Hemp Permit Application Instructions

The following instructions are provided to help you avoid rejection of your application for a new or renewal permit to grow or process hemp in the Commonwealth under the terms of the General Permit issued by the Department under the authority of the Act relating to Controlled Plants and Noxious Weeds (3 Pa.C.S.A. § 1501 et seq.).

By applying for this permit, you are agreeing to grow or process hemp under the terms and conditions as required by the Act relating to Controlled Plants and Noxious Weeds and the Hemp General Permit. Failure to follow the terms and conditions of the Act and General Permit may result in a violation notice, crop destruction and may affect the ability to apply for permits in the future.

It is very important to first review the "Hemp General Permit Guidelines", "Hemp Permit Application & Responsibilities Checklist" and "Frequently Asked Questions" on the Department's website at **http://agriculture.pa.gov/hemp** (*copies may be requested from the Bureau by those without internet access*). The information in these documents will be very helpful in your planning and in understanding the limits for planting or processing hemp that are set by federal and state laws and the General Permit.

Submit your application as soon as you have all your documentation in place. Should the review of your application disclose missing information and result in its return, you will have 30 days to correct the deficiency and resubmit the application or the missing components. **Incomplete applications will be returned.**

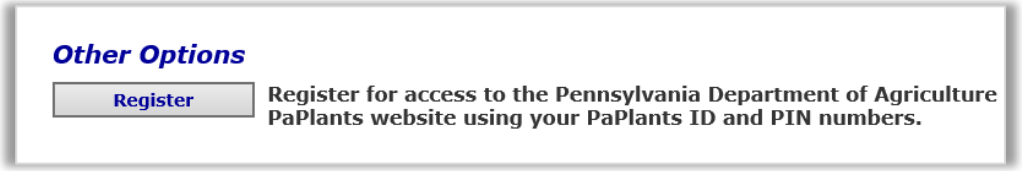
Please ensure that all information is legible. It is recommended that you use the PDF fillable form or type the information. Be sure to keep a copy of your application and all supporting documents for your records.

Application/Permitting Timeline:

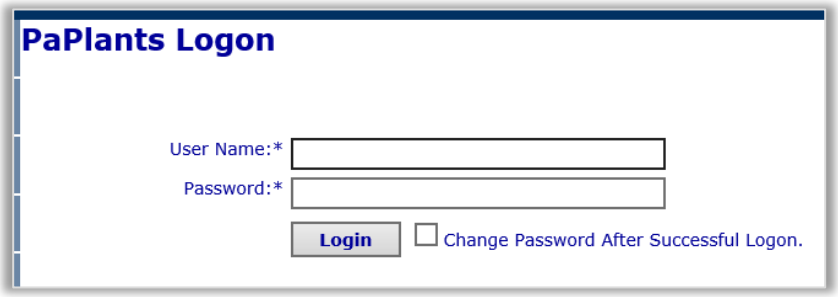
- **Applications for permits will be accepted throughout the year. *(Each permit year opens October 1st.)***
- **Hemp permits may be renewed for a period of nine months after a permit's expiration date *(until September 30th).***
- **Hemp permits from the previous year will expire on December 31st.**
- **We expect to process applications in the order they are received.**
- **We recommend submitting applications at least one month prior to the date you wish to begin conducting hemp activity as specified in the PA Hemp General Permit.**

Online Application Submission:

- The online application submission option through the Department's PA Plants website opens October 1st. Applicants are able to enter their permit information and upload accompanying documents for submission on PA Plants, as well as pay by credit card.
- The first step is to make sure you have all of the details requested on the PDF application as this will all be asked for in the online application. Then scan and save the additional documents needed for the application [IdentoGO Receipts; photographic property map, signed access agreement (if renting), and possibly the exemption request form (page 8 of this document)] to your computer or device.
- Next, visit the PaPlants Logon page (https://www.paplants.pa.gov/SecurityLogin.aspx). Once there, you'll use one of three options:
    - If you have not yet used the PA Plants system, but have previously had a hemp permit, then you will need to contact RA-AGPLHEMP@pa.gov to request your PA Plants ID and Pin number. On the PA Plants Logon page, you'll click the 'Register' button (see image that follows), enter your business or personal information, follow directions to create a Username and Password and then renew your permit location(s).



