Instructions for Processors/Handlers

The Kentucky Department of Agriculture (KDA) is conducting a Hemp Licensing Program as authorized by KRS 260.850-260.869 and 302 KAR 50. Individuals and companies who would like to be considered for participation in the Kentucky hemp program as a processor or handler must submit the *Processor/Handler License Application* for 2020 to KDA, Hemp Licensing Program, 111 Corporate Drive, Frankfort, KY 40601. Complete the full application in this packet, including all required attachments, and return by mail or hand deliver to KDA along with a check or money order for \$200 made payable to Kentucky State Treasurer.

- **New for 2020**
 - Online applications, mapping, payments, requests, and reports
 - Application Fee is \$0 (free)
 - Paper Application has a Service Charge of \$200 (online applications, no service charge)
 - Save \$200 and submit your application online at: www.kyagr.com/hemp
 - Hemp Processor/Handler License Applications accepted year-round
 - Background checks are required for the applicant and key participants in a business entity
- **Contents of Application Packet.**
 - Guidelines and Instructions
 - Instructions and Form for Obtaining a KSP Background Check
 - *Signing Authority for Business Entities* form
 - 2020 Fee Schedule
 - 2020 Transfer Requirements Summary
 - Instructions for Creating Maps and Obtaining GPS Coordinates for Submission with your Application
 - *Processor/Handler License Application*. Please submit only the application and required attachments. Do not submit the guidelines and instructions (pages i– xi).
- **Application Deadline.** Current Processor/Handler License Holders must submit a 2020 application renewal by December 31 as part of the annual renewal process. New *Processor/Handler License Applications* will now be accepted year-round. Licenses issued will be subject to the annual renewal requirements. **Email submissions will NOT be accepted** because the payment for the service charge fee must be attached to the paper application. KDA recommends that applicants use a delivery method with tracking capabilities when submitting an application by mail; KDA is not responsible for applications lost in the mail or not received. **Keep a copy of the completed application, all attachments, and, if applicable, the mail receipt and tracking number for your records.**
- **Fee Schedule.** A \$200 nonrefundable service charge fee (check or money order made payable to Kentucky State Treasurer) must be included with the completed paper application upon submission. This service charge fee does not apply to any other program costs. See the *2020 Fee Schedule* in this application packet or 302 KAR 50. If you are conditionally approved for participation in the program, there will be additional fees associated with participation.



- **Complete Applications.** Applications must be complete, accurate and legible. Follow all instructions in the document. Applications and any attachments may be subject to Kentucky Open Records law (KRS 61.870 through KRS 61.884). **KDA is not required to request additional information for clarity of the application.** Any *Processor/Handler Application* that is missing required information shall be subject to denial.
- **Application from a Business Entity.** A Processor/Handler License can be issued to an individual or an established business entity.
 - The “applicant” is the person, or the person authorized to sign for a business entity, who submits an application.
 - KDA requires the submission of a *Signing Authority for Business Entities*, found on page vi, when the applicant is representing a business entity and the applicant is not listed on the businesses entry on the Kentucky Secretary of State website. Only the applicant, who is the signing authority, for the business is allowed to make decisions for the company in matters related to a Kentucky hemp license.
 - Only ONE signing authority shall be allowed to represent a business entity.
 - If during the application process, or at any point after a Licensing Agreement is signed with the Kentucky Department of Agriculture, a business entity requires a change of signing authority, a new *Signing Authority for Corporate Entities* form, a current background check, and copy of the individual’s driver’s license must be submitted together in a change request to KDA.
- **Application Review.** The KDA will evaluate each application and select projects for approval based on the review criteria set forth in the draft regulation titled 302 KAR 50. *Policies and Procedures for Hemp Processors/Handlers.*
- **Background Checks.** Before conditional approval will be granted, a Kentucky State Police (KSP) background check must be received and approved by KDA. As the issuance of a background check can take up to two weeks to complete, it is recommended that applicants submit a KSP background check request immediately. See the *Instructions for Obtaining a Kentucky State Police Background Check* and the associated form attached to the application. **Note: These requests must be sent directly to KSP (DO NOT SEND TO KDA) and received by the KDA Hemp Program with the application.**
- **Orientation.** All conditionally approved applicants must attend a KDA orientation session where they will receive further instructions, complete a *Hemp Processor/Handler License*, and submit payment of the Licensing Fees. Current License holders with a multi-year agreement will still need to attend an Orientation and submit payment of the Licensing Fees before their license is renewed for 2020. The 2019 processor/handler orientation presentation can be found on KDA’s website at:
http://www.kyagr.com/marketing/documents/HEMP_LH_Orientation-for-Processors-Handlers.pdf
- **Timeline.** The expected timeline for approval of 2020 projects is as follows:
 - **No more than 60-days following the application submission**– Notification of application status.
 - **20-days following notification** – Appeals request deadline for denied applicants.
 - **Within 60-days of notification** - Orientations and execution of *Hemp Processor/Handler Licenses*.

