



ALABAMA DEPARTMENT OF **AGRICULTURE & INDUSTRIES**

2020 PROCESSOR/HANDLER LICENSE APPLICATION PACKET

GUIDELINES AND INSTRUCTIONS FOR PROCESSOR/HANDLER APPLICANTS

- The Alabama Department of Agriculture and Industries (ADAI) is conducting an Industrial Hemp Program as authorized by the 2014 Farm Bill, Section 7606, the Alabama Hemp Act, 2016-293, and the Agriculture Improvement Act of 2018. Individuals and businesses who would like to be considered for participation in the Alabama hemp program as a processor/handler must submit the *Processor/Handler License Application* for 2020 to ADAI by:
Completing the full application at: <http://agi.alabama.gov/divisions/plant-protection/industrial-hemp/program-applications> - upload all required documents and follow link to online payment. **OR** Completing the full application in this packet including all required documents and return by mail to ADAI, Industrial Hemp Program, 1445 Federal Dr., Montgomery AL 36107, along with a check or money order for \$200 made payable to ADAI.
- **Contents of Application Packet**
 - Guidelines and Instructions
 - Instructions for Obtaining a Criminal Background Check (In-State resident or Out-of-State resident)
 - 2020 Fee Schedule
 - Instructions for Obtaining GPS Coordinates and Aerial Photographs to Submit with your Application
 - *Processor/Handler License Application*. Please submit only the application and required documents. Do not submit the guidelines and instructions (pages 1-3)
- **Application Deadline** November 14, 2019, 5:00 p.m. Central Time Zone (CT) is the application deadline for all 2020 projects which involve planting or growing hemp. *Processor/Handler License Applications* must be postmarked no later than November 14, 2019, or hand delivered to the ADAI Hemp Program Office, 1445 Federal Drive, Room 207 A, Montgomery AL 36107, no later than 4:30 p.m. on November 14, 2019. **EMAIL SUBMISSIONS WILL NOT BE ACCEPTED** because the payment for the application fee must be submitted with the application. ADAI will deny any *Processor/Handler License Application* that fails to meet the deadline established in this application. ADAI recommends that applicants use a delivery method with tracking capabilities when submitting an application by mail. ADAI 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 non-refundable application fee (check or money order made payable to ADAI) must be submitted with the completed application. **Only submit one \$200 non-refundable application fee if you are applying for multiple sites.** This application fee does not apply to any other program costs. See the *2020 Fee Schedule* in this application packet. If you are approved, or conditionally approved, for participation in the program, there will be additional fees associated with participation. **Be sure to carefully review these fees, which are required for all participants, and budget accordingly in the event you are selected for participation.**

- **Application File Format** The ADAI Industrial Hemp Program Application for 2020 is available as a PDF fillable form. If you do not have compatible software for the fillable forms, please print out the PDF and complete the form manually and legibly. **ADAI is not responsible for missing information due to formatting or printing errors by applicants.**
- **Complete Applications** Applications must be complete, accurate, and legible. Follow all instructions in the document. Applications and any attachments may be subject to Alabama Open Records Act § 36-12-40 et seq. **ADAI is not required to request additional information for clarity of the application.** Any *Processor/Handler License Application* that is missing required information is 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.
 - ADAI requires the submission of formation papers, when the applicant is representing a business entity. The designation of a signing authority for the business allows this individual to make decisions for the company in all matters related to an ADAI industrial hemp project.
 - Only ONE signing authority shall be allowed to represent a business entity.
 - If, during the application process, a business entity requires a change of signing authority, a copy of any new formation document, a current background check, and a copy of the individual’s driver’s license must be submitted together in a change request to ADAI.
- **Application Review** ADAI will evaluate each application and make approval based on the criteria set forth in the Industrial Hemp Rule, 80-10-21, Administrative Code of Alabama, and the application document. Available at: agi.alabama.gov
- **Processing/Handling Plan** ADAI’s Industrial Hemp Program involves crop production, techniques, and processing, including such things as the investigation of planting methods, fertility levels, seed varieties, harvest methods, yields, equipment uses, and marketing. Each program applicant must submit a Processing/ Handling Plan **before** July 31, 2020.
- **Background Checks** Before approval, or conditional approval, will be granted, an Alabama Law Enforcement Agency (ALEA) background check must be received and reviewed by ADAI. As the issuance of a background check can take ALEA up to two weeks to complete, it is recommended that applicants submit an ALEA background check request immediately. See the documents *In-State Criminal Background* or *Out-of-State Criminal Background* and the associated form linked in the documents. NOTE: **These requests must be sent to directly to the Alabama law enforcement agency (DO NOT SEND TO ADAI) and the report received by ADAI no later than November 25, 2019.**
- **Prohibited Activities** The activities listed below are prohibited by the ADAI Industrial Hemp Program. When described in a Processing/Handling plan, any prohibited activities will disqualify an application from approval. A current license holder found to be conducting or participating in any of these activities may be subject to actions including, but not limited to, revocation of their *Processor/Handler Licensing Agreement/License Certificate* and forfeiture or destruction of all cannabis materials in their possession.
 - Possessing live hemp plants without a *Grower Licensing Agreement/License Certificate*
 - Possessing any in-program hemp materials at any site not listed in the *Processor/Handler Licensing Agreement*.