- If you have previously used PA Plants to apply for a hemp permit, then you can log on with your existing username and password at the top of the page.



  - *If you have forgotten your previous password, there is a 'Forgot Password' button on the page where you can retrieve your password.*
- If you are a new user to PA Plants and you did not previously have a hemp permit, you can sign-up by clicking on the 'New License or Registration' button and follow the instructions.

Application Section Instructions:

Section 1) Contact Information, Page 1*: Information that will appear on your permit and that the Hemp Program will use to contact you throughout the season. This information may also be available publicly on the PDA website.*

- *Business name* - If the application is being made by a corporation, LLC, or other legal partnership, list the registered name on the first line. You must include your Employer Identification Number (EIN).
  - If you are applying as an individual, just give your name. (No EIN number is required.)
- The "*Applicant*" will be the main contact person for the department to correspond with and may be the person in control of the cultivation or processing of the hemp.
- If you are a previous hemp permit holder, please list the previous year's hemp permit ID numbers.
- *Mailing Address* - Can be different than the growing location.
- More than one *Email address* can be entered and is one way the department can quickly reach out to growers, but an email is not required.
- *Website* – If there is a website that your company conducts business through, please share this. Please enter the full browser address (EX. https://genericweb.org). This is an optional entry.
- *Secondary Phone number* - This may be a cell phone or number of an alternate contact. It is highly recommended but is not required.

Section 2) Disclosure of Criminal Convictions, Pages 1 & 2:

- FBI criminal background checks are required for new applicants listed in Section 1.

- If you meet the definition of a business, a background check is required for all new additional Key Participants you identify and list here in Section 2.
- ***Key Participants*** are defined by the USDA Final Rule on Hemp as a person or persons who have a direct or indirect financial interest in the entity producing or processing hemp, such as an owner or partner in a partnership. A key participant also includes persons in a corporate entity at executive levels including chief executive officer, chief operating officer and chief financial officer. This does not include such management personnel as farm, field, or shift managers.
- **Background checks are good for 3 years.** If the applicant or key participants completed a background check for the 2026 Hemp Permit Application, that background check will be good for the 2027 and 2028 permit applications, **as long as they've been a permit holder or key participant continuously for the 3 seasons**.
- At the time of the application, you must submit a receipt from IdentoGO attached to the application for every new key participant named on the application showing the background check has been completed or scheduled.
- The background check for new permits and new key participants must be done **no more than 60 days prior to the application date**, per USDA's Final Rule.
- The only FBI background clearance reports accepted by the Department are provided directly to the department by IdentoGO. Use the following directions to register for an IdentoGO appointment:

  Applicants must use the IdentoGO Fingerprint Service (managed by IDEMIA). Appointments can be scheduled at *https://uenroll.identogo.com* or by phone at 844-321-2101. A listing of IdentoGO service locations by zip code can be found at *https://uenroll.identogo.com/workflows/1KG8NN/locator/location*. Because of unpredictable wait times, it is highly recommended to schedule an appointment rather than walking in to service centers.

  Registration will require the following service information unique for the Industrial Hemp Program (not to be used for other purposes):
  Service Code: **1KG8NN**
  Service Name**: Hemp Grower**

- Background checks which were done for other programs' requirements, such as a child abuse clearance, cannot be accepted.
- You will not receive a report from IdentoGO; the results are transmitted directly online to only limited Hemp Program staff.
  - *Note: Federal privacy restrictions do not allow PDA to release any information received from the FBI, even to the applicant.*
- Persons will be classified as "Qualified" or "Not Qualified" for program participation. Persons who are "not qualified" must be removed from the project and may not participate at any level.
  - The 2018 U.S. Farm Bill and USDA Final Rule state that key participants cannot have a felony drug charge within the past 10 years.
- It can take some time for background checks to be completed and for reports to be made available to PDA. To avoid having your application rejected because of reports being received after the deadline, go early (but not more than 60 days prior to submitting your application) and attach a copy of your receipt or scheduled appointment with your application for all persons listed.
- Before final approval of an application and issuance of a permit, PDA must have received an acceptable response to the FBI criminal history background check.
  - Key Participants can be requested to be added to the project after the application is submitted. If qualified, they can be added to the project at any time.
- **Who may not need an FBI background clearance?** Examples: Family members of the landowner or permit holder, paid laborers, neighbors helping out, outside repair contractors called to fix an irrigation pump, or persons working at the location that have no financial benefit from the sale of the hemp.