For more information on the KDA Hemp Licensing Program, please visit www.kyagr.com/hemp. **Please note that KDA is not able to provide assistance in completing the application.**

Instructions for Obtaining a Kentucky State Police Background Check

New for 2020 – Background checks are required on all key participants in a business entity.

Consistent with federal law, KDA requires a Kentucky State Police (KSP) background check on each hemp license applicant plus additional “key participants” within a business entity seeking a license. A “key participant” within a business entity is a person or persons who have a direct or indirect financial interest in the entity producing hemp, such as an owner or partner in a partnership. A key participant also includes persons in a corporate entity at executive levels including chief executive officer, chief operating officer and chief financial officer. This does not include such management as farm, field or shift managers.

Background checks are required annually. The request is processed by the Kentucky State Police (KSP) office listed below.

KSP Records Branch, Criminal Records Dissemination Section

Address: 1266 Louisville Road, Frankfort, KY 40601

Phone: 502-227-8700

Business hours: M-F 8:00 AM - 4:30 PM Eastern Time (ET).

Website: <http://kentuckystatepolice.org/forms/background-check-forms/>

You must complete the form on the next page or use the original form at:

http://kentuckystatepolice.org/wp-content/uploads/2017/12/employment_rev11_10.pdf

- You may submit the request and payment in person where it can be processed while you wait (typically 15 minutes).

Required for a mailed submission of the background check:

1. Completed **Request for Conviction Records-Employment/Professional License** form found on the following page
2. \$20 check made payable to Kentucky State Treasurer
3. Self-Addressed Stamped Envelope (SASE) for a copy to be returned to **YOURSELF**
4. Mail items 1-4 listed above to:
Kentucky State Police
Criminal Identifications and Records Branch 1266
Louisville Road
Frankfort, KY 40601

The Request for Conviction Records/Employment/Professional License form (also known as the background check request) must be mailed or hand delivered to Kentucky State Police; DO NOT SEND THIS REQUEST TO KDA.

Once you receive your background check in the mail, you will submit that with your application by uploading a pdf of the form into the hemp application software program. DO NOT SEND YOUR BACKGROUND CHECK TO KDA SEPARATE FROM YOUR HEMP APPLICATION.



REQUEST FOR CONVICTION RECORDS - EMPLOYMENT/PROFESSIONAL LICENSE

Request is made for any record of conviction found in the files of the Kentucky centralized criminal history record information system regarding the person identified herein. This information shall be released to:

Kentucky Dept of Agriculture, ATTN: Industrial Hemp Program, 111 Corporate Dr, Frankfort, KY 40601

Agency/Organization Name and Address

ACKNOWLEDGMENT BY APPLICANT

I am requesting that the Kentucky State Police provide the above named agency/organization with any record of conviction found in the files of the Kentucky centralized criminal history record information system. I know that I have the right to inspect my criminal history record and to request correction of any inaccurate information. If I do not exercise that right, I agree to hold harmless the Kentucky State police and any Kentucky State Police employee(s) from any claim for damages arising from the dissemination of inaccurate information.

