

INDUSTRIAL HEMP LICENCE MANAGEMENT GUIDE

Guidance to Licence Holders under
the *Industrial Hemp Regulations*



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Canada



The *Cannabis Act*, section 62, establishes that an application for a licence or permit, or for its renewal or amendment, must be filed with the Minister of Health in the form and manner specified by the Minister and must include the information required by the Minister. This guide sets out the application process, including the form and manner, for the renewal and amendment of licences and permits. In accordance with the *Cannabis Act*, the Minister may also request any additional information that pertains to the information contained in an application and that is necessary to consider it. It is important to note that in the case where any information required to be submitted is not provided, the Minister may refuse to consider an application.

Health Canada is committed to protecting personal information as well as confidential business information that is under its control. Ensuring the confidentiality, integrity, and availability of information is essential to government decision making and the delivery of services and Health Canada recognizes that the protection of this information is an essential element in maintaining public trust in government. Health Canada has a systematic process in place to protect this information including the identification and categorization of information, implementation of appropriate privacy training for personnel and information technology safeguards consisting of restricting access, including the level of access, to information in the Cannabis Tracking and Licensing System (CTLS) to those who need access to perform their duties. There may be instances where personal and/or confidential business information contained in applications made to Health Canada may be disclosed, however only as required or permitted by law.

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Disclaimer: This document should be read in conjunction with relevant sections of the *Cannabis Act* and its Regulations. In the case of any discrepancies between this document and the *Cannabis Act* and its Regulations, the latter shall prevail. In cases of discrepancy between the Cannabis Tracking and Licensing System (CTLS) and the Regulations or guidance, the *Industrial Hemp Regulations* and this guide should be referred to for the established requirements and terminology.

Publication Date: September 6, 2019

Également disponible en français sous le titre: GUIDE DE GESTION DES LICENCES LIÉES AU CHANVRE INDUSTRIEL

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ISBN: To come

Cat.: To come

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1.0 Purpose

This document (the “Guide”) provides holders of an industrial hemp licence issued under the *Cannabis Act* and the *Industrial Hemp Regulations* with information on how to manage their licence, including amending and renewing the licence and applying for an import/export permit. This guide also outlines the notification and reporting requirements that must be fulfilled by licence holders.

2.0 Background

The *Cannabis Act* and its Regulations provide a licensing framework for the possession, production, distribution and sale of cannabis and industrial hemp, the latter of which is defined as a cannabis plant – or any part of the plant – in which the concentration of THC is 0.3% (weight by weight) or less in the flowering heads and leaves.

After a licence is issued, the licence holder is responsible to comply with all requirements set out in the *Cannabis Act* and its Regulations. Compliance with these requirements, including the reporting obligations, is considered by Health Canada when deciding on a licence expiry date. The *Industrial Hemp Regulations* set out the requirements for managing an industrial hemp licence, such as amending or renewing it. There are also notification and reporting requirements that a licence holder must fulfill to stay compliant and maintain their licence. This guide provides licence holders with information on how they can meet these requirements. Health Canada publishes other guidance documents and information on its website that may be used in conjunction with this document to help licence holders manage their licences and maintain compliance. For consistency and transparency, this guide, as well as other guidance documents and information, will be updated, as required, to reflect changes to policies and/or operations.

3.0 Scope

This document provides guidance to licence holders under the *Cannabis Act* and *Industrial Hemp Regulations* related to the following activities:

- Licence renewal
- Licence amendment
- Changes requiring notification to Health Canada
- Import and export permit applications and notification requirements
- Reporting requirements that include:
 - Reporting of THC test results for pedigreed seed growers and plant breeders
 - Notification of Cultivation
- Licence and permit refusals, suspensions and revocations

The following activities are not addressed in this guide:

- Applying for a licence under the *Industrial Hemp Regulations*. Refer to the [Industrial Hemp Application Guide](#) for more information
- THC testing requirements for industrial hemp derivatives to be exempt from *Cannabis Act*. Refer to section 2 of the *Industrial Hemp Regulations* for more information
- Viability testing requirement for non-viable grain. Refer to subsection 25(b) of the *Industrial Hemp Regulations* for more information
- Licence management activities for cannabis licences issued under the *Cannabis Regulations*

For more information on requirements associated with these activities, licence holders may refer to the *Cannabis Act* and its Regulations and additional guidance published on the [Health Canada website](#) or by contacting Health Canada as outlined in [section 10](#) of this guide.

4.0 Definitions and Abbreviations

4.1 Definitions

The *Cannabis Act* and its Regulations should be referred to for definitions. The definitions in this section are provided for greater clarity and ease of reference.

Amendment: A change related to the licence.

Approved cultivar: any variety of industrial hemp set out in the [List of Approved Cultivars](#) published by Health Canada.

Cannabis Tracking and Licensing System: The name of the national cannabis tracking system created under the authority of the *Cannabis Act*, established and maintained by Health Canada to track high-level movements of cannabis and help prevent diversion from and inversion into the regulated supply chain. It is also the system that applicants should use to apply to Health Canada for a new industrial hemp licence, as well as for the renewal and amendment of an existing industrial hemp licence.

Competent laboratory: A laboratory that is owned or operated by a holder of a licence for analytical testing issued under subsection 62(1) of the *Cannabis Act*, or a laboratory outside Canada that is recognized as a qualified laboratory, for the application of the United Nations' Single Convention on Narcotic Drugs, 1961 by the competent authority of the country in which it is located.

Grain: achene of industrial hemp that is not represented, sold, or used to grow a plant.

Industrial hemp: a cannabis plant – or any part of that plant – in which the concentration of THC is 0.3% (weight/weight) or less in the flowering heads and leaves.

Propagation: obtaining of industrial hemp by propagating it for the purpose of developing a new variety.

Seed: achene of industrial hemp that is represented, sold, or used to grow a plant.

4.2 Abbreviations

CBD: cannabidiol (a phytocannabinoid)

CTLS: Cannabis Tracking and Licensing System

THC: delta-9-tetrahydrocannabinol (a phytocannabinoid)

4.3 Icons

The following icons are used throughout this guide.



Important: Key or cautionary information.



Information: Potential differences in requirements.



Tip: Information that could be helpful.