Section 3) Storage Locations, Page 2:

- If hemp seed or harvested hemp materials will be stored at a property which is different from the locations which will be permitted for growing or processing, please list the complete information for storage locations which you are aware of at this time.
- Permit information can be amended after a permit is issued to add storage locations by submission of a Permit Change form.

Section 4) Permit Location Information, Pages 3 & 4:

I. Location Information: For the application, you will need to know at what physical address you intend to plant or process hemp and provide a GPS point for that address.

- GPS Point should be taken at the entrance to the property or at the main building at the location. If you need help finding the GPS point, you can use the directions on Page 7 of these instructions. The decimal degree format for the GPS point must be used. Example: 40.1234567 -77.543321.
- Each separate physical property address will require an individual permit. For example, if you own a farm at one address and lease a property down the road and plan to grow hemp at both locations, you will need to submit Permit Location Information (Pages 3 & 4) for each location.
    - Note: The permit is directly tied to a specific address. There can still be multiple fields or grow sites at the same address covered under one permit.
- A photographic property map **with grow sites or processing building outlined** must be provided for all locations.
- For land or facilities that are not owned by the applicant or business listed in Section 1, mark the "Leased Check box" and you must:
    1. Attach a completed signed Access Agreement granting the Department access to the property for 3-years following the termination of the permit. The Access Agreement template is available on Page 7 of these instructions or also available online at agriculture.pa.gov/hemp. **A new version for the upcoming year must be submitted for renewal applications**.
    2. Have prepared in your personal/business records a fully executed property lease (i.e. rental contract) issued to the business or applicant listed in Section 1, which the Department reserves the right to see if necessary.
        - A fully executed property lease may include (but not be limited to) the below listed items. [*Please be aware, these are recommendations, and not legal advice. It would be beneficial to consult an attorney regarding this matter*.]
            - Identified Landlord and Tenants - Every lease agreement must identify who the contract is between
            - Identified Property - House number, street, town, state, postal code and GPS coordinates
            - Type of Business – hemp growing, or processing
            - Terms of Lease - the dates the lease agreement is valid, exact date: day, month, and year, the lease begins and the exact date: day, month, and year, the lease ends.
            - Rent Amount and Due Date – amount of rent and when it is due
            - Security Deposit Terms
            - Tenant Responsibilities - Tenants have specific responsibilities under landlord tenant law to maintain the rental property.
            - Notification – Any changes made to the lease by the landlord or tenant are recommended to be in writing.
            - Landlord and Tenant Signatures – printed name, signature and dated

II. For a Growing Location:

- There are minimum plot sizes and plant numbers for each permit site.

  - For outdoor planting you must **plant** a minimum of 50 plants during the growing season, unless prior written approval is provided by the Department [*Refer to Page 9]*.
  - For indoor plantings you must **plant** a minimum of 1,000 square feet and 50 plants during the growing season, unless prior written approval is provided by the Department [*Refer to Page 9*].
- Hemp may not be grown, cultivated, propagated or planted in or within 200 feet of any structure that is used for residential purposes, unless prior written approval is provided by the Department [*Refer to Page 9*].
- Hemp may not be grown, planted, cultivated or propagated within 1,000 feet of a pre-kindergarten through 12th grade school property or a public recreational area, unless prior written approval is provided by the Department [*Refer to Page 9*].
- Hemp shall be physically segregated from other crops unless prior written approval is provided by the Department [*Refer to Page 9]*.
- No hemp growing location found within 3 miles of a PA Department of Health Medical Marijuana Grower/Processor will be approved. Links to the Phase 1, 2 & 3 Grower/Processor Location listings can be found at agriculture.pa.gov/hemp.
- Note: Applicants concerned about their crop being affected by pollen from other hemp varieties grown by permit holders located near their property can reference the interactive PA Hemp Map of Permittees, available online at agriculture.pa.gov/hemp, which is searchable by zip code and will include some Permit Holder contact information. Distance limits between hemp permit holders are not set by the Department, but may be a matter of discussion among neighbors.
- ***Outdoor Growing*** –
  - List the total tillable (or plantable) acreage of the property;
  - Estimate the size of your proposed hemp planting. We realize that this is an estimate and your planting may be smaller or larger than the amount listed on your application.
- ***Indoor Growing –***
  - List the total square footage of the facility.
  - Estimate the square footage of your proposed hemp planting. We realize that this is an estimate and your planting may be smaller or larger than the amount listed on your application.
  - Select the type of building used for your indoor growing.
  - Select the type of planting which will be done in the facility. Check all that apply.
- Use the Check box(s) to indicate the type of hemp you are planting.
- If you are planting for nursery stock sales or growing for seed, list the appropriate PDA licenses you hold.
- Note: Securing a processor contract is not a requirement for permit approval but is strongly advised as a best management practice.

