

# Continuous Hemp Production Application, 2019

Agricultural and Environmental Services Division



December 13, 2018

Dear Continuous Hemp Production Applicant:

This application is directed at those entities that will maintain viable hemp plants throughout the year. Reasons to maintain hemp throughout the year include maintenance of mother plants for clones; research; and hemp production in a greenhouse or warehouse environment for continuous extraction (CBD), or for continuous seed production. If you are planning on field production (annual plants/crop), a second Annual Hemp Production license is required, or if you are planning on selling clones, an additional Nursery Plant license will be required. License applications, including nursery, can be found at [www.nmda.nmsu](http://www.nmda.nmsu). Questions regarding hemp and nursery applications and licenses can be addressed at 575-646-3207.

After your application has been approved, New Mexico Department of Agriculture will FedEx your Continuous Hemp License to the physical address provided. Understand that the license is proof that you have registered with the state as a hemp producer with the intent of producing hemp.

## **IMPORTANT TO READ:**

Federal law requires state and federal background checks on all hemp applicants. Hemp production licenses cannot be issued to individuals with felony convictions related to controlled substances. Although New Mexico Department of Agriculture will conduct the national background check, applicants are required to obtain state background records themselves from the Department of Public Safety. The state background report/stamp from the Department of Public Safety must be included with your Continuous Hemp Production application. For your convenience, the Department of Public Safety's Records Request form is located at the end of this application. Reports or a no-records stamp can be obtained from the Department of Public Safety either in person (Santa Fe) or through the mail with your notarized signature. A \$15.00 charge is required by the Department of Public Safety. Applicants are also required to comply with New Mexico's Child Support Enforcement Act. Failure to meet child support obligations will result in the denial or revocation of a hemp production license.

If you have questions or comments, feel free to call us at (575) 646-3207.

Respectfully,

Brad Lewis  
Division Director  
Agriculture and Environmental Services  
New Mexico Department of Agriculture

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**Continuous Hemp Production License** is intended for growers maintaining viable hemp plants throughout the year as part of a greenhouse or plant nursery operation (clonal production). The Continuous Hemp Production License is not intended for production of an annual crop. Forms can be filled in electronically before printing or printed and filled in manually before mailing. Ensure fees are submitted with a complete application. Errors will result in a return of the application and fees. Applicants are required to fill out the Continuous Hemp Production License application, calculate fees, sign the acknowledgment form, and return a completed application (including state background information, check or money order) to:

Physical Address:  
New Mexico Department of Agriculture  
Entomology and Nursery Industries  
3190 S. Espina  
Las Cruces, NM 88003

Mailing Address:  
New Mexico Department of Agriculture  
Entomology and Nursery Industries  
MSC 3BA  
New Mexico State University  
P.O. Box 30005  
Las Cruces, NM 88003

## Applicant Information:

1. \_\_\_\_\_, \_\_\_\_\_; \_\_\_\_\_; \_\_\_\_\_; \_\_\_\_\_  
Legal Last Name                      Legal First Name                      Middle                      SSN                      Date of Birth                      Cell Tele #

2. \_\_\_\_\_  
Other Name (i.e. Maiden)                      email

3. \_\_\_\_\_  
Additional Contact Person (i.e. Farm Manager)                      Cell Tele #                      email

4. Business Mailing Address:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Business Physical Address:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. License Expiration Date: **January 31, 2020**

7. Federal law precludes the state from issuing a hemp production license to an applicant that has been convicted of a felony related to controlled substances.

8. Include any additional information below:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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## Growing Area 1:

Multiple growing areas (not contiguous) can be included in one license under the following conditions: each growing area is within a 2.5 mile radius of a central point, and the total growing areas do not exceed 10 acres (435,600 square feet) under one license. Each growing area, covered under one license, must be owned or leased by a single licensee. Growing areas outside a 2.5 mile radius or in excess of 10 noncontiguous acres are required to apply for separate license. Multiple contiguous greenhouse bays are considered a single growing area.