5.0 Licence Renewal and Changes

Every licence issued by Health Canada contains a licence expiry date. A licence must be renewed before its expiry date if the licence holder wishes to continue to conduct the activities authorized by the licence.

Other than renewals, a licence holder may wish to make changes to their licence, such as changes to their mailing address, cultivation activities, and/or non-cultivation activities. Depending on the type of change, the licence holder will be required to either **notify** Health Canada within a set period, or in some cases, **amend** their licence. Further information regarding licence changes and their requirements is found in [section 5.2](#) of this guide.



Tip: Health Canada has established that the CTLS be the primary manner in which industrial hemp renewal and amendment applications are submitted. If the applicant does not have access to a computer or the internet, contact the Controlled Substances and Cannabis Branch at: 1-866-337-7705



Important: The issuance of an amended licence requires the licence holder to return the previous licence to Health Canada by mail at:

Industrial Hemp Unit
Controlled Substances and Cannabis Branch
Health Canada
AL 0300A
Ottawa ON K1A 0K9

5.1 Licence renewal

Licence renewal applications cannot be not be started in the CTLS until it is within the **last four months before the licence expiry date**.



Tip: It is recommended that the licence holder apply to renew their licence at least 3 months prior to its expiry date to allow Health Canada sufficient time to process the renewal application

To create a licence renewal application, log-in to the CTLS account and navigate to the “Licences” page where a list of industrial hemp licences that are associated with the CTLS account are displayed. An option to renew will appear next to the licence if it is within the last four months of the licence expiry date. Once selected, the “Renew” option will create a licence renewal application for the corresponding licence in the CTLS.



Important: The “Cancel” option beside each active licence in the CTLS is for requesting cancelation of the licence, not to withdraw the renewal application. To withdraw a renewal application, navigate to the “Licence Applications” page and select the “Delete” option beside the application.

Upon creation, the licence amendment application will be automatically completed with the information (except previously uploaded documents) that is currently on file in the CTLS. To edit the application, navigate to the “Licence Applications” page and select the “Edit” option beside the renewal application.

Before submitting the licence renewal application, review every page of the application as well as any uploaded documents – as one would a new licence application – to ensure that the information is correct and up-to-date. In addition to the licence renewal application, the applicant should also navigate to the “Account” page and review their personal information, or in case of a corporation, partnership, or cooperative, the information in the “Corporate Profile” page.



Important: If any of the government issued-photo IDs on file for the applicant, or in case of an organization, for the officers, directors, or partners has expired at the time of renewal, a new copy must be e-mailed to Health Canada at hc.hemp-chanvre.sc@canada.ca. The subject of the e-mail should clearly indicate licence renewal application number.

After reviewing the licence renewal application, personal information, and/or corporate profile, the applicant may wish to submit the application if there are no changes to be made. If any changes are made to the above, then the applicant is also required to submit a [Change Notification Form](#) as well as the supporting documents required for the changes. See [Table 1](#) and [Table 2](#) for lists of changes and their requirements. The form and the documents can be submitted to Health Canada at hc.hemp-chanvre.sc@canada.ca. Failure to provide the Change Notification Form or any of the required documents to Health Canada may result in rejection of the licence renewal application.



Important: The ownership of the licence may not be changed. **New** licence applications are required for new individuals or organizations who seek to obtain an industrial hemp licence. Licence renewal applications in which the licence ownership is changed will be refused.



Important: Only the account of the Responsible Person selected in the “Licence Ownership” page of the renewal application may submit the application. With respect to industrial hemp applications, the Responsible Person also holds the following responsibilities:

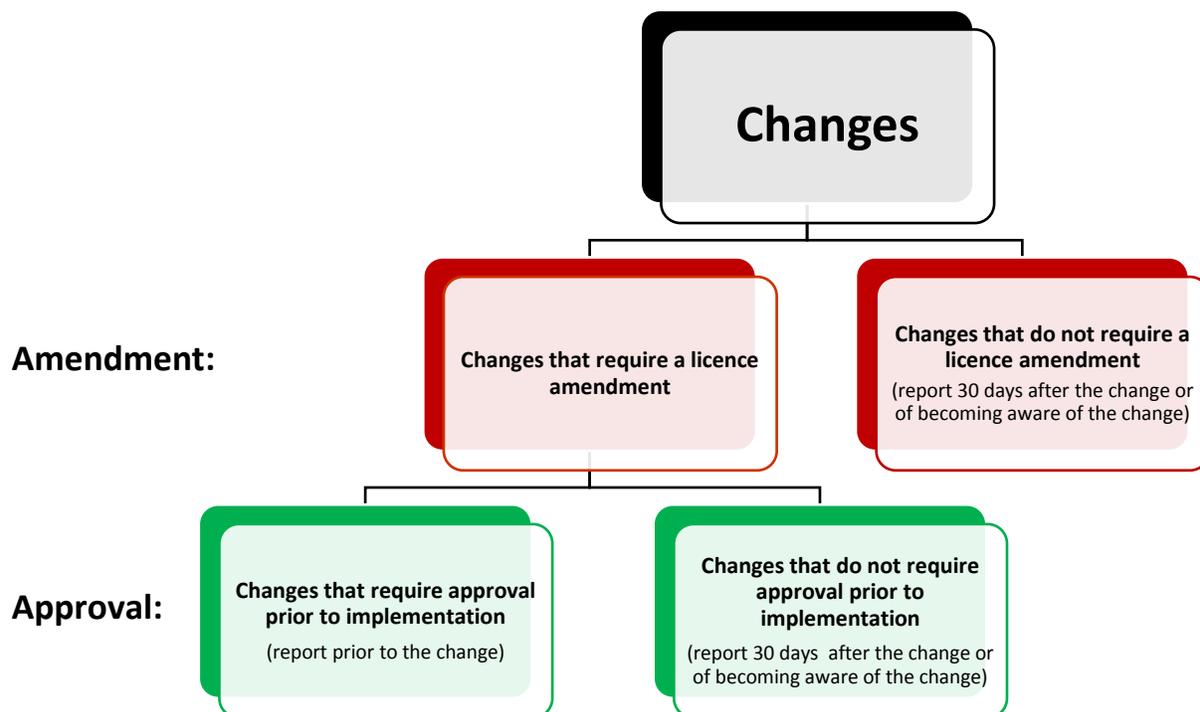
- Ensuring that the proposed personnel submitted as part of this application are familiar with the provisions of the *Cannabis Act* and its regulations that will apply to this licence.
- Ensuring that all of the information and documents submitted in support of the application are correct and complete.
- Having the authority to bind the applicant and overall responsibility of managing the activities to be conducted under the licence.