- Processing, handling, or storing industrial hemp:
 - ❖ On property which is not owned or completely controlled by a Licensed Processor/Handler; or
 - ❖ On property owned by, or leased, from any person who is ineligible or was terminated, or denied admission to the program.
 - Violating any restrictions outlined in the Industrial Hemp Rules, 80-10-21, Alabama Administrative Code or in current Hemp Program documents and guidelines.
 - Using pesticides not labeled for use on industrial hemp or applying labeled pesticides without required certification and licensing.
 - Creating products for sale outside of the program which would cause noncompliance with ADAI policy, or federal or state law, including:
 - ❖ Loose leaf or floral materials (such as whole buds, or ground floral or leafy material, including, but not limited to, hemp cigarettes, cigars, dip, or any form of chewing or smokeless hemp leaf or floral material); and
 - ❖ Other products that may be deemed prohibited by ADAI, in contradiction of any ADAI policy, or determined to be against federal or state law.
 - Engaging in other activities that may be deemed prohibited by ADAI.
- Upon request, ADAI shall review and make a determination on any activity or product not specifically listed in the Industrial Hemp Program documents, guidelines, or Industrial Hemp Rules, 80-10-21, Alabama Administrative Code.
- **Mandatory Meeting** All approved, or conditionally approved, applicants must attend a one-day ADAI Mandatory Meeting where they will receive further instructions, receive the completed *Processor/Handler Licensing Agreement* and the *Licensing Certificate*, along with other important information. The Mandatory Meeting is expected to take place during the week of February 3rd 2020. The specific days, times, and location in Montgomery to be announced.
 - **Processor/Handler Licensing Agreement and Certificate** Approved, and conditionally approved, participants become an extension of, and act on behalf of, ADAI for the purpose of participating in the Industrial Hemp Program by executing a *Processor/Handler Licensing Agreement* with ADAI.
 - **Timeline** The expected timeline for approval of the 2020 Processor/Handler applications is as follows:
 - **November 14, 2019, 5:00 p.m. Central Time (CT)** – Applications due in the ADAI Hemp Program office. Email submissions are NOT acceptable. If applications are mailed, they must be postmarked no later than 12:00 midnight on November 14, 2019; or if submitted online, they must be system marked by no later than 12:00 midnight on November 14, 2019.
 - **November 25, 2019, 5:00 p.m. Central Time (CT)** – Deadline for submission of Background check report.
 - **December 31, 2019** – Notification of application status.
 - **January 15, 2020, 5:00 p.m. Central Time (CT)** – Deadline to submit signed *Processor/Handler Licensing Agreement*
 - **January 15, 2020, 5:00 p.m. Central Time (CT)** – Deadline to submit \$1,000 per site fee payment
 - **January 15, 2020, 5:00 p.m. Central Time (CT)** – Registration deadline for Mandatory Meeting
 - **February 2020, Mandatory Meeting in Montgomery**

For more information on the ADAI Industrial Hemp Program, please visit agi.alabama.gov. **Please note that ADAI is not able to provide assistance in completing the application.**