- Growing Area # 1: Latitude (Decimal Degrees i.e., 32.86312): \_\_\_\_\_  
 Longitude (Decimal Degrees i.e., -106.294074): \_\_\_\_\_  
 County: \_\_\_\_\_ Nearest Town/City: \_\_\_\_\_  
*(In Google Earth, decimal degree option found Tools>Options>3D View>Decimal Degree Button)*

- Are you the owner of the property: \_\_\_\_\_  
*If the answer is no, you are required to include a signed letter from the property owner providing you (the applicant) authorization to grow hemp on property not owned by the applicant (licensee). The letter shall include name of owner of the property; location of the property and GPS coordinates (same as in this application); and name of the individual responsible for hemp production (same as applicant).*

- Written directions sufficient to locate the growing area, including street/road names and distances from known locations:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- Total number of square feet designated for hemp production at this specific growing area: \_\_\_\_\_ sq. ft.

- Description of operation (i.e., continuous hemp production for CBD extraction; seed production; nursery/clonal production).  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- Provide hemp varieties to be maintained at this growing area (#1). Changes in your variety list can be made by submitting changes, in writing, to New Mexico Department of Agriculture. Additional varietal fee may apply.

Variety Number	Variety Name/Identification	Variety Number	Variety Name/Identification
1		12	
2		13	
3		14	
4		15	
5		16	
6		17	
7		18	
8		19	
9		20	
10		21	
11		22	

Additional growing-area application forms are included and are found after the signature page. If number of varieties exceed 22 for this growing area (#1), include additional varieties on a separate sheet of paper (include growing area number, i.e., 1, 2, 3...).

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**Fees:** (auto-fill not available to calculate fees, enter manually)

- 1. Base Registration/Inspection Fee:.....\$ 750.00
- 2. Total Square Feet for all growing areas= \_\_\_\_\_ X .001 = \_\_\_\_\_ X .75 = \$ \_\_\_\_\_ (minimum \$5.00)
- 3. Total number of hemp varieties= \_\_\_\_\_ X 10.00 = \$ \_\_\_\_\_ (minimum \$10.00)
- 4. Total fee enclosed with application (sum of dollar amounts in 1, 2, and 3 above).....\$ \_\_\_\_\_

Ensure fee payment, in the form of check or money order, is included with your application.  
Fees based on: \$750.00 registration fee + \$.75 / 1,000 square feet of hemp production + \$10.00 per variety.

## Acknowledgments:

- 1. Understand that possession of viable hemp plants without a valid Continuous Hemp Production License or Annual Hemp Production License is a violation of state law. Continuous Hemp Production License cannot be transferred to another individual, business, or entity.
- 2. Understand hemp, covered under this license, cannot be harvested without New Mexico Department of Agriculture issued documents authorizing harvest of specific varieties listed.
- 3. Agree to complete harvest of compliant hemp varieties within specific dates provided by New Mexico Department of Agriculture. Understand hemp varieties, not harvested by the required harvest date, may be subject to additional sampling to determine THC values, or may be subject to destruction or disposed of in a manner approved by the New Mexico Department of Agriculture.
- 4. Agree to complete post-harvest crop destruction within specific dates provided by New Mexico Department of Agriculture.
- 5. Accept financial responsibility for expenses associated with destruction or disposition of noncompliant cannabis varieties (i.e., in excess of .3% THC) and for post-harvest crop destruction or disposition.
- 6. Understand licensees involved in the production of clones or seed for the purpose of marketing shall maintain records including variety, quantity, buyer, and destination for each transaction for a period of three years.
- 7. Allow New Mexico Department of Agriculture staff access to all hemp growing areas and relevant documents as determined by the department.
- 8. Understand licensee is required to remove plant/tissue samples, under the oversight of New Mexico Department of Agriculture staff, and licensee is responsible for the delivery of samples to a New Mexico Department of Agriculture approved laboratory for the purpose of determining THC levels (post decarboxylation) prior to harvest.
- 9. Understand licensee shall be responsible for additional charges associated with addressing noncompliant issues incurred by New Mexico Department of Agriculture.
- 10. Understand specific data contained within this application may be subject to release under the Inspection of Public Records Act and may be shared with other state or federal agencies, including law enforcement. Applicants will be screened for compliance to New Mexico’s Child Support Enforcement requirements, and federal background check requirements.
- 11. Licensee has reviewed and understands regulations contained within the Hemp Cultivation Rule and violations of regulations or policies may result in crop destruction, license suspension, or license revocation.