5.2 Changes

In the context of this guide, changes with regards to a licence are changes to the information displayed on that licence as well as any other information Health Canada has on file for that licence. The other information can be, for example, the information in an application and its supporting documents, the information in an applicant's account or corporate profile, or the information in a Notification of Cultivation ([see section 6](#)).

All changes must be reported to Health Canada through the [Change Notification Form](#) either **prior to the change, or within 30 days after the change or of becoming aware of the change**. This will depend on the type of change. Changes that need to be reported to Health Canada in advance are amendment requests that require Health Canada's approval before they can be implemented. Changes that do not require amendments to the licence or Health Canada's approval are to be reported within 30 days after the change or of becoming aware of the change. Figure 1 helps to visualize the different categories of changes while specific lists of changes and their timing of reporting can be found in [Table 1](#) and [Table 2](#).

Figure 1. Categories of changes



All changes require notification to Health Canada. For this notification, a [Change Notification Form](#) and the additional required documents should be submitted to Health Canada via e-mail at: hc.hemp-chanvre.sc@canada.ca. In addition to the notification, some changes also require the licence holder to change their information or amend their licence in CTLS. See [Table 1](#) and [Table 2](#) for the lists of changes and their requirements.



Information: If the proposed change is not listed in [Table 1](#) or [Table 2](#), contact hc.hemp-chanvre.sc@canada.ca for further information.



Important: Certain changes made to the personal or corporate information will also trigger an amendment or renewal application to be created in CTLS for each licence owned by that individual or organization. A warning box will appear in the CTLS when this occurs. However, if the individual or organization has already started an amendment or renewal application prior to this change, the system will not create a duplicate application.

5.2.1 Changes that require an amendment to the licence

In general, changes that require an amendment to the licence are changes that will modify information on the licence, such as the licence holder’s name or the activities authorized on the licence. Depending on the type of change, these changes may or may not be implemented before Health Canada approves the amendment. For example, the cessation of an authorized activity requires an amendment but does not require approval prior to the change. However, the addition of an activity must be approved by Health Canada through an amendment to the licence before the activity can be conducted by the licence holder. Refer to Table 1 below for a list of changes that require an amendment to a licence to see whether prior approval is required and what additional documents are necessary.

Table 1: Changes that require amendment

Type of Change	Approval prior to implementation?	Additional documents required	CTLS instructions
Change to the <u>name</u> of the licence holder (but not change in licence holder itself)	No	<p><u>Licence holder is an individual:</u> An updated copy of a valid government-issued photo ID that displays the new name of the licence holder.</p> <p><u>Licence holder is a an organization:</u> Evidence of name change (e.g. Certificate of Change of Name) filed with the federal or provincial government that states both the previous and the new name of the organization.</p>	<p><u>Licence holder is an individual:</u> Change the name in the “Account” page, under “Personal Information”.</p> <p><u>Licence holder is a an organization:</u> Change the legal name of organization in its corporate profile.</p>

Type of Change	Approval prior to implementation?	Additional documents required	CTLS instructions
Change to licence holder's mailing address	No	None	<p><u>For both individuals and organizations:</u></p> <p>Change the mailing address in the "Mailing Address" page of the amendment application.</p> <p><u>For organizations only:</u></p> <p>Also change the mailing address in the organization's corporate profile.</p>
Addition of activity	Yes	<p><u>Addition of cultivation:</u></p> <p>If the cultivation site is known – a Declaration of Land Ownership by Applicant or a Declaration of Landowner's Consent. If the cultivation site is unknown at the time of amendment – a written explanation stating that the cultivation site is unknown at the time of amendment.</p> <p>Note: licence holders who are authorized to cultivate industrial hemp are subject to additional reporting requirements outlined in section 6 and 7 of this guide.</p> <p><u>Addition of non-cultivation activity:</u> none</p>	<p><u>Addition of cultivation:</u></p> <p>In the "Site Details" page of the amendment application, change the answer to "Do you intend to cultivate Industrial Hemp?" to "Yes", select the purpose(s) of cultivation (variety name or number will be required for plant breeding), then click the "Save" button. Next, upload the declaration or written explanation in the "Site Ownership" page of the amendment application.</p> <p><u>Addition of non-cultivation activities:</u></p> <p>In the "Site Details" page of the amendment application, change the answer to "Do you intend to do activities other than cultivation with Industrial Hemp" to "Yes" if it was set to "No", click the "Save" button, then either add a new non-cultivation site and select the applicable activities, or edit an existing non-cultivation site and select additional activities.</p>
Cessation of authorized activity	No	<p><u>Cessation of cultivation:</u></p> <p>None</p> <p><u>Cessation of non-cultivation activities:</u></p> <p>A written explanation is required in the case of cessation of ALL non-cultivation activities.</p>	<p><u>Cessation of cultivation:</u></p> <p>In the "Site Details" page of the amendment application, change the answer to "Do you intend to cultivate Industrial Hemp?" to "No", then click the "Save" button.</p> <p><u>Cessation of non-cultivation activities:</u></p> <p>In the "Site Details" page of the amendment application, edit an existing non-cultivation site and de-</p>

