

Iowa Hemp Application for Association Licensee

Who should complete this Association Licensee Hemp Application?

- a) An applicant is acting on behalf of an association.
- b) The applicant is an individual appointed by the Association to obtain a Hemp License from IDALS.

NOTE: employees do not need a background check nor be listed on the application.

Who should complete the Single Licensee Hemp Application?

- a) A single person with 96%, or more, legal and equitable interest in the hemp crop, and
- b) No key personnel involved in the hemp growing operation. Key personnel include Chief Executive Officer (CEO), Chief Operating Officer (COO), and Chief Financial Officer (CFO).

Who should complete the Multiple Hemp Licensee Application?

- a) If more than one person, or business entities, have 5%, or more, legal or equitable interest in the hemp crop, and/or
- b) Key personnel are involved in the operation.
- c) It is vital that one applicant be the “Authorized Representative” for the group, acting as the main point of contact.

Who should complete the University Hemp License Application?

- a) An applicant that is acting on behalf of an institution governed by the State Board of Regents, as defined in Iowa Code section 262.7, or a community college, as defined in Iowa Code section 260C.2.
- b) The applicant is an individual appointed by the President or Chancellor of the institution to obtain Hemp License from IDALS. Other institutions of higher learning may also apply by designating an appropriate authorized representative.

1. Applicant Information

Please complete all fields with a red asterisk (*):

Applicant First Name*	Applicant Middle Name*	Applicant Last Name*	Birthdate (m/d/yyyy)*

Residential Mailing Address:

Street/PO Box*		Cell Phone*
Line 2		Home Phone
City, State*	Zip*	Email Address*

(Note: Email is the primary method of communication for this program)

- Please check this box if the Principal Business location is the same as your Residential Address

Principal Business Location:

Business Name*		EIN*
Street*		Business Phone*
City, State*	Zip*	Email Address*

(Note: Email is the primary method of communication for this program)

2. Background Check

All applicants must submit official fingerprints to IDALS along with a check made out to "IDALS" for \$15.00 for each national criminal history record check (background check).

Request official fingerprint cards by emailing Hemp@IowaAgriculture.gov or calling (515) 725-1470.

IDALS cannot issue a Hemp License until:

1. All applicants submit their official fingerprints to IDALS with payment, and
2. IDALS receives the results of all the background checks from the FBI, and
3. IDALS evaluates the results to determine eligibility.

IDALS shall decline a application for a Hemp License by a person for good cause, including but not limited to:

1. A conviction for committing a felony criminal offense in Iowa or another state, for possessing, transporting, delivering, or distributing a controlled substance before, on, or after the implementation date of the Iowa Hemp Act, for a 10-year period following the date of conviction.
2. Having three negligent violations of the Iowa Hemp Act and associated rules, in a five-year period following the date of the person's last violation.
3. Providing false or misleading information, including a false Hemp License application.
4. The revocation of an Iowa Hemp License under Iowa Code 204.11.

Please check the following boxes:

- I understand that my application for a Hemp License will not be processed until I submit my official fingerprints, IDALS receives the background check results, and IDALS evaluates the results for Hemp License eligibility.
- I understand that my official finger prints must be submitted to IDALS with this application.

3. Crop Site Location

A "crop site" or "site" is a single, contiguous parcel of land where the applicant intends to grow hemp. All the area within the contiguous parcel is part of the crop site. Unplanted areas, such as space between planted rows, are part of the crop site for the purpose of determining the overall size of the parcel. A crop site cannot be a dwelling, including temporary or permanent structures attached to the dwelling.

Applicants must submit both a legal description of the land where they intend to grow hemp, as well as a GPS coordinate for the center of the site.

Please check one box that describes your crop site and indicate area covered:

(Fractions of acres must be rounded up to the next whole number.)

<input type="checkbox"/> Indoor Crop Site	<input type="checkbox"/> Outdoor Crop Site	<input type="checkbox"/> Indoor + Outdoor Crop Site
Square feet of crop site:	Number of acres:	Total number of acres:
<i>To convert square feet to acres: ____ sq. ft. ÷ 43,560 = ____ acres Fractions of acres <u>must be rounded up</u> to the next whole number</i>	<i>Note: A Hemp License covers one crop site. A crop site is a single, contiguous parcel. Separate Hemp Licenses are needed for separate crop sites.</i>	Square feet of indoor site:
Total number of acres:		<i>The indoor square footage is not in addition to the total acreage listed above, it is included in the total.</i>