APPLICANT INFORMATION (PLEASE PRINT)

NAME:				
	First	Middle	Last	Maiden
ADDRESS:				
	Street	City	State	Zip
SEX:		RACE:		DATE OF BIRTH:
SOC SEC NO:				

Signature Date

Witness Date

INSTRUCTIONS:

Requesting agencies/organizations should ensure that all application information is completed.

Requesting agencies/organizations should forward a check or money order made payable to the **Kentucky State Treasurer** in the amount of **\$20.00** for each submitted form. Requests should be accompanied by **two, self-addressed stamped envelopes** – one bearing the name and address of the requesting agency/organization and the other bearing the name and address of the applicant.

The Kentucky State Police will charge a \$25.00 fee on each returned check.

RETURN THIS FORM TO:

Kentucky State Police
Criminal Identifications and Records Branch
Criminal Records Dissemination Section
1266 Louisville Road
Frankfort, KY 40601

Visit us online @ <http://kentuckystatepolice.org>

Revised 10/08



Ryan F. Quarles
Commissioner



Kentucky Department of Agriculture

Office of Agriculture Marketing
Hemp Program
111 Corporate Drive
Frankfort, KY 40601
Phone: (502) 573-0282

Signing Authority for Business Entities (e.g., LLCs, Corporations, etc.)

This form is a required attachment for all applications from a business entity.

If completing this form electronically, navigate the form with the mouse or select the next field using the down arrow key.

Name of Business Entity	
Complete Business Street Address	
KY Secretary of State Organization Number	
Date of Last Annual Report	

At the _____ (Date) meeting of the board of directors of the organization listed above, the entity authorized the below individual

	Name	Title
Signing Authority*		

*must have an annual background check and copy of driver's license on file with KDA prior to signing a Licensing Agreement

to sign all documents submitted on the entity's behalf to KDA. The acknowledges that a change of authorization to sign documents requires written notice to KDA.

I certify that this information is true and correct, and that the authorization was granted at the board meeting that occurred on the date noted above.

Signature

(must be an officer who is listed on Secretary of State website)

Printed Name

Title

Date



KDA Hemp Licensing Program: 2020 Fee Schedule

Fee Type	Program Fees*	Fee Due Date
Application Fee	NO Application Fees assessed for 2020	@ time of application
Service Charge	\$200 for paper applications (nonrefundable; does NOT apply to Licensing Fee) Not required for on-line applications	@ time of application
Licensing Fee – GROWER	\$400 per growing address NOTE: GPS coordinates for all growing locations (fields and greenhouses/indoor growing sites) and storage locations are submitted on the application. Changes to growing locations after submitting the application will incur a Site Modification Surcharge (see below). More than 3 required samples at an address will incur the Secondary Pre-Harvest Sample fee (see below).	After orientation, prior to licensing. Annually prior to renewal of license
Licensing Fee – PROCESSOR / HANDLER (Due annually)	Fees per Processing Type Handlers - \$500 annual fee - An example of a “handler” includes any private lab or service provider, such as a seed cleaner. Fiber Processor - \$500 annual fee Grain Processor - \$500 annual fee Floral Material Processor - \$3,000 annual fee NOTE 1: License holders working with multiple harvestable components will be required to pay an annual fee for EACH component.	After orientation, prior to licensing. Annually prior to renewal of license
Site Modification Surcharge (SMS)	\$750 / each change or addition of GPS coordinates Defined as any change to the GPS coordinates for processing or growing locations at an existing address on the <i>Hemp License</i> , or for the addition of each GPS coordinate at an address not already on the <i>Hemp License</i> . Storage location changes or additions will not incur the SMS.	@ submission of <i>Site Modification Request</i> form
Secondary Pre-Harvest Sample	\$250 per sample Only the first 3 samples/tests per address are covered by the Licensing fee. All additional samples (above 3) required at a licensed address will require a Secondary Pre-Harvest Sample fee of \$250 per sample. Each “lot” must be sampled separately. A “lot” is a contiguous planting of the same variety/strain. Secondary Pre-Harvest Sample fee also applies if we are required to resample a lot due to grower’s failure to harvest within 15 days of first sample.	Within 15 days of invoice by KDA

* Fees for paper applications must be submitted in the form of a check or money order made payable to Kentucky State Treasurer.

