

Instructions

- **Deadline:** Applications must be received by the Department no later than April 30.
- Complete all parts of the following form to apply for a MA Hemp Processor License. *Incomplete applications will not be processed.*
- Submit this application with all required attachments and the \$100 renewal application fee.
- Upon approval, you will be billed for a Licensing fee, due prior to issuance.
- Production or Processing of Hemp without a license is a violation of state and federal law and may result in legal action.
- Hemp Licenses are **NOT transferrable or assignable** and cannot be used by any other individual or entity not included in this application.

**Mail completed form, fees
and attachments to:**

Massachusetts Department of Agricultural Resources
225 Turnpike Road; Room 302
Southborough, MA 01772
attn.: **Hemp Program**

Make checks payable to: *Commonwealth of Massachusetts*

Instructions for Licensing Sites

- Each Processing Site must be designated by a specific property address or parcel number. You may license multiple locations with different addresses by attaching additional copies of the Site Licensing page.
- MDAR may license any or all the proposed Sites. Processing may only occur at locations that are covered by the license. You cannot process hemp or engage in any hemp-related activity at any location not approved by MDAR.
- Maps must be included for each proposed site.
- For each processing site, you are required to provide an **aerial photograph map** with this application. All maps must include:
 - Aerial photograph of the Site
 - Site Name and Address or Parcel Number
 - GPS coordinates in **decimal degrees** (ex. 42.3664, -71.0588)
 - Site features including *clearly marked boundaries of the proposed processing areas*

Additional Resources:

Instructions for creating a map: <https://www.mass.gov/doc/instructions-how-to-create-a-map-of-your-site/download>

Find your GPS Coordinates: <https://www.mass.gov/doc/instructions-how-to-find-your-gps-coordinates-latitude/longitude/download>

MDAR Hemp Licenses are valid **ONLY** for the Licensee as indicated here and for the location(s) designated and approved within this application. You **MUST** include any business name, including your d/b/a. Any businesses that are considered “legally” separate may not be covered under a single license. Each d/b/a, LLC, corporation, or other lawfully created entity under the laws of the Commonwealth or any other state must submit a separate license application.

1. Applicant Information:

Applicant Name (may be individual or business entity – this is the name that will appear on your license):

Primary Contact Name:

Business Name (if different):

Mailing Address:

City:

State:

ZIP Code:

 Primary phone: cell home work

Email:

EIN number (if applicable – Do NOT use your individual social security number):

2. Processing Site Licensing Information

Site Name:

 Previously Licensed? Yes No

Physical Address:

City:

State:

Zip Code:

Latitude:

Longitude:

Site Description:

Statement of Property Ownership: Are you the owner of the property listed above?

 Yes No **If No, (please initial):** _____ I certify that I have permission to use the property listed in this application for processing of hemp. MDAR is not responsible for any issues that arise between a licensee and property owner.

Property Owner or Manager Name (if different from Applicant):

Owner/Manager Phone:

Owner/Manager Email:

3. Type of Processor (please check all that apply)
 Extractor: removes a product directly from the hemp plant such as fiber, seed, extract, oil, resin, etc.

 Manufacturer: makes a product that will be packaged, labeled and ready for sale to an end user.

4. Processor Certifications: *By signing this application and initialing where required, the individual signing hereby acknowledges that they have the legal authority to bind the applicant and agrees to the following:*

(please initial): _____ I understand that it is my responsibility to ensure that any hemp or hemp extract used for processing shall only be obtained from a producer or processor licensed by MDAR, USDA, under a USDA-approved plan from a jurisdiction outside the Commonwealth, or as otherwise authorized under federal law, and shall be accompanied by all required paperwork. Hemp may not be obtained from any jurisdiction within the United States that does not have a USDA-approved plan unless the Hemp was produced under a USDA-issued license.

(please initial): _____ I understand that it is my responsibility to ensure that any hemp or hemp extract received for processing complies with the testing requirements set forth by MDAR, including that it meets all THC limitations, and any other applicable testing requirements or standards set by local, state, or federal law.