Type of Change	Approval prior to implementation?	Additional documents required	CTLS instructions
			<p>select the activities to be ceased.</p> <p>Note: if ceasing to conduct all non-cultivation activities, delete all non-cultivation site(s) and change the answer to “Do you intend to do activities other than cultivation with Industrial Hemp” to “No” and click the “Save” button.</p>
Change to existing non-cultivation activity	Yes	None	<p>In the “Site Details” page of the amendment application, edit the non-cultivation site, and modify the information where applicable.</p> <p>Note: if a change is to be made to the production of a derivative and/or product (e.g. change of method or final product), the description of production activity should be modified to reflect the change.</p>
Change to cultivation purpose and/or plant breeding variety name or number	Yes	None	<p>In the “Site Details” page of the amendment application, modify the purpose(s) of cultivation and/or the variety name or number (if plant breeding) where applicable.</p>
Change to Responsible Person	No	If not already submitted, a copy of a valid government-issued photo ID that displays the name and date of birth of the new Responsible Person.	<p>An amendment application indicating the new Responsible Person must be submitted in the CTLS. The new Responsible Person must have an activated CTLS account before they can be added to the licence holder’s file.</p> <p>Note: Responsible Person must have authority to bind the organization. The name, date of birth, and position of the new Responsible Person must be included in the Change Notification Form to be submitted to Health Canada.</p>

Changes that require prior approval before implementation should be submitted to Health Canada through a licence amendment application in the CTLS. To do this, log-in to the CTLS account and navigate to the “Licences” page where a list of industrial hemp licences that are associated with the CTLS account are displayed. An option to amend will appear next to the

licence if it is NOT within the last four months of its expiry date. Once selected, the “Amend” option will create a licence amendment application for the corresponding licence in the CTLS.



Important: A licence amendment application cannot be started in the CTLS if the licence will expire in the next four months. In this case, a licence renewal application should be created instead (see section 5.1 of this guide).



Important: The “Cancel” option beside each active licence in the CTLS is for requesting cancelation of the licence, not to withdraw the amendment application. To withdraw an amendment application, navigate to the “Licence Applications” page and select the “Delete” option beside the application.

Upon creation, the licence amendment application will be automatically completed with the information (except previously uploaded documents) that is currently on file in the CTLS. To make the proposed change, navigate to the “Licence Applications” page and select the “Edit” option beside the amendment application. In addition to the application, the applicant should also navigate to the “Account” page and modify their personal information, or in case of a corporation, partnership, or cooperative, the information in the “Corporate Profiles” page, if needed.



Important: Amendments to add certain activities will incur additional requirements, which if not met, may result in revocation of the licence under subsection 7(1) of the *Industrial Hemp Regulations*. These activities include:

- **Seed production:** must be a member of the Canadian Seed Growers’ Association and adhere to their requirements for pedigreed seed production
- **Seed preparation (conditioning):** the establishment at which seed will be imported has a valid Certification of Registration as an Approved Conditioner issued under Part IV of the *Seeds Regulations*.
- **Plant breeding/propagation:** must be recognized by the Canadian Seed Growers’ Association as a plant breeder.

Licence holders who wish to amend their licence for the addition of these activities are required to attest that they meet these requirements before submitting the application.

Before submitting the licence amendment application in the CTLS, review every page of the application as well as any uploaded documents – as one would a new licence application – to ensure that the information is correct and up-to-date.



Important: If any of the government issued-photo IDs on file for the applicant, or in case of an organization, for the officers, directors, or partners has expired at the time of amendment, a new one must be e-mailed to Health Canada at hc.hemp-chanvre.sc@canada.ca. The subject of the e-mail should clearly indicate licence amendment application number.

After reviewing the licence amendment application, personal information, and/or corporate profile in the CTLS, the applicant may wish to submit the application if there are no further changes to be made. In addition to the licence amendment application, the applicant is also required to submit a [Change Notification Form](#) as well as any other documents required for the changes. See [Table 1](#) for a list of changes and their requirements. The form and the documents can be submitted to Health Canada at hc.hemp-chanvre.sc@canada.ca. Failure to provide the Change Notification Form or any of the required documents to Health Canada with the amendment application may result in refusal of the application.



Important: The ownership of the licence may not be changed. New licence applications are required for new individuals or organizations who seek to obtain an industrial hemp licence. Licence renewal applications in which the licence ownership is changed will be rejected.



Important: Only the account of the Responsible Person selected in the “Licence Ownership” page of the renewal application may submit the application. With respect to industrial hemp applications, the Responsible Person also holds the following responsibilities:

- Ensuring that the proposed personnel submitted as part of this application are familiar with the provisions of the *Cannabis Act* and its regulations that will apply to this licence.
- Ensuring that all of the information and documents submitted in support of the application are correct and complete.
- Having the authority to bind the applicant and overall responsibility of managing the activities to be conducted under the licence.

5.2.2 Changes that do not require an amendment to a licence

In most cases, changes that do not require an amendment to a licence are changes to information that does not appear on a licence. These can be, for example, changes to the telephone number or e-mail address of the licence holder, or the address of the record keeping site.

Unlike some of the changes that require an amendment to the licence, the licence holder may implement these changes without prior approval. However, the licence holder must notify Health Canada within 30 days after the change or of becoming aware of the change by completing and submitting the [Change Notification Form](#) and any required documents to hc.hemp-chanvre.sc@canada.ca. The subject of the e-mail should clearly indicate the corresponding licence number. Table 2 below provides a list of those changes and their requirements.

Table 2: Changes that do not require amendment

Type of Change	Approval prior to implementation?	Additional documents required	CTLS instructions
Licence holder is an individual			
Change to licence holder's contact information (phone or e-mail)	No	None	Change the phone number and/or e-mail address in the "Account" page, under "Personal Information".
Licence holder is a corporation/partnership/cooperative			
Change to Responsible Person's contact information	No	None	Change the phone number and/or e-mail address in the "Account" page, under "Personal Information".
Change to personnel information (officers, directors, or partners)	No	<p><u>Departure of personnel:</u> None</p> <p><u>Addition or replacement of personnel:</u> A copy of a valid government-issued photo ID that displays the name and date of birth of the new personnel.</p> <p><u>Change of personnel name:</u> An updated copy of a valid government-issued photo ID that displays the new name and date of birth of the personnel.</p>	<p>Change the personnel information in the "Personnel" section of the organization's corporate profile.</p> <p>Note: any new personnel must register for a CTLS account and have their account activated before they can be added to the corporate profile (requires their CTLS account ID).</p>
Changes common to both individuals and organizations			
Change to other cultivation information including: a) cultivation site address and GPS coordinates,	No	Notification of Cultivation form containing the most up-to-date information (see section 6 of the Guide)	No changes required in the CTLS. Note: details of the change should be included in the Change Notification Form to be

Type of Change	Approval prior to implementation?	Additional documents required	CTLS instructions
b) variety of industrial hemp, c) number of hectares cultivated for each form of industrial hemp, or d) change in ownership of the land used for cultivation.		<u>Land ownership change:</u> A Declaration of Land Ownership by Applicant or a new Declaration of Landowner's Consent .	submitted to Health Canada.
Change to record keeping site	No	None	Health Canada will make this change in the CTLS. Note: full address of the new record keeping site (no PO boxes) should be included in the Change Notification Form to be submitted to Health Canada.