Signature below acknowledges the following: applicant has provided accurate and complete information; has reviewed and agrees to statements contained under the Acknowledgments section; provides New Mexico Department of Agriculture authorization to conduct or obtain information related to background checks regarding possible criminal convictions that may preclude the issuance of a Continuous Hemp Production License.

\_\_\_\_\_  
**Signature:**

\_\_\_\_\_  
**Date:**

- Do not utilize electronic signature; print, sign, date, and mail
- Incomplete applications, including incorrect fee, will be returned
- Ensure appropriate fee is enclosed with your application

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## Growing Area #2 (if needed):

Multiple growing areas (not contiguous) can be included in one license under the following conditions: each growing area is within a 2.5 mile radius of a central point, and the total growing areas do not exceed 10 acres (435,600 square feet) under one license. Each growing area, covered under one license, must be owned or leased by a single licensee. Growing areas outside a 2.5 mile radius or in excess of 10 noncontiguous acres are required to apply for separate license. Multiple contiguous greenhouse bays are considered a single growing area.

1. Growing Area # 1: Latitude (Decimal Degrees i.e., 32.86312): \_\_\_\_\_  
 Longitude (Decimal Degrees i.e., -106.294074): \_\_\_\_\_  
 County: \_\_\_\_\_ Nearest Town/City: \_\_\_\_\_  
*(In Google Earth, decimal degree option found Tools>Options>3D View>Decimal Degree Button)*

2. Are you the owner of the property: \_\_\_\_\_  
*If the answer is no, you are required to include a signed letter from the property owner providing you (the applicant) authorization to grow hemp on property not owned by the applicant (licensee). The letter shall include name of owner of the property; location of the property and GPS coordinates (same as in this application); and name of the individual responsible for hemp production (same as applicant).*

3. Written directions sufficient to locate growing area, including street/road names and distances from known locations:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

4. Total number of square feet designated for hemp production at this specific growing area: \_\_\_\_\_ sq. ft.

5. Description of operation (i.e., continuous hemp production for CBD extraction; seed production; nursery/clonal production).  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

6. Provide hemp varieties to be maintained at this growing area (#2). Changes in your variety list can be made by submitting changes, in writing, to New Mexico Department of Agriculture. Additional varietal fee may apply.

Variety Number	Variety Name/Identification	Variety Number	Variety Name/Identification
1		12	
2		13	
3		14	
4		15	
5		16	
6		17	
7		18	
8		19	
9		20	
10		21	
11		22	

*Additional growing-area application forms are included and are found after the signature page. If number of varieties exceed 22 for this growing area (#2), include additional varieties on a separate sheet of paper (include growing area number, i.e., 1, 2, 3...).*

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## Growing Area #3 (if needed):

Multiple growing areas (not contiguous) can be included in one license under the following conditions: each growing area is within a 2.5 mile radius of a central point, and the total growing areas do not exceed 10 acres (435,600 square feet) under one license. Each growing area, covered under one license, must be owned or leased by a single licensee. Growing areas outside a 2.5 mile radius or in excess of 10 noncontiguous acres are required to apply for separate license. Multiple contiguous greenhouse bays are considered a single growing area.

- Growing Area # 1: Latitude (Decimal Degrees i.e., 32.86312): \_\_\_\_\_  
 Longitude (Decimal Degrees i.e., -106.294074): \_\_\_\_\_  
 County: \_\_\_\_\_ Nearest Town/City: \_\_\_\_\_  
*(In Google Earth, decimal degree option found Tools>Options>3D View>Decimal Degree Button)*

- Are you the owner of the property: \_\_\_\_\_  
*If the answer is no, you are required to include a signed letter from the property owner providing you (the applicant) authorization to grow hemp on property not owned by the applicant (licensee). The letter shall include name of owner of the property; location of the property and GPS coordinates (same as in this application); and name of the individual responsible for hemp production (same as applicant).*

- Written directions sufficient to locate the growing area, including street/road names and distances from known locations:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- Total number of square feet designated for hemp production at this specific growing area: \_\_\_\_\_ sq. ft.

