

Annual Hemp Production Application, 2019

Agricultural and Environmental Services Division



January 1, 2019

Dear Annual Hemp Production Applicant:

This application is directed at those entities planting an annual hemp crop. In order to help reduce the cost of licensing, hemp planted under a single annual hemp license will be required to be planted within a two week period. If you are planning on maintaining viable hemp plants throughout the year (i.e. mother plants, breeding purposes, seed) an additional Continuous Hemp Production Application is required.

Under a single annual hemp license application, an applicant may register multiple growing areas (noncontiguous fields) under the following restrictions: all growing areas are within a 2.5 mile radius; all growing areas shall be planted within a two week period; and total number of acres under a single application is less than 10. There is no acreage limit for a single growing area (contiguous acres). If you are planning on selling clones or seedlings, an additional Nursey License is required and can be found at www.nmda.nmsu.edu 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 mail your Annual Hemp Production License to the physical address provided on the application. Understand that the license is proof that you have registered with the state as a hemp producer with the intent of producing hemp. It is advisable that you maintain your license with you during hemp transport and that it be available to law enforcement.

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 Annual 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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Annual Hemp Production License is intended for growers that will be planting for only annual production of hemp. Forms can be filled in electronically before printing, or printed and filled in manually before mailing or hand-delivering to the Las Cruces office. Applicants are required obtain a state background check stamp or document (form is attached). Ensure fees are submitted with a complete application. Errors will result in a return of the application and fees. Note that the Annual Hemp Production License has an expiration date of 240 days after issuance of the license. Please ensure you will be harvesting within the 240 day period or an additional license will be required. Applications can be mailed or hand delivered to the following:

<p>Physical Address:</p> <p>New Mexico Department of Agriculture Entomology and Nursery Industries 3190 S. Espina Las Cruces, NM 88003</p>	<p>Mailing Address:</p> <p>New Mexico Department of Agriculture Entomology and Nursery Industries MSC 3BA New Mexico State University P.O. Box 30005 Las Cruces, NM 88003</p>
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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: **Two Hundred and Forty Days (240) from the date of the license or until harvest (first occurrence)**

7. Federal regulations prohibit the issuance of a hemp production license to individuals convicted of a felony related to controlled Substances.

8. Include any additional information below:

Annual Hemp Production Application, 2019

Agricultural and Environmental Services Division



Growing Area 1:

Multiple growing areas (not contiguous) can be included in one application under the following conditions: each growing area is within a 2.5 mile radius of a central point; total acreage for all locations does not exceed 10 acres; and all acres shall be planted within a two week period. There is no acreage limit for a single contiguous growing area. Growing areas 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 be registered under a separate license.

- 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 acres (single decimal point accuracy i.e 4.1 not 4.13 acres) designated for hemp production at this specific growing area (#1): _____ acres. Estimated planting date _____. Estimated harvest date _____.
Note that total number of acres for multiple growing acres under one license cannot exceed 10 acres. No acreage limit on one growing area (contiguous acres). All growing locations identified in this application must be planted within a two week period. Planting and harvest dates are representative of all growing areas identified in this application.

- Description of operation (i.e., fiber, CBD extraction, dual purpose, seed, breeding, research).

- On a separate sheet of paper**, provide a sketch of the field including dimensions (feet) and areas planted to specific hemp varieties for growing area #1.

- 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		9	
2		10	
3		11	
4		12	
5		13	
6		14	
7		15	
8		16	

Additional growing-area application forms are included and are found after the signature page. If number of varieties exceed 16 for this growing area (#1), include additional varieties on a separate sheet of paper (include growing area number, i.e., 1, 2, 3...).

Annual Hemp Production Application, 2019

Agricultural and Environmental Services Division



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

- 1. Base Registration/Inspection Fee:.....\$ 650.00
- 2. Total Acres for all growing areas included in this application= _____ (acres) X \$ 4.00/ acre.....=\$ _____ (minimum \$4.00)
- 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: \$650.00 registration fee + \$4.00 / acre of hemp production + \$10.00 per variety. Once payments are processed, refunds are not available or transferable to another license.

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. Annual 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 tested and 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 licensee is responsible for recording crop history of fields planted with hemp for a period of three years after last hemp harvest. Additionally, understand licensee is responsible for ensuring destruction of volunteer hemp plants, prior to pollination, for a period of three years following last hemp harvest.
- 11. 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.
- 12. Agree that the applicant 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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Agricultural and Environmental Services Division



Growing Area 2:

Multiple growing areas (not contiguous) can be included in one application under the following conditions: each growing area is within a 2.5 mile radius of a central point; total acreage for all locations does not exceed 10 acres; and all acres shall be planted within a two week period. There is no acreage limit for a single contiguous growing area. Growing areas 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 be registered under a separate license.

1. Growing Area # 2: 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 the growing area, including street/road names and distances from known locations:

4. Total number of acres (single decimal point accuracy i.e 4.1 not 4.13 acres) designated for hemp production at this specific growing area (#2): _____ acres.
Note that total number of acres for multiple growing acres under one license cannot exceed 10 acres. No acreage limit on one growing area (contiguous acres). All growing locations identified in this application must be planted within a two week period. Planting and harvest dates identified in Growing Area #1 shall be representative of all growing areas identified in this application.

5. Description of operation (i.e., fiber, CBD extraction, dual purpose, seed, breeding, research).

6. **On a separate sheet of paper**, provide a sketch of the field including dimensions (feet) and areas planted to specific hemp varieties for growing area #2.

8. 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		9	
2		10	
3		11	
4		12	
5		13	
6		14	
7		15	
8		16	

Additional growing-area application forms are included and are found after the signature page. If number of varieties exceed 16 for this growing area (#2), include additional varieties on a separate sheet of paper (include growing area number, i.e., 1, 2, 3...).

Annual Hemp Production Application, 2019

Agricultural and Environmental Services Division



Growing Area 3:

Multiple growing areas (not contiguous) can be included in one application under the following conditions: each growing area is within a 2.5 mile radius of a central point; total acreage for all locations does not exceed 10 acres; and all acres shall be planted within a two week period. There is no acreage limit for a single contiguous growing area. Growing areas 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 be registered under a separate license.

- Growing Area # 3: 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 acres (single decimal point accuracy i.e 4.1 not 4.13 acres) designated for hemp production at this specific growing area (#3): _____ acres.
Note that total number of acres for multiple growing acres under one license cannot exceed 10 acres. No acreage limit on one growing area (contiguous acres). All growing locations identified in this application must be planted within a two week period. Planting and harvest dates identified in Growing Area #1 shall be representative of all growing areas identified in this application.

- Description of operation (i.e., fiber, CBD extraction, dual purpose, seed, breeding, research).

- On a separate sheet of paper**, provide a sketch of the field including dimensions (feet) and areas planted to specific hemp varieties for growing area #3.

- 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		9	
2		10	
3		11	
4		12	
5		13	
6		14	
7		15	
8		16	

Additional growing-area application forms are included and are found after the signature page. If number of varieties exceed 16 for this growing area (#3), include additional varieties on a separate sheet of paper (include growing area number, i.e., 1, 2, 3...).

NEW MEXICO DEPARTMENT OF PUBLIC SAFETY BACKGROUND CHECK AUTHORIZATION FORM

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 Annual 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: _____.