4. Legal Description

Indicate the county, section, township, range and the parcel ID number. These are available from the USDA Farm Service Agency (FSA) or the County Assessor. Please complete all fields with a red asterisk (*):

County*	Section*	Township*	Range*
Parcel ID Number* (from County Assessor)	GPS Coordinate for center of crop site in Decimal Degree (DD) format*		
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If the crop site has a 911-address:

Street	Street 2
City	ZipCode

5. Field Map

Each application must submit a map - a diagram depicting all borders of the crop site including the nearest roads to aid in orientation, the cardinal direction north, and the boundaries of the legally described parcel in which the crop site is located. A map designating an outdoor crop site shall clearly indicate the names, or lot numbers, of all lots and planting locations. If multiple varieties, cultivars, or strains are planted, or if the crop site shall be subdivided into separate lots for the official laboratory test, the map shall indicate the lots and sub-lots with names of the varieties, cultivars, or strains.

For an example, please see <https://iowaagriculture.gov/hemp>

6. Hemp Crop Description

Please check each type of hemp crop to be produced: *

<input type="checkbox"/> Clones, cuttings and/or seed starts	# of Acres:
<input type="checkbox"/> Cannabidiol ("CBD" or other cannabinoids)	# of Acres:
<input type="checkbox"/> Grain	# of Acres:
<input type="checkbox"/> Seed	# of Acres:
<input type="checkbox"/> Fiber	# of Acres:
<input type="checkbox"/> Smokable	# of Acres:
<input type="checkbox"/> Other, please explain:	# of Acres:

Please list the varieties/cultivars/strains you intend to plant/propagate (use addition sheet, if necessary): *

Note: Applicants will need to update the variety list on the planting report with what is actually planted.

7. Crop Destruction

If an official laboratory test does not result in an acceptable hemp THC concentration, IDALS, in consultation with the Iowa Department of Public Safety, will order the destruction of the noncompliant hemp. The licensee is responsible for the destruction once 1) IDALS, 2) the licensee, and 3) local law enforcement all agree on the method of destruction and disposal.

USDA has offered the following guidance on possible destruction methods, <https://www.ams.usda.gov/rules-regulations/hemp/disposal-activities>.

IDALS strongly urges applicants to consider destruction methods prior to planting a hemp crop. In 2019 a significant number of official tests across the US resulted in a high THC content, resulting in crop destruction.

Please check:

- I have considered destruction methods, and am likely to propose the following destruction method to IDALS if the official laboratory test does not result in an acceptable hemp THC concentration: *

8. Acknowledgements

Read each of the acknowledgment statements below and check each box to indicate you understand and accept each statement as a condition of the Hemp License. The Iowa Hemp Act, Code chapter 204, and Iowa Administrative Rules on Hemp, chapter 96, can be found at:

- Iowa Hemp Act, Code chapter 204
 - Iowa Administrative Rules, Hemp, chapter 96
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- The electronic signatures contained in this application have the same validity and are discoverable and admissible in evidence if given under penalty of perjury in the same manner as an original printed form.
 - As a condition of the issuance of a Hemp License, the licensee consents to IDALS, the Department of Public Safety, and the local law enforcement agency entering upon the crop site as provide in Iowa Code 204.9.
 - An applicant shall not be issued a hemp license unless the applicant agrees to comply with all terms and conditions relating to the regulation of a licensee as provided in Iowa Code chapter 204.
 - A person may hold any number of Iowa Hemp Licenses at the same time; however, the person shall not hold legal nor equitable interest in more than 40 acres of licensed crop sites in Iowa.
 - Failure to include all applicants shall preclude the application from consideration.
 - IDALS shall disapprove of an application for good cause, which shall include, but is not limited to:
 - A person convicted of a felony in Iowa, or substantially similar offense in another state, for producing, possessing, using, harvesting, handling, manufacturing, marketing, transporting, delivering, or distributing a controlled substance shall be ineligible to produce hemp for a ten-year period following the date of conviction.
 - A person accumulating three negligent violations in a five year is ineligible to produce hemp for a five-year period following the date of the person's last violation. All applicants included on the license shall be assigned the negligent violations. Negligent violations include, but are not limited to:
 - Production of hemp that exceeds the acceptable hemp THC concentration but is less than 0.5% THC on a dry weight basis.
 - Failure to submit required reports within the mandated deadlines.
 - Failure to provide a legal description of land on the Hemp License application.
 - IDALS may determine additional negligent violations as needed.
 - IDALS may suspend or revoke a Hemp License if a person does any of the following:
 - Provides false or misleading information to IDALS under the Iowa Hemp Act, including by submitting a false application.
 - Fails to comply with, or violates any provision of the Iowa Hemp Act or Administrative Rule adopted by IDALS, Department of Public Safety, or a condition of a Hemp License application.
 - Fails to comply with an order issued by IDALS.
 - IDALS shall revoke a Hemp License if any of the following occurs:
 - A conviction of committing a criminal offense involving a controlled substance.
 - Three negligent violations in five years.
 - Revocation of a hemp license, permit, registration or other authorization to grow hemp in another state.
 - The applicant submits a materially false application to participate in the negligent violation program.
 - The suspension or revocation of a hemp license is in addition to an order of disposal, the imposition of a civil penalty, assigning of negligent violations, or the imposition of any other civil or criminal penalty authorized under state law.
 - IDALS shall order destruction of any hemp crop that exceeds the acceptable hemp THC concentration. The method of destruction of a non-compliant hemp crop shall be determined cooperatively by the licensee, IDALS, and law enforcement. If an agreement cannot be reached, IDALS and law enforcement shall determine the method of destruction.