2020 Transfer Requirements Summary

The tables contained in this summary sheet explain which hemp materials are restricted to transfer or sale within a Hemp Licensing Program, as opposed to materials that are eligible for transfer or sale outside of the KDA hemp program. **This is not a complete list of requirements; be sure to reference the complete, current Transfer Requirements document on the program website at www.kyagr.com/hemp.**

- **In-Program Materials.** Must remain in the Hemp Licensing Program, or if transferred out of state, must be legal to possess in that jurisdiction.
- **Out-of-Program Materials.** Allowed for transfer or sale to anyone, with or without a License (i.e., the general public, or not a participant in a research hemp program).

Table 1: In-Program Materials	
Harvestable Component	Form of Material
Fiber	whole stalks, including leaf and seed materials
	bales of stalks
Roots	raw
Leaves or Floral Material	fresh, unprocessed
	dried
	ground
Grain (food product)	raw, unprocessed
Seed (for planting)	whole seed, cleaned or uncleaned
Transplants	rooted plants
	cuttings

Table 2: Out-of-Program Materials	
Harvestable Component	Form of Material
Fiber	whole stalk, stripped of leaf and seed materials
	decorticated fiber (bast and/or hurd)
Roots	dried
	ground
Leaves or Floral Material	cannabinoid extract
	All products derived from extracts
Grain (food product)	crushed, ground, etc.
	dehulled
	seed cake / meal
	roasted or toasted AND proven nonviable
	Seed Oil
Out-of-program transfers of these materials are compliant with KDA policy; some federal agency opinions may differ. Transfers are at your own RISK.	

It is the responsibility of the participant to understand and comply with all regulations pertaining to their products and to seek approval(s) from any applicable regulating authorities. KDA is not responsible for ensuring product quality or product compliance with other regulating authorities, such as the federal Food and Drug Administration (FDA), the Drug Enforcement Administration (DEA), or the Kentucky Food Safety Branch. **The Licenses issued by KDA do NOT offer any legal protections from these governing bodies and do not provide waivers from their regulations.**

Instructions for Creating Maps and Obtaining GPS Coordinates for Submission with the Application

The following instructions outline required site map contents and basic instructions for obtaining a map. A detailed set of instructions for Google Earth to generate GPS coordinates and maps can be found on KDA's website at: http://www.kyagr.com/marketing/documents/HEMP_APP_How-to-Google-Earth-2018.pdf. If you need more information after reading these complete instructions, contact Hemp@ky.gov.

You are required to provide to KDA a photographic aerial map of all handling, processing, and storage locations. This requirement applies to all applicants and License Holders, and will assist with KDA's required reporting to law enforcement.

Each map should be **in color** and contain the following:

- Contain only one address per map.
- The applicant's full name printed on the page.
- If applicable, the full name of the business entity.
- The map location's street address, city, state and zip code printed on the page.
- "E" marking the primary site entrance on the map. "E2" marking any secondary farm/site entrances.
- Be zoomed out to show the site location, a public roadway, and the road name.
- Processing buildings, storage buildings, or handling facilities and the location ID/name of each structure.

NOTE: The handling, processing, and storage location IDs used MUST be consistent on all report forms used in the 2020 program.

- GPS coordinates for each building. GPS coordinates should be provided in DEGREES DECIMAL MINUTES (dd° mm.mmm' ; example: *lat: 38° 9.919'N, long: 84° 49.267'W*) with a pinpoint showing exactly where the GPS coordinate was taken. The Google Earth instructions on KDA's website (link in top paragraph) give specific instructions for obtaining the coordinates in the correct format.
 - Use Google Earth or another web based mapping program, or obtain GPS coordinates off your smartphone. If you are unable to get the required coordinates in this way, please visit www.geoplaner.com.

KDA prefers maps created with Google Earth. You can download Google Earth Pro for free by visiting <https://www.google.com/earth/download/gep/agree.html>. If asked for a registration key, enter "GEPFREE".