Important: If the addition, departure, or replacement of a partner dissolves the partnership, the industrial hemp licence held by the said partnership will be revoked as per paragraph 7(1)(c) of the *Industrial Hemp Regulations* and not transferred to the new partnership, if created by this change. To obtain an industrial hemp licence, the new partnership will need to submit a new licence application.

5.3 Requests for more information and refusal to issue

In accordance with s. 62(5) of the *Cannabis Act*, Health Canada may ask a licence holder to submit additional information related to the application for renewal or amendment that is necessary for the Health Canada to consider the application. This is sent as a Request for More Information.

Health Canada may refuse to consider an application for renewal or amendment if any of the required information is not provided. In addition, Health Canada may refuse to issue a renewal or amendment under a number of circumstances set out in s. 62(7) of the *Cannabis Act*. These include:

- The renewal or amendment is likely to create a risk to public health or public safety including the risk of diversion
- There are reasonable grounds to believe that false or misleading information has been submitted
- The applicant has contravened in the past 10 years the *Cannabis Act*, the *Controlled Drugs and Substances Act*, the *Food and Drugs Act* or any associated regulations, including an order or a condition of another licence

- The applicant is a young person, an individual who is not ordinarily a resident in Canada or an organization that was incorporated, formed or otherwise organized outside of Canada.
- The Minister is of the opinion that refusal is in the public interest

In these cases, Health Canada may send an “Intent to Refuse” notice, either to refuse to consider an amendment or renewal application, or to refuse to amend or renew a licence. The notice will generally provide the applicant with 30 days to respond, after which a “Notice of Refusal” will be issued if applicant fails to respond or if the response is unsatisfactory.

The “Notice of Refusal” closes the file and sets out the reasons or deficiencies that resulted in the decision to refuse to consider the application, or to refuse to amend or renew a licence. A decision to refuse an application does not preclude the filing of a new application for a licence. If the applicant wishes to submit a new application in the future, it will be processed as a new application. Information or data submitted to support the original application will not be returned to the applicant.

At any time during the processing of an amendment or renewal application, the applicant may withdraw the application in the CTLS. Withdrawal of an application does not preclude re-filing. If the applicant wishes to resubmit an application at a future time, it will be processed as a new application. Information or data submitted to support the original application will not be returned to the applicant.

6.0 Notification of Cultivation

A person who holds a licence to cultivate industrial hemp is required as per subsection 27(1) of the *Industrial Hemp Regulations* to notify Health Canada within **30 days** after seeding the following information (for each seeded area):

- The variety of industrial hemp cultivated
- the number of hectares to be cultivated for each form (purpose) of industrial hemp set out in the licence;
- the Global Positioning System (GPS) coordinates of each cultivation site;
- if any part of the site is to be cultivated for seed (pedigreed seed), the Global Positioning System coordinates of that part of the site; and
- if not already provided, a declaration that the holder of the licence is the owner of the land to be used for the cultivation or a declaration signed and dated by the owner of the land, indicating that they consent to that use.

This must be done through the [Notification of Cultivation Form](#) which is to be completed and submitted to Health Canada via e-mail at hc.hemp-chanvre.sc@canada.ca.



Important: Any changes to the cultivation activities set out on the licence or the information listed above must be notified to Health Canada within 30 days after the change or of becoming aware of the change through the [Change Notification Form](#). Depending on the type of change, an amendment may also be necessary. See [section 5.2](#) of this guide for more information.

7.0 THC Testing

THC testing is an important aspect of the industrial hemp regulatory framework that allows Health Canada to monitor the THC content of industrial hemp varieties and ensure that seeds produced by industrial hemp licence holders will consistently produce plants containing acceptable THC levels.

Under the *Industrial Hemp Regulations*, licence holders who are authorized to cultivate industrial hemp for the purpose of seed production must have a representative sample of the flowering heads and leaves of the plant collected, dried, and tested for THC concentration at a competent laboratory using validated test methods. THC testing is also required for propagation/plant breeding and the inclusion of an industrial hemp variety on the List of Approved Cultivars. No varieties are exempt from the THC testing requirements.



Important: In cases where licence holders who were authorized to cultivate industrial hemp for the purpose of seed production or propagation/plant breeding did not conduct the activity or intend to cease the activity, they must notify Health Canada within 30 days after the cessation of activity or the decision to do so. See [Section 5.2](#) of his guide for more information on how to notify Health Canada on changes to activity.

Each year, the industrial hemp THC testing data will be used by Health Canada to evaluate the performance of varieties that are on the [List of Approved Cultivars](#) (LOAC) under Canadian growing conditions, as well as to assess the eligibility of new varieties to be included on the LOAC.

In order to ensure consistent information collection from all licence holders and facilitate Health Canada's review of THC test results, licence holders must submit their test results to Health Canada within 15 days after receiving the result using the [THC Test Result Report Form](#). The test results should be accompanied by a copy of the laboratory report received from the competent laboratory and submitted via e-mail to hc.hemp-chanvre.sc@canada.ca.

The original of the laboratory report is to be held at the place in Canada where the licence holder keeps the records, books, electronic data or other documents that are required by the *Industrial Hemp Regulations*.

8.0 Import/Export Permits

The *Industrial Hemp Regulations* authorize the importation and exportation of only industrial hemp grain (viable) or seed under paragraph 3(1)(b). This is because certain parts of the industrial hemp plant are not controlled under the *Cannabis Act* and therefore do not require an industrial hemp licence or a permit to be imported/exported. These plant parts are listed in [Schedule 2](#) of the *Cannabis Act*, which include the following:

1. A non-viable seed of a cannabis plant
2. A mature stalk, without any leaf, flower, seed or branch, of such a plant
3. Fibre derived from a stalk referred to in item 2
4. The root or any part of the root of such a plant

Other controlled parts of the plant, such as the flowering heads, leaves and branches, can only be imported or exported by a licence holder under the *Cannabis Regulations* as “cannabis” and only for medical or scientific purposes.