- Description of operation (i.e., continuous hemp production for CBD extraction; seed production; nursery/clonal production).  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- Provide hemp varieties to be maintained at this growing area (**#3**). Changes in your variety list can be made by submitting changes, in writing, to New Mexico Department of Agriculture. Additional varietal fee may apply.

Variety Number	Variety Name/Identification	Variety Number	Variety Name/Identification
1		12	
2		13	
3		14	
4		15	
5		16	
6		17	
7		18	
8		19	
9		20	
10		21	
11		22	

*Additional growing-area application forms are included and are found after the signature page. If number of varieties exceed 22 for this growing area (#3), include additional varieties on a separate sheet of paper (include growing area number, i.e., 1, 2, 3...).*

Applicant is responsible for completing this form and for obtaining a New Mexico background report in person or through a designated agent. An official New Mexico background report must be included with your Continuous Hemp Production Application. If you have questions regarding this form or process, please direct your calls to the New Mexico Department of Public Safety (505) 827-9297.

DEPARTMENT OF PUBLIC SAFETY / P.O. BOX 1628 / SANTA FE, NM 87504-1628 ATTN: RECORDS \$15.00 PER RECORD CHECK

**AUTHORIZATION FOR RELEASE OF INFORMATION**

I, \_\_\_\_\_  
NAME (MUST BE PRINTED-LEGIBLY) (SSN#) (DOB)

PURSUANT TO NMSA 1978, SECTION 29-10-6(A) (Repl. Pamp. 1990), OF THE NEW MEXICO ARREST RECORD INFORMATION ACT, HEREBY APPOINT:

\_\_\_\_\_  
NAME (MUST BE PRINTED) (IF NO AGENT, PRINT "SELF")  
ADDRESS: \_\_\_\_\_

AS AN AUTHORIZED AGENT FOR ME FOR THE PURPOSE OF INSPECTING (AND /OR OBTAINING COPIES OF) ANY NEW MEXICO ARREST FINGERPRINT CARD SUPPORTED ARREST RECORD INFORMATION MAINTAINED BY THE DEPARTMENT OF PUBLIC SAFETY, INCLUDING INFORMATION CONCERNING FELONY OR MISDEMEANOR ARRESTS AND INFORMATION OBTAINED FROM RELEVANT FINGERPRINT DATABASES.

TO THE CUSTODIAN OF THE RECORDS IN QUESTION, I HEREBY DIRECT YOU TO RELEASE SUCH INFORMATION TO THE AUTHORIZED AGENT AS DESCRIBED ABOVE.

I HEREBY RELEASE THE CUSTODIAN OR CUSTODIANS OF SUCH RECORDS AND THE DEPARTMENT OF PUBLIC SAFETY, INCLUDING ANY OF THEIR AGENTS, EMPLOYEES, OR REPRESENTATIVES IN ANY CAPACITY, FROM ANY AND ALL CLAIMS OF LIABILITY OR DAMAGE OF WHATEVER KIND OR NATURE, WHICH AT ANY TIME COULD RESULT TO ME, MY HEIRS, ASSIGNS, ASSOCIATES, PERSONAL REPRESENTATIVE OR REPRESENTATIVES OF ANY NATURE BECAUSE OF COMPLIANCE BY SAID CUSTODIAN OR CUSTODIANS WITH THIS "AUTHORIZATION FOR RELEASE OF INFORMATION" AND MY REQUEST CONTAINED HEREIN FOR THIS RELEASE OR BECAUSE OF ANY USE OF THESE RECORDS. THIS RELEASE IS BINDING, NOW AND IN THE FUTURE AND IS VALID FOR A PERIOD OF UP TO 120 DAYS FROM THE DATE SIGNED, ON MY HEIRS, ASSIGNS, ASSOCIATES, PERSONAL REPRESENTATIVE OR REPRESENTATIVES OF ANY NATURE.

APPLICANT SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

(\*ATTN: NOTARY-ENSURE DOCUMENT IS SIGNED BY BOTH APPLICANT AND PARENT (GUARDIAN) IN YOUR PRESENCE AND NAME, DOB, SOC INFO IS VERIFIED WITH A VALID ID)

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_\_.

(SEAL) \_\_\_\_\_  
(SIGNATURE OF NOTARY PUBLIC)

MY COMMISSION EXPIRES: \_\_\_\_\_.