(please initial): _____ I understand that any products made are subject to state and federal law, including but not limited to, the Federal Food, Drug, and Cosmetic Act, M.G.L. c. 128, Sections 116 through 123, and 105 CMR 590.001, and that it is my responsibility to ensure compliance of all products that are offered for sale in the Commonwealth or introduced into interstate commerce. I further understand that failure to comply with any of these requirements may result in further legal action, including the destruction of products found out of compliance and suspension or revocation of any hemp license.

(please initial): _____ I understand that it is my responsibility to read and understand all applicable state and federal laws, regulations, and rules that govern hemp in the Commonwealth, including but not limited to, the Federal Food, Drug, and Cosmetic Act, M.G.L. c. 128, Sections 116 through 123, the regulation promulgated thereunder at 330 CMR 32.00, Hemp Production, 105 CMR 590.001, and any rules, policies, or regulations promulgated thereunder.

(please initial): _____ I understand that all finished products must be processed and manufactured in accordance with the MA Hemp Processor Policy and any other local, state, or federal requirements and must include, at minimum, the MDAR License number and Licensee Name as it appears on the license issued, batch numbers for the finished product, potency, ingredients, and statements.

5. Property Certifications: *By signing this application and initialing where required, the individual signing hereby acknowledges that they have the legal authority to bind the applicant and agrees to the following:*

(please initial): _____ I certify that the Processing Site Map(s) accurately represent the proposed area(s) to be used for Hemp Processing, including storage and manufacturing, and are attached to this application.

(please initial): _____ I certify that I have permission to use all Site locations listed in this application for the production and/or processing of hemp. I further understand that if the property owner rescinds permission to use any or all of the Site locations listed in this application this will result in the suspension, revocation, or non-renewal of my license. MDAR is not responsible for any issues that arise between me and the property owner.

(please initial): _____ I understand that if any Site is subject to an Agricultural Preservation Restriction (“APR”) or Agricultural Covenant held by MDAR, all activity must be conducted in accordance with the terms of the APR or Agricultural Covenant. I further understand that it is my responsibility to review and understand the terms and conditions set forth in the APR or Agricultural Covenant before commencing operation.

Is any property listed on this application subject to an APR? Yes No

If yes, please contact MDAR’s APR Program to ensure compliance with any applicable requirements of the APR.

<https://www.mass.gov/agricultural-preservation-restriction-apr-program>

Is any property listed on this application subject to an Agricultural Covenant? Yes No

If yes, please contact MDAR’s Farm Viability Program to ensure compliance with the terms of the Agricultural Covenant.

<https://www.mass.gov/service-details/farm-viability-enhancement-program-fvep>

6. General Certifications: *By signing this application and initialing where required, the individual signing here acknowledges that they have the legal authority to bind the applicant and agrees to the following:*

(please initial): _____ I understand that the production of hemp in Massachusetts must be done so in accordance with applicable state and federal law, including but not limited to, the Agricultural Improvement Act of 2018, USDA’s Final Hemp Production Rule at 7 CFR 990 (“USDA Final Rule”), M.G.L. c. 128, Sections 116 through 123, and the regulation promulgated thereunder at 330 CMR 32.00, Hemp Production. I further understand that producing hemp in violation of federal and state law may include further legal action as authorized by applicable federal and state law. This includes destruction of any crops produced in violation of applicable state and federal law.

(please initial): _____ I understand that processing hemp must be done so in accordance with applicable state law, including but not limited to, M.G.L. c. 128, Sections 116 through 123 and the regulation promulgated thereunder at 330 CMR 32.00, Hemp Production. I further understand that processing hemp in violation of state law may include further legal action as authorized by applicable state law. This includes the destruction of any hemp or hemp-derived products processed in violation of applicable state law.

(please initial): _____ I understand that it is my responsibility to ensure that I obtain any other applicable licenses, permits, or approvals required by local or state law for the type of activity to be conducted and that failure to do so may result in enforcement action, included but not limited to, the loss of my hemp license. This includes, but is not limited to, building permits and approvals under any applicable state statute or regulation or municipal regulation, ordinance, or bylaw, including but not limited to, wetland regulations, M.G.L. c. 131, Section 40, the Wetlands Protection Act, or M.G.L. c. 131A, the Massachusetts Endangered Species Act. I further understand that these licenses, permits, or approvals, may be needed prior to any activity begins and that any hemp license does not supersede or exempt the activity from any other applicable law.

