

## **02 NCAC 62 .0107 APPLICATION FOR LICENSES**

(a) Growers in North Carolina who wish to cultivate industrial hemp shall submit to the Industrial Hemp Commission an application for a license to do so. The application shall include the following information for consideration by the Commission:

- (1) Type of License as set forth in Rule .0105 of this Section;
- (2) Name, address, and business name and address, if applicable, of the applicant, updated annually, and as needed;
- (3) Desired duration of License (one or three years);
- (4) Intended location(s) of planting, including address, GPS coordinates, and acreage, or square feet of greenhouse space;
- (5) Intended variety name, origin, and seed or plant certifying agency for each planting. This information must conform to Rule .0101 of this Section;
- (6) Intended marketable portion of the plant (seed, fiber, hurd, cannabinoids, not including THC, or certified planting seed or propagule as set forth in Rule .0101 of this Section);
- (7) Intended market, and intended purchaser's name and address if license is of the type "Research with Intent to Market";
- (8) Written statement of the research objective and data or observations to be collected and reported to North Carolina State University (NC State) or North Carolina A&T State University (NCA&T). The research objective shall conform to the authorized research purposes set forth in G.S. 106-568.55. The written statement in this Part constitutes a written agreement between the license holder and NC State or NCA&T;
- (9) Evidence of income from a farming operation. At least one of the following from the previous year must be included and show income from crop or animal production for the applicant:
  - (A) For individual filers, Schedule F of the Form 1040, U.S. Individual Income Tax Return;
  - (B) For S corporation filers, Page 1 and Schedule B, of the Form 1120S, U.S. Income Tax Return for S Corporation;
  - (C) For C corporation filers, Page 1 and Schedule K, of the form 1120, U.S. Corporation Income Tax Return; or
  - (D) For partnership filers, Page 1 of the Form 1065, U.S. Return of Partnership Income and Schedule F of the Form 1040, U.S. Individual Income Tax Return.
- (10) Intended storage location (expressed in GPS coordinates) for harvested plant parts;
- (11) Agreement to provide access to the North Carolina Department of Agriculture and Consumer Services' Plant Industry Division and law enforcement agencies at any time for sampling in the field or storage;
- (12) Agreement to ensure the monitoring and destruction of volunteers for three years following cultivation regardless of land lease or ownership status during that period;
- (13) Agreement to maintain all records, including those for agronomics, contracts, sampling, storage, expenses, transportation and delivery, and income, while the license is valid and for three years thereafter;
- (14) Agreement to notify the Division and the Commission if there are any changes or deviations from the intentions stated in the license within one month of a known change or deviation; and
- (15) Agreement to notify the Division if there are any changes to the license holder's address within one month of a change for the duration of the license.

(b) Applicants shall disclose the date and location of any conviction of any criminal offense (other than misdemeanor traffic offenses) committed in any jurisdiction. Failure to comply with this requirement shall be grounds for denial, suspension, or revocation of a permit, as may be determined by the Industrial Hemp Commission.

(c) The following applicants shall not be granted a permit:

- (1) Any applicants with any felony conviction in the prior ten years or; or
- (2) Any drug-related or controlled substance felony conviction at any time.

*History Note: Authority G.S. 106-568.53(a)(2); 106-568.53A; Temporary Adoption Eff. February 24, 2017. (Codifier's Note: This Rule shall remain in effect until the permanent rule that replaces the temporary rule becomes effective. See S.L. 2016-93, s. 7).*