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

agriculture.sc.gov

HEMP PROCESSOR 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 processing hemp in the State of South Carolina must successfully complete the full application process with the SCDA and be issued a Hemp Processing Permit prior to processing and prior to taking possession of any in-program harvested hemp materials (biomass) or any other sort of hemp plant material. Processors 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.
- **A Processor Permit will not allow the Permit Holder to cultivate, farm, or take ownership of living clones or any other type of living plant material. If you wish to cultivate or take ownership of living clones or any other type of living (rooted) plant material, you must obtain a separate Hemp Farming Permit.**
- **Permitting Fees:**
  - » Hemp Processor Permit Fee:
    $100.00 Non-Refundable Application Fee per location
    $1,500.00 Permit Fee per location
  - » Each separate address, even if under the same business name, will need its own Processing Permit, Dealer/Handler License, and Weighmaster License.
  - » Hemp Processor Permits will be issued once processing facilities have passed inspection.
- Failure to comply with state regulation may result in appropriate action, including suspension from the program and the destruction of hemp materials. Processors may 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.**
- **In accordance with federal law, cultivating 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 Processor 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 processing permits to business entities.
  - » This Hemp Processor 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), 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 or processing of hemp.
  - » All costs associated with the production or processing of hemp 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 hemp

production or processing. Potential applicants should understand that at the present time it is possible that they may suffer a loss on their hemp processing 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 Processor 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.
- Please note that permits will not be issued until your facility has passed an SCDA inspection. Once SCDA receives and approves your processing application, SCDA will contact you to schedule your processing facility's inspection. Please allow SCDA up to 10 business days to process your application and schedule facility inspection.
- SCDA will only issue permits for processing facilities. SCDA will not issue permits to applicants who only intend to operate retail outlets.
- Please note that a Processing Permit only gives you the ability to process and possess **hemp**. As a reminder, "hemp" means the plant species Cannabis sativa L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a total THC concentration of not more than 0.3 percent on a dry weight basis. This Processing Permit does not give you the ability to process or possess materials with a total THC concentration of **more** than 0.3 percent on a dry weight basis.

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HEMP PROCESSOR PERMIT APPLICATION

Application Fee: $100.00 Per Location (Non-Refundable) | Permit Fee: $1,500.00 Per Location

Please note that SCDA may only issue Processor Permits to individuals. The Applicant Information below is information about the person completing this Application. The Company Information below is information about the processor company. A Processor Permit will not allow the Permit Holder to cultivate, farm, or take ownership of living clones or any other type of living plant material. If you wish to cultivate or take ownership of living clones or any other type of living (rooted) plant material, you must obtain a separate Hemp Farming Permit. Permit renews annually from the date permit is issued.

APPLICANT / BUSINESS INFORMATION

Applicant Name _____

Processing Facility Name _____

Applicant's Home Address _____

City _____ State _____ ZIP _____

Phone _____ Job Title with Processing Facility _____

Email _____

Physical Address of Processing Facility _____

City _____ State _____ ZIP _____

County _____ Company Phone _____

BUSINESS PLAN

A brief business plan must be submitted with this application. Include nature of business, type of products, hours of operation, number of employees, to whom and how product(s) will be sold, and how product is being stored and disposed.

ADDITIONAL LICENSING REQUIREMENTS

Dealer/Handler License Number _____
Download the application at agriculture.sc.gov/dealers-handlers

Weighmaster License Number _____
Apply online at app.kellysolutions.com/SC/auth/login

Attach a copy of Certificate of Occupancy _____

Classification of building type: (F1 or H3) _____

Are you processing hemp products for food or as a food grade additive? ☐ Yes ☐ No

If so, you will need additional licensing and inspections for a food grade facility. You must apply for a Registration Verification Certificate issued by SCDA's Wholesale Food Safety Department. Please contact Wholesale Food at 803-737-0147 or rvcregistration@scda.sc.gov.

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

_____ _____
Signature **Date**

_____
Print Name

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

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

FOR SCDA INTERNAL USE ONLY

Date Application Received _____ **Application Payment Received** _____

Date Inspection Was Performed _____ **Permit Payment Received** _____

Notes _____

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