Google Maps, MapQuest maps or another similar program; Property Valuation Administration (PVA) maps; or Soil Conservation maps with legible handwritten information will suffice. Farm Service Agency (FSA) maps are generally not sufficient as they typically are not in color and do not identify the roadway. To obtain a map online:

- You can go to Google Maps online at <http://maps.google.com/>. When you have the address on your screen, you can click the button in the lower left corner that says "Earth" or "satellite" for an aerial view of the location.
- On Map Quest at <http://www.mapquest.com/>, locate the address your screen, then click in the upper right corner on "Satellite" for an aerial view of the location.

Print out the map when you are satisfied with the level of zoom (i.e, should show at least one nearby road, the entrance to the site, and the location of the hemp locations).





Kentucky Department of Agriculture 2020 Hemp Licensing Program

Processor/Handler License Application Submission Accepted Year-Round

Anyone processing, handling or marketing hemp materials in the Commonwealth of Kentucky must successfully complete the full application process with the Kentucky Department of Agriculture (KDA) and receive a *Hemp Processor/Handler License* before taking possession of any viable hemp seeds or in-program harvested hemp materials. Processors, handlers, or service providers must complete this *Processor/Handler License Application*; growers must submit the *Grower License Application*.

Directions: Complete all parts of the following application and submit this application, the \$200 nonrefundable paper service charge, and all required attachments to: Kentucky Department of Agriculture, Hemp Licensing Program, 111 Corporate Drive, Frankfort, KY 40601. Email submissions of this application will not be accepted, as the check must be attached.

Online applications are available at www.kyagr.com/hemp and no service charge is required for online applications. DO NOT submit both an online and paper application. Read all instructions on the previous pages i through x, and follow them carefully.

If completing this form electronically, navigate the form with the mouse or select the next field using the down arrow key.

<u>OFFICIAL USE ONLY.</u>
Date Rcd is Postmark or Walk-in
Background Check, Yes or No
Check #:

Applicant Information

1) Applicant Name:

(Individual or signing authority for business entity- NOT a company name. List name as it appears on the background check.)

2) Primary Residential Address of Applicant:

3) Are you applying as an individual or as a business?

Check or Circle one: ☐ Individual (Complete Part A in this table; skip Part B)
☐ Business Entity (Skip Part A; Complete Part B in this table, next page)

A. If applying as an Individual, complete Section A, questions A1 – A5, and skip Section B. If applying as a business, skip Section A, complete Section B below and on next page.

A1. Mailing Address of Individual Applicant:

A3. Email for Applicant:

Note: Email is the primary method of communication for this program.

A4. Cell Phone of Applicant:

A5. Home Phone of Applicant:

B. If applying as a business, complete Section B, questions B1-B9.

NOTE: For business application, the business MUST be an established legal entity, and a *Signing Authority for Business Entities* form must be attached to this application.

B1. Name of Business:

EIN # :



B2. Is this business registered with the Kentucky Secretary of State (required)? ☐ Yes ☐ No ☐ Not Applicable	
B3. Business type (example: LLC, C-Corp., Partnership, etc.):	
B4. Mailing Address of Business:	
B5. Physical Address of Business in Kentucky:	
B6. Title of Applicant (individual signing authority):	
B7. Email for Applicant:	
B8. Cell Phone:	B9. Business Phone:
Key Participants: (see definition on Instructions for Obtaining KSP Background Check, pg. iv)	
1-Name:	Title:
Business Address:	
Phone Number:	Email:
2-Name:	Title:
Business Address:	
Phone Number:	Email:
3-Name:	Title:
Business Address:	
Phone Number:	Email:

**Attach additional sheet if necessary.*

- 4) You may authorize **TWO** secondary contact persons, other than the applicant, to send and receive information related to your hemp application and license. They may include key participants. They will be able to send in reports and may receive all communications, but will not have the authority to make changes to the license. **If you would like to add secondary contact person(s), complete the table below.**

Name	Address	Email	Phone

- 5) Provide a list of all individuals (other than yourself), who will be primarily responsible for the processing or handling of the applicant's hemp, including contractors. List each person's name, city, state, phone number, and responsibilities associated with this project. Attach additional sheet(s) if necessary.