Tip: With the passage of the *Agricultural Improvement Act of 2018* in the United States, **Health Canada no longer requires an import permit from the U.S. authority** before issuing an export permit for hemp seeds or grain going to the U.S. Instead, hemp seeds or grain can be imported into the United States from Canada if each shipment is accompanied by either:



1. a [phytosanitary certification](#) from Canada’s national plant protection organization to verify the origin of the seed and confirm that no plant pests are detected; or
2. a [Federal Seed Analysis Certificate](#) (SAC, [PPQ Form 925](#)) for hemp seeds grown in Canada.

When exporting hemp seeds or grain to the U.S., it is the responsibility of the industrial hemp licence holder to ensure that each of their shipments is accompanied by the appropriate above-mentioned document.

8.1 Requirements

In addition to holding an industrial hemp licence that authorizes the importation or exportation of seed or grain, a holder of a licence must obtain an import or export permit for each shipment that is imported or exported. The Industrial Hemp [Import Application Form](#) or [Export Permit Application Form](#) must be completed and submitted via e-mail to HC.import-export-cannabis-importation-exportation.SC@canada.ca for this purpose. Applicants for an industrial hemp import or export permit must hold a valid industrial hemp licence that authorizes that activity.



Important: Pursuant to section 18 of the *Industrial Hemp Regulations*, an importer of seed or grain must also ensure that each shipment is accompanied by a document, if required, issued by the responsible authority of the country of exportation, that establishes that the seed or grain is industrial hemp and that it originated from that country.

8.1.1 Importation of seeds

Pursuant to section 16 of the *Industrial Hemp Regulations*, an importer of seed must import only seed of **pedigreed status** that is of an **approved cultivar** (see [List of Approved Cultivars](#)) and is recognized under the Organisation for Economic Co-operation and Development Seed Schemes or by the Association of Official Seed Certifying Agencies. In the case of a plant breeder, the seed to be imported must be of a variety of industrial hemp that is set out in their licence, or the germplasm whose name or number is set out in their licence.

8.1.2 Importation of grain

Pursuant to section 17 of the *Industrial Hemp Regulations*, an importer of grain must import only grain from a country that participates in the Organisation for Economic Co-operation and Development Seed Schemes or a country that has an agency that is a member of the Association of Official Seed Certifying Agencies.

8.1.3 Importation and exportation of derivatives and products made from those derivatives

The importation or exportation of derivatives of industrial hemp grain (e.g. hemp seed oil) or products made from those derivatives are **exempt from the *Cannabis Act*** if the THC concentration of a representative sample from each lot or batch of the derivative or product is 10 µg/g THC or less when tested at a competent laboratory using a validated test method and the shipment is accompanied by a **certificate of analysis** from a competent laboratory in the country of origin of the derivative or product that sets out the THC concentration in µg/g in the samples. Derivatives or products that contain more than 10 µg/g THC will require a cannabis licence to be imported or exported.



Important: In the *Industrial Hemp Regulations*, a “derivative” is defined under subsection 2(3) as a product that is made by **processing only the grain** of industrial hemp. This means that importation and exportation of derivatives that are made from other parts of industrial hemp that are not found on [Schedule 2](#) of the *Cannabis Act* are not exempt from the Act regardless of their THC content. These derivatives include derivatives from the flowering heads, leaves and branches (e.g. CBD and CBD oil) and require a cannabis licence as well as a permit to be imported and exported (only for medical or scientific purposes). See the [Cannabis Licensing](#)

[Application Guide](#) and the [Cannabis Licence Management Guide](#) for more information on the requirements to obtain a cannabis licence and an import or export permit for cannabis.

8.2 Notification of shipment

An importer or exporter of seed or grain must provide a copy of the import or export permit to the **customs office** at the time of import or export.

Within 20 days after the release of a shipment of seed or grain in Canada or after the exportation of a shipment of seed or grain, the importer or exporter must provide Health Canada with the information outlined in section 20 (for importation) and section 23 (for exportation) of the *Industrial Hemp Regulations* using the [Industrial Hemp Shipment Detail Notification Form](#) . Once completed, the form can be submitted via e-mailed to HC.import-export-cannabis-importation-exportation.SC@canada.ca. The subject line of the email and the file name should clearly indicate Import/Export Notification of Shipment and the permit number.



Tip: Health Canada may provide information in the import or export permit application and/or regarding the permit and its status (i.e. if suspended or revoked) to a customs officer to verify compliance with the *Industrial Hemp Regulations*.

8.3 Refusal to issue an import or export permit

Health Canada may refuse to consider an application for an import or export permit if the required information is not provided.

In addition, Health Canada may refuse to issue an import or export permit under a number of circumstances set out in subsection 62(7) of the *Cannabis Act* and also outlined in [section 5.3](#) of this guide. Health Canada may also refuse to issue an import or export permit if the applicant does not hold a licence that authorizes importation or exportation respectively.

In these cases, Health Canada may send an “Intent to Refuse” notice, either to refuse to consider an application, or to refuse to issue a permit. The notice will generally provide the applicant with 30 days to respond, after which a “Notice of Refusal” will be issued if applicant fails to respond or if the response is unsatisfactory.

The “Notice of Refusal” closes the file and sets out the reasons or deficiencies that resulted in the decision to refuse to consider the application, or to refuse to issue a licence. A decision to refuse an application does not preclude the filing of a new application for a licence. If the applicant wishes to submit a new application in the future, it will be processed as a new

application. Information or data submitted to support the original application will not be returned to the applicant.

At any time during the processing of an import or export permit application, the applicant may withdraw the application via e-mail at HC.import-export-cannabis-importation-exportation.SC@canada.ca. Withdrawal of an application does not preclude re-filing. If the applicant wishes to resubmit an application at a future time, it will be processed as a new application. Information or data submitted to support the original application will not be returned to the applicant.