(please initial): _____ I understand that any individual or entity registered by MDAR to produce or process hemp shall be subject to audit, inspection, and testing pursuant to the USDA Final Rule, as applicable, M.G.L. c. 128, Sections 116 through 123, and the regulation promulgated thereunder at 330 CMR 32.00, Hemp Production at the discretion of MDAR.

(please initial): _____ I hereby give consent for MDAR to conduct both scheduled and random inspections of and around the premises on which hemp is being sown, grown, harvested, stored, or processed.

(please initial): _____ I understand that upon approval of my application, MDAR may share the location of my grow and processing sites with municipal officials, including but not limited to, the chief elected or appointed official, local law enforcement, and fire safety officials in the municipality where hemp will be produced or processed. I further understand that any information obtained by MDAR may be disclosed without further notice unless otherwise prohibited by law.

(please initial): _____ I understand that upon approval of my application, my MDAR Hemp License is valid only for the licensed entity at the locations indicated within this application. Licenses are not transferrable or assignable and may not be used by unlicensed entities under any circumstances.

I hereby certify that, to the best of my knowledge, all information provided in this application is true and accurate. I understand that providing false, inaccurate, or misleading information is grounds for denial, suspension, or revocation pursuant to the USDA Final Rule, M.G.L. c. 128, Sections 116 through 123, and the regulation promulgated thereunder at 330 CMR 32.00, Hemp Production. I further understand that my license to produce or process hemp in the Commonwealth expires on December 31st and that if I fail to submit a renewal application and obtain a license for the following year I am no longer considered licensed to produce or process hemp under state or federal law.

I hereby certify that I will comply with applicable state and federal laws, regulations, and rules that govern the production and/or processing of hemp, including but not limited to, M.G.L. c. 128, Sections 116 through 123, and the regulation promulgated thereunder at 330 CMR 32.00, Hemp Production, and any rules, policies, or regulations promulgated thereunder, and the USDA Final Rule. I understand that failing to comply with such requirements may result in the denial, suspension, or revocation of any license, and may subject me to fines in accordance with M.G.L. c. 128, Section 123, and/or further legal action as authorized by state and federal law.

I have read this application, understand the requirements in it, and I agree to hold harmless and release the Commonwealth of Massachusetts, its officers, employees, contractors or agents from any and all claims, actions, suits, damages, judgments, attorneys' fees, or prosecution of any kind, that may arise due to my cultivation of industrial hemp conducted in accordance with the Industrial Hemp Program administered by the Massachusetts Department of Agricultural Resources pursuant to the USDA Final Rule, M.G.L. c. 128, Sections 116 through 123, and the regulation promulgated thereunder at 330 CMR 32.00, Hemp Production.

Signature: _____

Printed Name: _____ Date: _____

For official use

Date Received:

Payment: Check Money Order Number: _____ Amt.: \$ _____

Application Attachments Checklist

- Maps for each processing site that include:
 - Site Name
 - Address or Parcel Number
 - GPS coordinates in **decimal degrees** (ex. 42.3664, -71.0588)
 - Clearly marked boundaries of the processing areas
 - Instructions for creating a map: <https://www.mass.gov/doc/instructions-how-to-create-a-map-of-your-site/download>
 - Find your GPS Coordinates: <https://www.mass.gov/doc/instructions-how-to-find-your-gps-coordinates-latitude/longitude/download>
- \$100 non-refundable application fee
- Please keep a copy of this application for your records.

Please mail application, supporting materials, attachments, and payment to:

MDAR Hemp Program

225 Turnpike Road; Room 302
Southborough, MA 01772

Make checks payable to:

Commonwealth of Massachusetts

Questions? mahemp@mass.gov

Or visit: <https://www.mass.gov/industrial-hemp-program>