III. Varieties:

- List only true variety names; farm codes or abbreviations will not be accepted.
- Be sure to check the list of Prohibited Varieties and Varieties of Concern, as these varieties have led to crop destruction in previous years. Applications listing a "Prohibited Variety" will not be approved and any planting of a Prohibited Variety will be considered a violation.
- Please include a company name as the source of the seed. Please note: Any company (whether out of state or in-state) selling seed into Pennsylvania, must have a PA Seed Dealers license.
- For the amount of seed to be purchased, please indicate whether it is the number of seeds or pounds of seed.
- The anticipated acreage or square footage is an estimate.
- Following planting you are required to submit specific planting locations for all planting sites for each permit by submitting a Planting Report. If after receiving your permit, changes need to be made to the varieties listed on the applications, they can be noted on the Planting Report.
- The more varieties, fields, lots or locations you plant, the more THC testing will be required at harvest.

IV. For a Processing Location:

- If more than one type of processing will occur at your facility, check all that apply.
- Hemp may not be processed in or within 200 feet of any structure that is used for residential purposes, unless prior written approval is provided by the Department [*Refer to Page 9*].

Section 5) Attestations:

- Read each of these carefully, they are very important. If you are unable to check each box, indicating your acceptance of each statement and ability to abide by the conditions, you need not submit your application. These are the terms of the Hemp General Permit. An incomplete Attestation section will cause a permit application to be rejected.
- Even if you are not Growing Hemp, selecting the box next to an "I attest that if growing hemp…" statement indicates your understanding of the terms of the General Permit and is expected. The same applies to someone not Processing Hemp, who should still be selecting the "I attest that if processing hemp…" statements.

General Information:

- If information provided on the application is illegible, your application will be returned.
- Please paper clip applications rather than stapling.
- If a check or money order payable to the "Commonwealth of PA" for the $150 new permit application or for the $50 renewal application is not attached, your application will not be reviewed and will be returned.
- You are encouraged to submit additional pages if necessary.
- We expect to process applications in the order they are received.
- Your signature on the application attests that you will follow the requirements and provisions of Pennsylvania's Hemp General Permit.
- If you have any questions that have not been addressed in the General Permit Guidelines or Frequently Asked Questions, please contact the PA Hemp Program by calling 223-666-2561 or emailing RA-AGPLHEMP@pa.gov.

ACCESS AGREEMENT

FOR THE PENNSYLVANIA DEPARTMENT OF AGRICULTURE

Land leasing/rental agreement addendum.

I _____, owner of the property located at _____
(Property owner full name) *(Address)*
_____, hereby grant employees of the Pennsylvania Department of Agriculture (Department) access to my property, land and facilities during normal business hours to inspect for the presence of hemp plants or plant parts associated with the growth, cultivation, propagation or processing of hemp on lands, premises or facilities owned by me and rented or leased to _____

_____,
(Permit holder full name and address)
holder of a Permit issued by the Department of Agriculture, for the growing, propagation and processing of Hemp.

The purpose of these inspections will be to determine the presence of any hemp plants or plant parts associated with the growth, cultivation, propagation or processing of hemp at this location. I understand that and hereby consent to the Department employees inspecting my property, land and facilities that are part of the lease or rental agreement and for a period of three (3) years following the termination of the use of these lands or facilities as a growing, cultivation, propagation or processing location for hemp.

I understand that any hemp plants found growing on my property following the end of the permitted project must be destroyed prior to flowering and hereby consent to such destruction. I am fully aware that allowing hemp plants to grow on or be processed in areas not covered by a current valid Permit issued by the Department of Agriculture is a violation of the Controlled Plants and Noxious Weeds Act (3 Pa. C.S.A. § 1501 et seq.) and subjects me to the penalties allowed thereunder. I also understand that the cost of destruction of any hemp plants or plant parts found will be the responsibility and at the expense of the lease holder or the landowner.