- If the licensee fails to destroy a noncompliant hemp crop as ordered by IDALS, the licensee shall pay the department for the cost of the destruction. If the licensee fails to pay, the cost shall be placed upon the tax books, and collected with interest and penalties in the same manner as unpaid property taxes.
- The Hemp Licensee fee (\$505 - \$1,200, varying with crop site acreage), and base inspection fee (\$1,000), shall be paid to IDALS when the application is submitted.
- If multiple hemp varieties are grown on the crop site, or planting dates are more than 14 days apart, each shall be considered a different lot and lots shall be officially sampled separately. Supplemental sampling fees will be charged for each sample after the first official sample. (The cost of the first official sample is included in the inspection fee that was paid by the licensee during the application process.)
- Hemp fees are nonrefundable.
- Hemp Licenses are nontransferable unless approved by IDALS.
- A person violating the Iowa Hemp Act may be subject to a civil penalty ranging from \$500 - \$2,500 each day of a continuing violation. A person participating in, or successfully completing, a negligent violation shall not be assessed a civil penalty.
- A person who knowingly and intentionally falsifies a certificate of crop inspection, or acquires a certificate of inspection that they know has been falsified, may be subject to criminal penalties
- It is the licensee's responsibility to know and understand what documents are to when transport hemp in Iowa. The documents may include a Certificate of Analysis, a hemp license, and a hemp bill of lading.
- Mandatory Reports:
 - Outdoor planting report must be submitted within 14 days after planting an outdoor hemp farm. The Authorized Representative shall submit a planting report to IDALS on a form prepared and distributed by IDALS.
 - Indoor planting report must be submitted on the first day of the month following any planting activity in the immediately preceding month. The Authorized Representative shall submit the report to IDALS on a form prepared and distributed by IDALS.
 - Preharvest report must be submitted no less than 30 days prior to the expected harvest date of any hemp lot. The licensee is entirely responsible for determining the expected harvest date. The Authorized Representative shall submit the report on a form prepared and distributed by IDALS.
 - Postharvest report must be submitted no less than 14 days after the harvest of a lot is complete. If lots within a crop site are harvested at different times, each harvest date must be independently recorded. The Authorized Representative shall submit the report on a form prepared and distributed by IDALS.
 - Voluntary destruction report requires the Authorized Representative to notify the department no later than seven days prior to the destruction, on a form prepared and distributed by IDALS. The hemp crop shall not be destroyed unless IDALS or local law enforcement is present during the destruction or either agency authorized destruction to occur unwitnessed.
 - Drug felony conviction report must be submitted no less than 14 days after any applicant or Authorized Representative is convicted to, or pleads to, a disqualifying felony offense. The offender shall immediately forfeit the Hemp License. Failure to report may result in an order of destruction. Any co-licensees must also be informed, and may assume full responsibility of the hemp crop. The Authorized Representative shall submit the report to IDALS on a form prepared and distributed by IDALS.
 - Destruction report must be submitted no less than 48 hours after noncompliant hemp lot is destroyed, as ordered by IDALS. The Authorized Representative shall submit the report to IDALS on a form prepared and distributed by IDALS.
 - Hemp acreage report to the FSA within 30 days after the completion of an outdoor crop site, or within 30 days after the first planting of hemp in the calendar year in an indoor crop site. The Authorized Representative shall submit the report to the county FSA office. For more information on FSA reporting, see <https://www.fsa.usda.gov/Assets/USDA-FSA-Public/usdfiles/FactSheets/2019/crop-acreage-reporting-19.pdf>.

