



## HEMP PROCESSOR LICENSE APPLICATION

For year ending December 31, 2020

Each Physical Location must be licensed separately and listed on a separate form. To be completed by authorized company representative. Application does not constitute licensure until final approval.

<b>APPLICANT INFORMATION</b>			
Business Name		Business ID Number	
Last Name		First Name	MI
Physical Address		City	ST ZIP
Mailing Address		City	ST ZIP
Phone	Cell Phone		Email

1. For this location, list the projected:

- a. amount of Hemp **purchased** from Montana growers: \$ \_\_\_\_\_; lbs. \_\_\_\_\_
- b. amount of Hemp **purchased** from out-of-state growers: \$ \_\_\_\_\_; lbs. \_\_\_\_\_
- c. amount of Hemp **purchased** from out-of-country growers: \$ \_\_\_\_\_; lbs. \_\_\_\_\_
- d. amount of Hemp **processed** in Montana: lbs. \_\_\_\_\_
- e. number of Employees in Montana: \_\_\_\_\_

2. For this location, check the following boxes to indicate what you are processing:

A. Hemp floral and/or root extracts? Yes  No

If yes, please indicate your intended end-use market. This license allows the processing of all items under Part A and Part B. The **\$2,500** hemp processing license fee must be submitted prior to review and is required for the processing of hemp floral and root.

- Extraction of cannabinoid oil for:
  - Cannabinoid Isolate
  - Research
  - Cosmetics
  - Ingredient for further processing
  - Other, list \_\_\_\_\_

B. Hemp grain, seed, seed oil, and/or fiber? Yes  No

If yes, please indicate your intended end-use market. This license allows the processing of items under Part B only. The **\$1,000** hemp processing license fee must be submitted prior to review. The license to process grain, seed, seed oil and fiber is voluntary and offered only for verification of licensure.

- Grain for:
  - Food/Beverage
  - Seed Oil
  - Research
  - Cosmetics
  - Ingredient for further processing
  - Other, list \_\_\_\_\_

- Seed for:
  - Propagation
  - Research
  - Other, list \_\_\_\_\_

- Fiber for:
  - Textiles
  - Research
  - Ingredient for further processing
  - Other, list \_\_\_\_\_

**3. Are you using the Hemp Processor license as an exemption of the Commodity Dealer/Commodity Warehouse license requirements of Mont. Code Ann. §80-4-601?**

Yes  No  If yes, you acknowledge that you have read and will comply with ARM 4.19.202. \_\_\_\_\_ (initial)

CONSENT AND AGREEMENT

1. Do you purchase hemp from Montana farmers (including through bailments)? Yes  No  If yes, you must provide a copy of your contract form(s) for the application to be complete. Mont. Code Ann. §80-18-106. \_\_\_\_\_ (initial)
2. Do you have unresolved contracts from previous years with hemp growers? Yes  No  If yes, you are not eligible for the 2019 Hemp Processors license. \_\_\_\_\_ (initial)
3. As a first purchaser of a commodity you may be responsible for collecting and remitting to the MT Department of Agriculture an assessment in the amount determined by the MT Hemp Advisory Committee pursuant to §80-11-515, MCA. Failure to complete these requirements shall subject you to the penalty provisions of §80-4-426, -430, MCA. \_\_\_\_\_ (initial)
4. In addition to civil penalties, this license may be revoked at any time for failure to comply with Montana statute or administrative rule. \_\_\_\_\_ (initial)
5. Issuance of this license does not constitute endorsement by the State of Montana or indemnity for any future claims or possible losses incurred. \_\_\_\_\_ (initial)
6. The Department will make reasonable efforts to ensure properly identified proprietary information is kept confidential. However, circumstances may arise where the public right to know outweighs the general right to privacy. \_\_\_\_\_ (initial)
7. Licensee must demonstrate that any and all THC produced, extracted or isolated during processing will be destroyed. Failure to demonstrate sufficient THC destruction protocols will void Hemp Processing License and may result in criminal penalties. \_\_\_\_\_ (initial)

ATTESTATION STATEMENT

I hereby certify that the information contained in and submitted with this application is true and correct. Persons who violate federal laws regarding hemp may be subject to federal prosecution. I agree to comply with Section 80-18-101 through 80-18-111, MCA, ARM 4.19.101 - 202, and with other state and federal regulations of DPHHS and FDA related to hemp processing, including consent to entrance of above property by department personnel for inspection and testing of purchased and processed materials. I also acknowledge that additional inspections and/or certifications by another agency may be required of my products and facility before my products can be distributed as legal hemp products.

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## INSTRUCTIONS

The processor license allows licensees to produce derivatives that may be included in products for food, fiber, oils, supplements or drugs (excluding THC) for the wholesale or ingredient market. Hemp processors must comply with city, county, and tribal ordinances and laws. The approval of manufactured hemp derived products at the retail level continue to be subject to the laws and regulations of the United States Food and Drug Association (FDA) and the Montana Department of Public Health and Human Services (DPHHS).

An applicant may apply for a license to process hemp floral and root extracts (Part A) and/or to process hemp grain, seed, seed oil and fiber (Part B) on the same application form. Part A is required of persons who process hemp floral or root extracts and the fee is \$2,500 per calendar year. Part A also allows for the processing of hemp grain, seed, seed oil and fiber. Part B is voluntary and only allows for the processing of hemp grain, seed, seed oil and fiber, the fee is \$1,000 per calendar year. The license expires on December 31 of each calendar year. The application period will remain open throughout the year. Persons who have a current and compliant hemp Grower's license can process their own hemp production without a Processor license.

Each physical location that conducts processing must be licensed separately and applied for on a separate form. A physical location is defined as processing and storage/warehouse structures within a 1-mile radius.

A hemp processor is subject to an inspection that may include THC testing, pesticide testing or any other testing requested by law enforcement or the department. All hemp and the products/by-products derived from hemp must comply with state and federal law. THC extracted from hemp plants or hemp floral extraction must be legally disposed of in a manner consistent with state and federal regulations. Manufacturers purchasing from licensed hemp processors in Montana are not required to possess a hemp Processor's license.

A person or entity who possesses a Hemp Processor license may contract with licensed Montana hemp growers without a Commodity Dealer license under the following conditions:

1. the hemp producer signs a written statement, acknowledging the hemp processor is not a licensed commodity dealer in Montana and that the processor does not have a commodity dealer bond; the Processor must keep the written record on file for a minimum of 1-year after the purchase of any product,
2. the total amount of contracted hemp does not exceed \$10 million in the license year; or
3. they are purchasing or processing hemp stalks for fiber.
4. Additionally, hemp processors are subject to all remedies of the department included in Section 80-4-612, MCA, and powers of inspection included in Section 80-4-601, MCA. In the event a hemp processor does not pay a licensed hemp producer possessing a contract that would otherwise be subject to Agricultural Commodity Dealer laws, the department may pursue remedies.

**Application:** Please print clearly or type all required information. If the applicant is a business, please provide the Business License Number on file with the Montana Secretary of State's Office. A check or money order must be enclosed with the appropriate fees, written to the Montana Department of Agriculture. The department cannot accept credit card payments at this time for the Hemp Program. The application must be complete, including initials and signatures, to be considered.

**Mail To:** Montana Department of Agriculture - Hemp Program  
PO Box 200201  
Helena, MT 59620-0201

For additional assistance, visit our website at <https://agr.mt.gov/HempProcessors> or contact Andy Fjeseth at (406) 444-3571 or by email at [hempinfo@mt.gov](mailto:hempinfo@mt.gov).