Name	City	State	Phone Number	Specific responsibilities related to the proposed hemp project

6) Are you a current KDA employee or do you have any family working as a current KDA employee?

☐ Yes ☐ No

"Family" means spouse and children, as well as a person who is related to a public servant as any of the following, whether by blood or adoption: parent, brother, sister, grandparent, grandchild, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister. KRS 11A.010(4)

7) If you answered "Yes" to question 6, complete the following table. If "No", skip to Question 8.

Name of current KDA Employee who is a family member	Relationship	KDA Office, if known

8) Indicate the scope and focus of your 2020 hemp business operation (check all that apply).

- ☐ **Grain** Processing (\$500 annual Participant Fee)
- ☐ **Fiber** Processing (\$500 annual Participant Fee)
- ☐ **Floral Material Processing**, including CBD, other cannabinoids, terpenoids, or any other extracts (\$3,000 annual Participant Fee)
- ☐ **Handler**. Indicate type below. (\$500 annual Participant Fee)
 - ☐ Analytical Lab
 - ☐ Broker
 - ☐ Seed Cleaner
 - ☐ Drying, grinding, packaging of Floral Material Only (No Extraction)
 - ☐ Other (indicate type): _____

9) List the raw hemp materials you plan to acquire for processing or handling. What types of hemp materials are you handling or processing?

	List Raw Hemp Material
1)	
2)	
3)	
4)	
5)	

10) If processing, include the intended products resulting from your hemp processing. *What types of products and byproducts are you producing and what are their intended use?*

	List products and/or byproducts, AND intended use
1)	
2)	
3)	
4)	

11) If handling, list the hemp materials you will handle and what activity you will conduct with them.

	List Raw Hemp Material	Activities you will conduct with that material
1)		
2)		
3)		
4)		

12) Read each statement below and check the box next to the statement to indicate your understanding.

- ☐ Processor/Handler License Holders are annually assessed a Licensing Fee per component. Refer to the Fee Schedule for specific pricing.
- ☐ All locations where hemp will be processed, handled, or stored must be approved and included in your *Hemp Processor/Handler License* with KDA prior to the processing, handling, or storage of any hemp at that location.
- ☐ You are required to provide precise GPS coordinates in DEGREES DECIMAL MINUTES for each processing, handling, and storage building at each address.
Example: lat: 38° 9.919'N, long: 84° 49.267'W
- ☐ Any additions or changes to the GPS coordinates listed for processing or handling locations after issuance of a *Hemp Processor/Handler License* will require the participant to pay a \$750 Site Modification Surcharge (SMS) fee per addition or change to **each** GPS coordinate.
NOTE: This SMS is NOT per address like the licensing fee; it is assessed per GPS coordinate whether it is on an already approved address or a new address.
- ☐ You are required to provide a map of each address with the application. (For complete instructions, see page x-xi, *Instructions for Creating Maps and Obtaining GPS Coordinates for Submission with the Application*, in this application packet.)
- ☐ The following Land Use Restrictions apply to all applicants approved for a *Hemp Processor/Handler License*. By checking the box next to each statement, you are agreeing to NOT propose any sites that would be in contradiction to the restrictions.
 - ☐ I will not process or store hemp leaf or floral material in or adjacent to any structure that is used for residential purposes.
 - ☐ I will not process, handle or store hemp on any property which is not owned or completely controlled by the applicant.
 - ☐ I will not process, handle, or store hemp on property owned by or leased from any person who is ineligible to participate in the program.
 - ☐ I have read and understand the Kentucky Administrative Regulations regarding hemp, 302 KAR 50.

13) Provide a list of all locations you wish to license by completing the tables below in parts a) Processing/Handling Locations, and b) Storage Locations. Attach additional page(s) as necessary.

a) Processing/Handling/Storage Locations.

- i. Enter information for requested processing/handling locations in the tables below:
- ii. Attach maps of each address, including all required map information outlined in the *Instructions for Creating Maps for Submission* (found in the application instruction materials).