- Preharvest inspection and official sampling:
 - Upon receiving the preharvest report, IDALS will make an appointment with the Authorized Representative for the official inspection and official sampling. The Authorized Representative, or licensee, shall be present at any preharvest inspection and official sampling.
 - The licensee shall provide for complete and unrestricted access to the crop site for the official inspection and sampling. If the licensee fails to provide unrestricted access, an official sample will not be collected.
 - The plants and plant material selected for official sampling shall be determined solely by IDALS.
 - All official samples shall become the property of IDALS and are nonreturnable.
 - If cannabis plants are observed outside of the crop site boundaries, IDALS shall notify law enforcement.
 - If the inspector suspects that the licensee has harvested hemp plants prior to official sampling, IDALS will immediately cease official sampling and notify the Iowa hemp program administrator, seeking law enforcement assistance as necessary.

- If a licensee chooses to have official samples drawn from sub-lots, the boundary between sub-lots must be discernable. In an outdoor crop site, the minimum row spacing between lots and sub-lots shall be twice the normal row spacing, but no less than 36 inches.

- No portion of a hemp crop site shall be harvested prior to the Authorized Representative submitting a preharvest report to IDALS no less than 30 days prior to the anticipated harvest date; and IDALS' official inspection and official sampling of any lot of hemp has occurred; and the Authorized Representative has received a Temporary Harvest and Transportation Certificate.

- The day the hemp crop is officially sampled is considered day zero. The next day is considered day one, and so on. The licensee shall harvest the officially sampled hemp crop no later than 15 days after the lot was officially sampled. If the licensee has not completed harvest within 15 days and still desires to harvest any remaining crop, the licensee shall contact IDALS and request supplemental official sampling and official laboratory testing.

- Prior to receiving a Temporary Harvest and Transportation Certificate, the Authorized Representative shall designate a storage site for the hemp crop, where the harvested hemp shall remain until the Certificate of Analysis is issued. Licensees agree to:
 - IDALS has unrestricted access to the crop at all times, including, if necessary, to fulfill an order of destruction.
 - The harvested crop shall remain at the designated storage site until a Certificate of Analysis, or order of destruction, is issued.
 - The designated storage site must be within the State of Iowa.
 - All harvested lots and sub-lots shall be stored in a manner that preserves identity, regardless of the form, condition, or location of the hemp crop. There shall be no comingling of separate harvested hemp lots.
 - Until the Certificate of Analysis is received, ownership of the hemp crop shall not change.

I, the applicant, agree that the foregoing statements and information are true and correct, to the best of the knowledge and belief of the applicant. The applicant acknowledges that any materially false information submitted by the applicant shall result in the denial, suspension, or revocation of their license. The applicant agrees to comply with all applicable regulations pursuant to the Iowa Hemp Act and Iowa Administrative Rules. The applicant acknowledges that this application and any other documents provided by applicant, except the results of the background check, will constitute a public record and thus may be publicly available to anyone who requests it.

Applicant's full legal signature *	Date (m/d/yyyy)*

(You must print your completed application and sign it)

9. Proof of Appointment

The applicant is acting on behalf of an Association. The applicant is the individual appointed by the Association to obtain a Hemp License from IDALS. . You must attach a letter signed by association management, as proof of appointment as the hemp rules require.

10. Fees & Payment

Fees are calculated based on acreage listed under **Item 3 – Crop Site Location**.

Total # of Acres:		X \$5.00/acre =	\$
	If up to 5 total acres, add	\$500.00	\$
	If 5.1 acres to 10 total acres, add	\$750.00	\$
	If 10.1 to 40 total acres, add	\$1,000.00	\$
	Inspection and Sampling Fee		\$1,000.00
	Background Check Fee, <i>per person</i>	\$15.00 x (# people) =	\$
		Grand Total:	\$

Please have the fingerprints placed on the official fingerprint card from IDALS. That card has contains specific routing information to get the background check information back to IDALS as efficiently as possible. Official finger printing locations can be found <https://www.nbinformation.com/locations/>.

Checks should be made out to “IDALS”

(1) Application, (2) payment, and (3) fingerprint cards (fingerprint cards only available from IDALS), **and (4) Waiver Agreement and Privacy Statement Form should be mailed to:**

Iowa Department of Agriculture & Land Stewardship (or just “IDALS”)
Hemp Applications
2230 South Ankeny Blvd.
Ankeny, IA 50023-9093