The terms of this lease or rental agreement addendum must be conveyed in any future leases or sales of this property, land or facilities thereon for a period of three (3) years from the termination of the permit issued by the Department of Agriculture allowing hemp to be grown, cultivated, propagated and processed at this location.

_____, _____ ____/____/_____
(Signature of Land/Facility Owner) *(Title)* *(Date)*

_____ _____
(Printed Name of Land/Facility Owner) *(Phone Number)*

_____, _____ ____/____/_____
(Signature of Land/Facility Leaser) *(Title)* *(Date)*

_____
(Printed Name of Land/Facility Leaser)

How to use Google maps for Hemp Permit Application Requirements:

To locate a GPS coordinate for the main farm/facility entrance:
Open Google maps: https://www.google.com, enter an address you are looking for in the Search box and click on the search icon. Click on the map image. Change the view of the map to "Satellite" view by clicking on the small box labelled "Satellite" in the lower left corner of the map. To find the GPS for the main entrance of the farm or facility, right click on the screen at the point considered the main entrance. From the menu that appears, select "What's here?". The GPS coordinate for that spot will appear in the box at the bottom of the screen. Record these coordinates.

To obtain GPS coordinates for the corners of the field:
Locate the field you are planning to plant Industrial hemp in and Right click on the corner of the field. Select "What's here?" from the Google menu. The GPS coordinate for that spot will appear in the box at the bottom of the screen – Record them and then move to the next corner and repeat the process for all relevant points around the field. You can use the Print Screen (by pressing the Control and Print Screen keys at the same time) option on your compute to save a picture of the map and then paste it into a word document to add more information and outline the field.

To calculate the area of the field:
Right click on the corner on the field and then select the "Measure Distance" tool from the box that appears. Following that, left click on the next corner of the field, then left click on the next corner and so on, around the perimeter of the field. This is a good time for a Print Screen as the field is now outlined for you. You can calculate the acreage by dividing the total area shown in the box at the bottom by 43,560 or use the Square Feet to Acreage conversion tool located at: https://www.google.com/search?q=square+feet+to+acres&rlz=1C1GCEA_enUS766US766&oq=square+fee&aqs=chrome.1.0l2j69i57j0l3.17663j0j7&sourceid=chrome&ie=UTF-8.

When printing the map, leave enough information surrounding the field on the map you print to provide reference points to the field, such as bordering roads and landmarks. See the example below. This information is required by the Controlled Plant and Noxious Weed Act and will be used to locate your fields.

Guidelines for Departmental approval of written requests for location exceptions:

(If requesting exemption, please submit a copy of this form as an attachment to your application.)

NOTE: The program is intended for commercial hemp production. Exceptions will not be granted if hemp is being grown strictly for personal use. Those interested in growing hemp on a smaller scale as part of a workforce development program, for soil remediation in an urban or suburban agriculture setting, or to pilot growing hemp for commercial production in an urban agriculture setting should review the below exception options and provide detailed justifications. It is recommended that applicants detail their plans to minimize potential odor nuisance and air quality issues if requesting an exemption to grow in or near a residential area or neighborhood.

Please check which exemption is requested and provide details:

☐ 1. Exceptions may be granted for properly secured or controlled research or demonstration projects, being done by or in partnership with an educational institution or educational organization.

_____

_____

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☐ 2. Exception may be granted for a commercial planting near a residence, if within an area zoned agricultural, or if the area has a history of agricultural use. Example: An isolated farmstead may be within 200 ft of a field – an exception could be granted for growing hemp in that field.

_____

_____

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_____

☐ 3. No exception will be made for a planting at a site within a neighborhood where multiple residences are within 200 feet of the planting, unless there is a compelling agricultural reason for using that site. Example: If hemp is being used for soil remediation of a future or current urban agriculture site, an exception for an industrial or residential property may be granted.

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☐ 4. Exceptions may be granted for highly secured areas, such as indoor planting or processing facilities, if environmental controls are sufficient to prevent malodor or other conditions of concern to the

community. This exception may also extend to a request for a smaller-scale commercial indoor project (less than 1,000 square feet), if the above environmental and security controls can be met.

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