Address 1	Processing /Handling Address 1		City	State	Zip	County	Own or Rent
				KY			
	Location ID*	Type of Structure ⁺	GPS: Latitude Ex: 38° 9.919'N	GPS: Longitude Ex: 84° 49.267'W	Purpose		
Building 1							
Building 2							
Building 3							
Building 4							
Building 5							

Address 2	Processing/ Handling Address 2		City	State	Zip	County	Own or Rent
				KY			
	Location ID*	Type of Structure ⁺	GPS: Latitude Ex: 38° 9.919'N	GPS: Longitude Ex: 84° 49.267'W	Purpose		
Building 1							
Building 2							
Building 3							
Building 4							
Building 5							

⁺ Type of Structure may be a warehouse, barn, metal building, etc.

* Location ID: A unique identifier or common name for each building, as designated by the applicant. The Location ID will be listed in the Hemp Processor/Handler License and used to identify the building.

- 14) If any of your processing, handling, or storage locations are leased, please indicate whether you have authorization from the owner allowing hemp to be on the property. KDA reserves the right to request a notarized letter of support from the property owner.**

☐ Yes ☐ No ☐ Not Applicable **If Yes, complete the table below for leased locations:**

Leased Location Address	Name of Owner/Landlord	Phone Number of Owner/Landlord

- 15) Have you been convicted of a felony or a drug-related misdemeanor or violation within the last ten (10) years?** ☐ Yes ☐ No **If “Yes”, in the table below provide dates and details about the conviction(s) that have occurred.**

NOTE: It is recommended that applicants submit a KSP background check request at least two weeks prior to the application deadline. If requesting a background check by mail, it will take 2 weeks. Background check instructions and the proper forms can be found in the application instructions.

Dates and Details of Convictions:

Acknowledgments

Read each of the acknowledgment statements below and check “Yes” or “No” to indicate your understanding and acceptance of each statement.

- 1) I affirm that, if approved for licensing, I will abide by all requirements of the Kentucky Department of Agriculture Hemp Licensing Program as set forth in 302 KAR 50, including timely submission of report forms and required attachments.**
☐ Yes ☐ No
- 2) I acknowledge that KDA is not obligated to ask follow-up questions during the application review process. The written responses on this application and attachments should be the sole source of information under consideration for potential participation in the Kentucky Hemp Licensing Program.**
☐ Yes ☐ No

- 3) **I acknowledge that this is a selective process and only those applications that meet the criteria set forth in 302 KAR 050 will be approved for licensing.**
☐ Yes ☐ No
- 4) **I acknowledge that the deadline to submit an appeal to the KDA in the event of a denial is 20 days following notification of application denial. Furthermore, the decisions made by the KDA Administrative Appeal Panel are final. The panel will not accept or consider information or documents that were not timely submitted to KDA (i.e., that were not submitted on or before the applicable deadline).**
☐ Yes ☐ No
- 5) **I acknowledge that the following fees will apply, in addition to the \$200 nonrefundable service charge fee (if paper), if my application is approved:**
- Licensing Fee =
 - Handler - \$500 annual fee
 - Fiber Processor - \$500 annual fee
 - Grain Processor - \$500 annual fee
 - Floral Material Processor - \$3,000 annual fee
 - Site Modification Surcharge = \$750 for each new processing site, due with submission of any *Site Modification Request*. A new processing site is defined as any GPS location not listed in the *Hemp Processor/Handler License* (i.e., any change to or addition of GPS coordinates at an address on the License, or for the addition of a GPS coordinate at an address not already on the *Licensing Agreement*). The Site Modification Surcharge does not apply to storage-only sites, but notification and approval is still required.
 - Failure to pay the required fees, submit required notifications to KDA Hemp Staff, or obtain any necessary written approval in advance, may result in appropriate action, including expulsion from the program and the destruction of hemp materials.
- ☐ Yes ☐ No
- 6) **I acknowledge that, upon request from KDA Staff, Kentucky State Police, or other state or other law enforcement officers, participants must immediately produce a copy of their *Hemp Processor/Handler License* and Processor/Handler License for inspection.**
☐ Yes ☐ No
- 7) **I consent that, if approved for licensing, KDA Staff, Kentucky State Police, and other representatives of federal, state and local law enforcement agencies and drug suppression units may enter into any premises where hemp or other cannabis plants or materials are located, or licensed to be located, with or without cause, with or without advance notice.**
☐ Yes ☐ No
- 8) **I acknowledge that all physical addresses and GPS coordinates of each building to be used to handle, store, or process hemp must be submitted with this application. This application constitutes written**

