South Carolina
DEPARTMENT OF AGRICULTURE
CONSUMER PROTECTION DIVISION | HEMP FARMING PROGRAM

agriculture.sc.gov

HEMP HANDLER PERMIT APPLICATION GUIDELINES

- The South Carolina Department of Agriculture (SCDA) is administering the South Carolina Hemp Farming Program as authorized by SC Code Ann. § 46-55-10 et seq.
- Anyone handling hemp in the State of South Carolina must successfully complete the full application process with the SCDA and be issued a Hemp Handler Permit prior to handling and or taking possession of any in-program harvested hemp materials (biomass) or any other sort of hemp plant material. Farmers who are growing hemp must apply for a Hemp Farming Permit. Handlers or service providers (storage facilities, couriers, etc.) who are not growing, or processing must complete the Hemp Handler Permit Application. Processors must apply for a Hemp Processor Permit.
- **A Handler Permit will not allow the Permit Holder to cultivate, farm, or process. If you wish to grow hemp you will need to obtain a separate Hemp Farmer Permit. If you wish to process hemp material, you will need to obtain a separate Hemp Processor Permit. If you possess a Hemp Farming Permit or a Hemp Processor Permit, you do not need a Hemp Handler Permit because the two permits allow you to handle hemp. You only need to obtain a Hemp Handler Permit if you are handling, but not processing.**
- Failure to comply with state regulation may result in appropriate action, including expulsion from the program and the destruction of hemp materials. Handlers only purchase hemp from South Carolina Permit Holders or individuals licensed or permitted by another State or Indian Tribe.
- Federal law now requires that all states have a testing protocol to measure delta-9 THC post-decarboxylation — **this means total THC must be not more than 0.3 percent.**
- **Federal law will no longer allow SC to have a remediation safeguard. Now hemp total THC must test at or below 0.3 percent (after accounting for the measurement of uncertainty, which is likely less than a 0.099% variance) or be subject to destruction.**
- **In accordance with federal law, cultivating, handling, or processing hemp with a total THC level greater than 0.5% will constitute a "negligent violation" of the Hemp Farming Program. If a Permitted Handler has three negligent violations in 5 years, he or she will face permit suspension for five years.**
- **Key Information:**
  - » Applicant must be an individual. SCDA does not issue Handler Permits to business entities.
  - » A Handler Permit will not be issued to Retail Operation (including online sales) or Retail Stores.
  - » This Hemp Handler Permit Application Packet is designed to provide sufficient instructions for completion by any individual who would be prepared to participate in the Hemp Farming Program. The application packets include a broad understanding of the program, but applicants should read the South Carolina Hemp Farming Act S.C. Code Ann. § 46-55-10 et seq. (which may be accessed here: **scstatehouse.gov/code/t46c055.php**), and the USDA Interim Final Rule (which sets forth the national hemp regulatory scheme, and which may be accessed here: **ams.usda.gov/sites/default/files/media/AMS_SC_19_0042_IR.pdf**)
  - » Please make sure to fully review all application materials and regulations prior to contacting hemp staff with questions. SCDA is not in a position to offer direct consultation on completing a permit application or to educate individuals about the production of hemp.
  - » All costs associated with the Hemp Farming Program are the responsibility of the permit holder, including both profits and loss. There are no sources of funding from SCDA to cover any aspect of the Hemp Farming Program. Potential applicants should understand that at the present time it is possible that they may suffer a loss on their hemp operation. Limited production knowledge combined with an uncertain federal regulatory environment, recent changes to the sampling and testing protocol as required by the USDA that will make compliance more difficult and unstable pricing creates significant risk for the participant. The focus of this program is the collection of research data and learning through experience.
- Application Deadline: New Handler Permit Applications will now be accepted year-round. Permits issued will be subject to the annual renewal requirements which will be one year from date issued.

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HEMP HANDLER PERMIT APPLICATION

Application Fee: $100.00 Per Location (Non-Refundable)

Please note that SCDA may only issue Handler Permit to individuals. The applicant Information below is information about the person applying for the Handler License. You cannot cultivate, farm, process, have clones, or possess living (rooted) plant material under this license.

APPLICANT INFORMATION

Applicant must be an individual. SCDA does not issue handling permits to business entities.

Applicant Name (First, Middle, Last) _____

Primary Residential Address _____

City _____ State _____ ZIP _____

County _____

Primary Mailing Address _____

City _____ State _____ ZIP _____

Phone Number _____ Email _____

FIRM INFORMATION

Firm Name _____

Firm Address _____

City _____ State _____ ZIP _____

County _____

Applicant's Job Title with Firm _____

Phone Number _____ Email _____

HANDLER INFORMATION

Check all that apply to you.

☐ WAREHOUSE / STORAGE / DRYING FACILITY

$500.00 PERMIT FEE PER LOCATION

The following additional information must be submitted with your completed application:

- Business Plan (include days and hours of operation)
- Signed affidavit stating that no pesticides are used at the facility
- Square Footage of facility
- Dealer/Handler License — If you take ownership of product
- Weighmaster License — If you purchase product by weight
- Lease Agreement if applicable

*Note you cannot cultivate, farm, process, store, or possess living (rooted) plant material under this Handler Permit.

☐ TRANSPORTER

$250.00 PERMIT FEE

The following additional information must be submitted with your completed application:

- Business Plan (include days and hours of operation)
- List of Drivers ($10.00 fee per driver for Hemp Handler Transporter ID Card)
  - » Full Name
  - » Date of Birth
  - » Driver's License #
- Copy of Bill of Lading that will be used to transport

☐ LABORATORY

$250.00 PERMIT FEE

The following additional information must be submitted with your completed application:

- Business Plan (include days and hours of operation)
- Copy of DEA Registration — deadiversion.usdoj.gov
- Copy of Test Standards and Methods
- Copy of ISO 17025 Accreditation
- If not ISO Accredited, please provide copy of other accreditation(s).

☐ SEED DEALER / SUPPLIER

$250.00 PERMIT FEE

Note you will also need a South Carolina Seed License: kellysolutions.com/sc/seed/NewApplication/applynow.asp

Please complete the following:

Do you produce your own seed? ☐ Yes ☐ No

Varieties of seeds you sell

_____

Sex, purity, and germination percentages

_____

Origin of Seed

_____

South Carolina Seed License Number

_____

If your handling operation does not fit into one of the provided categories, please call 803-734-8339 for assistance.

SIGNATURE

By signing this Application, the Applicant certifies that the information contained is truthful and accurate. The Applicant also acknowledges receipt of the "Hemp Handlers Guidelines" and agrees to abide by all requirements contacted in the document.

_____

Signature

_____

Print Name

_____

Date

Complete all parts of the Application and submit by mail or hand delivery to:

South Carolina Department of Agriculture
Attn: Hemp Program Coordinator
117 Ballard Court
West Columbia, SC 29172