



ARIZONA DEPARTMENT OF AGRICULTURE
PLANT SERVICES DIVISION - INDUSTRIAL HEMP PROGRAM
1688 W. ADAMS ST.
PHOENIX, AZ 85007
602-542-3228

INDUSTRIAL HEMP PROGRAM FAQ's

Q: What is the definition of industrial hemp?

A: Industrial hemp is defined as the plant *Cannabis sativa* L. and any part of such plant, whether growing or not, with a Delta-9 Tetrahydrocannabinol (THC) concentration of not more than three-tenths percent (0.3%) on a dry-weight basis. (A.R.S. § 3-311)

Q: I hear a lot about "CBD", what is "CBD"?

A: "CBD" or Cannabidiol, is a chemical compound that can be extracted from an industrial hemp plant (primarily from the floral material). "CBD" compounds are not narcotic or included in the Controlled Substances Act and is different from the "THC" that is found in marijuana.

Q: Can I grow industrial hemp for personal use?

A: No, a person will only be allowed to grow and/or process industrial hemp for commercial or research purposes.

Q: Will the Department limit the number of licenses issued, or will there be any size requirements for the area to be planted?

A: No, There will be no limitation on the number of licenses issued or a size requirement to be licensed.

Q: What types of licenses will be available?

A: There will be five types of licenses that can be applied for, individually or as a combination of two or more. Grower, Harvester, Transporter, Processor, and Nursery.

Q: Who will be able to apply for an industrial hemp license?

A: Any U.S. citizen or legal alien who meets the following requirements and can provide:

- Accurately completes a Department approved application (pending development).
- Provides a copy of the person's Level I Fingerprint Clearance Card issued by the Fingerprint Division of the AZ Dept. of Public Safety. No other forms of background check documents are approved.
- Submits complete payment for the Program licensing fee on or after May 31, 2019.

Q: Can I apply for a license today?

A: Not at this time. With the passage of Senate Bill 1003 on February 20, 2019, the new effective date of the Program, when initial administrative rules have to be established, is officially set for May 31, 2019.

Q: How can I pay for my license?

A: The Department will only accept payments in the form of check, cashier's check, or money order. No cash or credit card payments will be accepted. No payments prior to May 31, 2019 will be accepted.

Q: Will I need a license issued by the Department?

A: Possibly, please refer to the definitions in statute ([A.R.S. § 3-311](#)) of a Grower, Harvester, Transporter, and Processor to see if your operation would fit in any of these categories.

Q: I have questions about getting a Level I Fingerprint Clearance Card, who do I contact?

A: All questions regarding the fingerprint clearance cards must go through the Application Clearance Card Team (ACCT) of the Arizona Dept. of Public Safety. Also, do not deliver fingerprint clearance card applications to the Dept. of Agriculture. Call 602-223-2279 or visit: www.azdps.gov/services/public/fingerprint



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Q: When I submit my application and payment on (or after) May 31st, will I be issued a license right-away?

A: No, the Department will need to validate eligibility, accuracy of the contents of the application, and ensure the licensing payment clears. This may take a few days, and up to fourteen (14) business days based on workload and completeness of the application received.

Q: Can I go ahead and purchase seed of propagative materials before I'm issued a license?

A: The Committee is still developing the rule language for seed and propagative materials. Any purchases made prior to the effective date of the program is at the risk of the customer. The potential applicant may run the risk of purchasing seed that would not be approved under this Program. Additionally, a person may not possess seed or propagative materials for planting in the State, under this program, unless they are licensed by the Department.

Q: Can I get an exemption to start trials or conduct research before the effective date of the Program?

A: No, the Department does not have the authority to issue an exemption prior to the effective date of the Program.

Q: What zoning/distance requirements will I have to comply with?

A: It will be the responsibility of the applicant to determine if there are any local zoning, codes or ordinance restrictions. Cross-pollination issues are the responsibility of the applicant/licensee to be aware of to protect their crop.

Q: What effect does the 2018 farm bill have on Arizona's Industrial Hemp Program?

A: The 2018 Farm bill changes the Controlled Substances Act and removes industrial hemp from the definition of marijuana and it allows for the commercialization of industrial hemp. Administrative rules are being developed to proceed in this direction. It will still require a person to obtain a license from the Department and follow compliance guidelines for producing and processing industrial hemp.

Q: Will I be able to manufacture "CBD" products from industrial hemp?

A: Yes, however the Program oversight only extends from the growth and cultivation of industrial hemp, up to the point of processing. For licensed processors, the Program will focus on ensuring they receive raw material that is below 0.3% THC. If there are food handling laws, laws and regulations under the oversight of the Food and Drug Administration, or other laws related to industrial hemp of another agency, then those issues are out of the Department's scope of regulatory oversight.

Q: How can I contact the Industrial Hemp Program Rules Committee if I have a question or comment about the rules being developed?

A: There is a webform at <https://agriculture.az.gov/plantsproduce/industrial-hemp-program/industrial-hemp-program-rules-committee> that you can complete and submit to ask a questions or make a comment.

Q: Who do I contact about Lab Certification for testing the THC levels in Hemp?

A. Please contact the State Agricultural Lab at 602-744-4904 for lab certification questions.

Q: I have more questions, who can I contact?

A: Contact Brian McGrew by emailing: bmcgrew@azda.gov or call (602) 542-3228