9.0 Licence Suspension and Revocation

9.1 Suspension of a licence or permit

Health Canada may suspend a licence or permit under subsection 64(1) of the *Cannabis Act* if Health Canada has reasonable grounds to believe that the suspension is necessary to protect public health or public safety, including preventing cannabis from being diverted to an illicit market or activity.

In the case where Health Canada intends to suspend a licence or permit, a “Notice of Suspension” that sets out the reasons for the suspension will be issued. The suspension takes effect immediately.

Licence and permit holders may be heard by providing Health Canada with reasons why they believe the suspension is unfounded within 10 days of receipt of the notice. This must be emailed to hc.hemp-chanvre.sc@canada.ca (for licences) or HC.import-export-cannabis-importation-exportation.SC@canada.ca (for permits). If the reasons for the suspension no longer exist or the licence holder provides sufficient information and evidence that might demonstrate that the suspension was unfounded, Health Canada may reinstate the licence or permit.

9.2 Revocation of a licence or permit

Health Canada may revoke a licence or permit under a number of circumstances set out in section 65 of the *Cannabis Act*. These include if:

- there are reasonable grounds to believe that it was issued on the basis of false or misleading information or false or falsified documents submitted in, or in support of, the application
- The applicant has contravened in the past 10 years the *Cannabis Act*, the *Controlled Drugs and Substances Act*, the *Food and Drugs Act* or any associated regulations, including an order or a condition of another licence
- information received from a peace officer, a competent authority or an international organization of states or any of its institutions raises reasonable grounds to believe that its holder has been involved in the diversion of cannabis, or of any *controlled substance*

or *precursor* as those terms are defined in subsection 2(1) of the *Controlled Drugs and Substances Act*, to an illicit market or activity

- the holder is an individual who has, since its issuance, ceased to be ordinarily resident in Canada
- the Minister is of the opinion that it is in the public interest to revoke it

Other circumstances for the revocation of a licence are set out in subsection 7(1) of the *Industrial Hemp Regulations* and are the following:

- the holder of the licence has requested, in writing, the revocation
- the holder of the licence has changed their name
- in the case of a partnership, a partner has been added, has departed, or has been replaced
- the address of the place where the activity is authorized, with the exception of the cultivation site, has changed
- the holder of the licence has sowed seed that is not of pedigreed status or of an approved cultivar for purposes other than propagation
- the holder of a licence that authorizes propagation is no longer a plant breeder
- in the case of a holder of a licence that authorizes the obtaining of seed by preparing it, the registration referred to in Part IV of the *Seeds Regulations* has been cancelled

An import or export permit can also be revoked if:

- the licence that authorizes the importation or exportation has been revoked
- the permit that has been suspended is not reinstated because the reasons for the suspension still exist or the permit holder has not provided sufficient information or evidence that might demonstrate to Health Canada that the suspension is unfounded

In the case where Health Canada proposes to revoke a licence or permit, Health Canada will send a notice in writing that includes the reasons for the proposed revocation and provides the licence or permit holder with an opportunity to be heard.

10.0 Contact Us

Applicants who have questions about their submitted industrial hemp licence amendment or renewal applications may contact the Industrial Hemp Unit via e-mail at hc.hemp-chanvre.sc@canada.ca. The subject line of the email must contain the application ID, the licence number, and the subject of correspondence.

For specific questions related to a specific import or export permit, or to an import or export permit application, e-mail HC.import-export-cannabis-importation-exportation.SC@canada.ca and indicate the applicant name, the related licence number or the permit number (if applicable), and the subject of the correspondence in the subject line of the email.



For other general questions about the *Cannabis Act* and its Regulations, including those related to the CTLS but outside of a specific application, licence or permit, email cannabis@canada.ca or contact the Controlled Substances and Cannabis Branch by phone at 1-866-337-7705.

11.0 Feedback – Help Us Improve

Health Canada is committed to providing all stakeholders with timely, accurate and reliable information. This includes providing applicants and licence holders with the information they need to comply with the *Cannabis Act* and its Regulations.

We would appreciate receiving your feedback on whether this guide was useful, and we welcome your suggestions for improvement. Email your feedback to us at hc.hemp-chanvre.sc@canada.ca and indicate in the subject line: “Feedback on Industrial Hemp Licence Management Guide”.

Your comments will help us improve this guide and better serve all applicants and licence holders.

Appendix A: Change Notification Form

This form can be submitted to Health Canada via e-mail at: hc.hemp-chanvre.sc@canada.ca.

SECTION 1: Administrative information	
Name of licence holder:	Licence number:
Phone number:	E-mail:

SECTION 2: List of changes	
Select all that apply:	
<p>Changes that require a licence amendment</p>	<p>Require prior approval:</p> <p><input type="checkbox"/> Addition of activity</p> <p><input type="checkbox"/> Change to non-cultivation activity</p> <p><input type="checkbox"/> Change to cultivation purpose and/or plant breeding variety name or number</p> <p>Do not require prior approval:</p> <p><input type="checkbox"/> Change to the name of the licence holder</p> <p><input type="checkbox"/> Change to licence holder's mailing address</p> <p><input type="checkbox"/> Cessation of authorized activity</p> <p><input type="checkbox"/> Change to Responsible Person</p>
<p>Changes that do not require a licence amendment</p>	<p>Licence holder is an individual:</p> <p><input type="checkbox"/> Change to licence holder's contact information (phone or e-mail)</p> <p>Licence holder is a corporation/partnership/cooperative:</p> <p><input type="checkbox"/> Change to Responsible Person's contact information</p> <p><input type="checkbox"/> Change to personnel information (officers, directors, or partners)</p> <p style="padding-left: 40px;">In the case of a partnership, this change</p> <p style="padding-left: 80px;"><input type="checkbox"/> does not dissolve the current partnership</p> <p style="padding-left: 80px;"><input type="checkbox"/> dissolves the current partnership Effective date: _____</p> <p>Changes common to both individuals and organizations:</p> <p><input type="checkbox"/> Change to other cultivation information including:</p> <p style="padding-left: 40px;">a) cultivation site address and GPS coordinates,</p> <p style="padding-left: 40px;">b) variety of industrial hemp,</p>

Appendix B: Notification of Cultivation Form

Please submit additional pages of the Notification of Cultivation form for additional sites.