consent by the applicant to allow KDA personnel access to any location as deemed necessary by KDA for evaluation, verification of ☐ Yes ☐ No

- 9) I acknowledge that my name and all processing and storage locations will be conveyed to the Kentucky State Police (KSP), the federal Drug Enforcement Administration (DEA), and other law enforcement agencies. In addition, my name and county will be released to the public.

☐ Yes ☐ No

- 10) I acknowledge that I or an authorized representative of the operation who is knowledgeable about the hemp shall be available on location by appointment for on-site visits by KDA for the purpose of inspection or sampling.

☐ Yes ☐ No

- 11) I affirm that, if I am granted a *Processor/Handler License*, I shall not allow other persons to process under my license in lieu of their own application to the Kentucky Hemp Licensing Program.

☐ Yes ☐ No

- 12) I accept the inherent risk associated with a new crop. I acknowledge that both personal and financial loss may be possible, and agree that KDA is not responsible for reimbursing or compensating any participant for any loss resulting from involvement with the Hemp Licensing Program.

☐ Yes ☐ No

- 13) I acknowledge that all hemp materials and products must be not more than 0.3% THC. It is the license holder's responsibility to test products, ensure compliance, and keep THC testing results for three (3) years. For compliance purposes, all delta-9-THC concentrations must be measured post-decarboxylation (result commonly referred to as total THC).

☐ Yes ☐ No

- 14) I acknowledge that license holders – both growers and processors – must annually complete a program orientation and pay all required annual program fees. Past participation does not guarantee or imply automatic approval for future participation.

☐ Yes ☐ No

- 15) I acknowledge that if selected for participation in the program and my license is terminated or expires, then I will not be allowed to possess hemp in any form listed in the "in-program" *Transfer Requirements* table. I will be required to divest possession of all such hemp materials to an approved program license holder, or destroy all in-program hemp materials by the expiration or termination of my license.

☐ Yes ☐ No

Attachments

Check all attachments below that you are submitting with this application. In addition to those listed, attachments may include extended answers to any question in the application, a business plan, or other supporting documents.

If the attachment is supplementary information to a question in this form, be sure to 1) include the question number on the document; and 2) start each new question attachment on a new page.

- ☐ REQUIRED: Service Charge Fee: Check or Money Order for \$200 made payable to Kentucky State Treasurer(if paper copy).
- ☐ REQUIRED: Copy of Driver's License for the applicant.
- ☐ REQUIRED: Background Check from KSP for the applicant and all key participants in a business entity. The background checks MUST be attached. KDA will not accept them separately.
- ☐ REQUIRED: Processing, handling, and storage location maps (including name, site address, location IDs, and GPS coordinates).
- ☐ REQUIRED (ONLY for Business Entities): *Signing Authority for Business Entities.*
- ☐ Optional: Food Safety Permit (if applicable).
- ☐ Optional: FDA Registration (if applicable).
- ☐ Other Attachment (describe): _____
- ☐ Other Attachment (describe): _____
- ☐ Other Attachment (describe): _____

I hereby verify and affirm that all of the information contained in this application is true and accurate. I understand that if KDA later determines any of this information to be inaccurate, the *Hemp Processor/Handler License* may be withheld or terminated.

Signature of Applicant

Date

Printed name

Title, if applicable

Mail completed application, the nonrefundable service charge fee, and all attachments to:

Kentucky Department of Agriculture, Hemp Licensing Program
111 Corporate Drive, Frankfort, KY 40601

For more information on the KDA Hemp Licensing Program, please visit www.kyagr.com/hemp