Notification of Cultivation		
Name of licence holder:		Licence number:
Legal land location or Physical address: City/Town: Province: Postal Code:		GPS coordinates for <u>cultivation site</u> and <u>part used for seed</u> (if applicable):
<input type="checkbox"/> Owned by licence holder ¹ <input type="checkbox"/> Owned by another ² (see footnotes for more information)		
Seeding date	Name of variety	Purpose & Acreage
YYYY-MM-DD	Variety #1:	<input type="checkbox"/> Pedigreed seed Acreage: <input type="checkbox"/> ac <input type="checkbox"/> ha
		<input type="checkbox"/> Viable grain Acreage: <input type="checkbox"/> ac <input type="checkbox"/> ha
		<input type="checkbox"/> Fibre Acreage: <input type="checkbox"/> ac <input type="checkbox"/> ha
		<input type="checkbox"/> Flowering heads, leaves and branches Acreage: <input type="checkbox"/> ac <input type="checkbox"/> ha
YYYY-MM-DD	Variety #2:	<input type="checkbox"/> Pedigreed seed Acreage: <input type="checkbox"/> ac <input type="checkbox"/> ha
		<input type="checkbox"/> Viable grain Acreage: <input type="checkbox"/> ac <input type="checkbox"/> ha
		<input type="checkbox"/> Fibre Acreage: <input type="checkbox"/> ac <input type="checkbox"/> ha
		<input type="checkbox"/> Flowering heads, leaves and branches Acreage: <input type="checkbox"/> ac <input type="checkbox"/> ha
YYYY-MM-DD	Variety #3:	<input type="checkbox"/> Pedigreed seed Acreage: <input type="checkbox"/> ac <input type="checkbox"/> ha
		<input type="checkbox"/> Viable grain Acreage: <input type="checkbox"/> ac <input type="checkbox"/> ha
		<input type="checkbox"/> Fibre Acreage: <input type="checkbox"/> ac <input type="checkbox"/> ha
		<input type="checkbox"/> Flowering heads, leaves and branches Acreage: <input type="checkbox"/> ac <input type="checkbox"/> ha
I hereby attest that: 1. All of the information in this notification and any attached documents are correct and complete to the best of my knowledge. 2. If this notification is submitted on behalf of a corporation, cooperative, or partnership, I, being one of its officers, directors, or partners, have the authority to bind the corporation, cooperative, or partnership.		
Licence holder signature:	Printed name:	Date:

¹ Requires the "[Declaration of Land Ownership by Applicant](#)" form if not already submitted.

² Requires the "[Declaration of Landowner's Consent](#)" form if not already submitted.

Appendix D: Application for a Permit to Import Industrial Hemp

This form should be used to apply for a permit to import industrial hemp under the *Industrial Hemp Regulations*. E-mail the completed form to HC.import-export-cannabis-importation-exportation.SC@canada.ca. The subject of the e-mail and the file name should indicate “Import Permit Application Form”.

Section 1: Licence holder information			
Name of licence holder:		Licence number:	
Licence holder mailing address:		City:	Province/Territory: Postal Code:

Section 2: Exporter details			
Name of exporter:		Street address:	
Country of export:	City:	Province:	Postal Code:

Section 2.1: Transit details	
Port of entry into Canada:	Each mode of transportation used:

Section 3: Shipment details

Industrial hemp form	Quantity (kg)	Variety/Germplasm name or number	THC concentration in the flowering heads and leaves (% weight/weight)

Section 4: Attestation

I hereby attest that:

4. All information and documents submitted in support of this application are correct and complete to the best of my knowledge.
5. If this permit application is submitted on behalf of a corporation, cooperative, or partnership, I, being one of its officers, directors, or partners, have the authority to bind the corporation, cooperative, or partnership.

Licence holder signature:

Printed name:

Date:

Appendix E: Application for a Permit to Export Industrial Hemp

This form should be used to apply for a permit to export industrial hemp under the *Industrial Hemp Regulations*. E-mail the completed form to HC.import-export-cannabis-importation-exportation.SC@canada.ca. The subject of the e-mail and the file name should indicate “Export Permit Application Form”.

Section 1: Licence holder information			
Name of licence holder:		Licence number:	
Licence holder mailing address:		City:	Province/Territory: Postal Code:

Section 2: Importer details			
Name of importer:		Street address:	
Country of import:	City:	Province:	Postal Code:

Section 2.1: Transit details	
Port of exit from Canada:	Each mode of transportation used:

Section 3: Shipment details

Industrial hemp form	Quantity (kg)	Variety/Germplasm name or number	THC concentration in the flowering heads and leaves (% weight/weight)

Section 4: Authorization from competent authority

In support of this application, I have attached:

- the **import permit** issued by the competent authority in the country of import, or
- the **No Objection Letter** issued by the competent authority in the country of import, or
- the competent authority in the country of import does not issue import permits or No Objection Letters for industrial hemp.

Section 5: Attestation

I hereby attest that:

1. All information and documents submitted in support of this application are correct and complete to the best of my knowledge.
2. If this permit application is submitted on behalf of a corporation, cooperative, or partnership, I, being one of its officers, directors, or partners, have the authority to bind the corporation, cooperative, or partnership.

Licence holder signature:

Printed name:

Date:

Appendix F: Industrial Hemp Shipment Detail Notification Form

E-mail this form to: HC.import-export-cannabis-importation-exportation.SC@canada.ca.

Section 1: Shipment details	
Name of licence holder:	Licence number:
Permit number: <input type="checkbox"/> Import permit <input type="checkbox"/> Export Permit	Date of release/exportation of the shipment:
Quantity of shipment: Seed: _____ (kg) Grain: _____ (kg)	
Section 2: Additional documents (for importation of seed only)	
<input type="checkbox"/> I have attached documents establishing that the seed is of pedigreed status that is of an approved cultivar. In case of a plant breeder who is importing seed/germplasm that is not of pedigreed status and/or an approved cultivar for the purpose of propagation/plant breeding: <input type="checkbox"/> I have attached documents establishing that the seed is of a variety of industrial hemp set out in my licence or that the germplasm is of a name or number set out in my licence.	
Section 3: Attestation	
I hereby attest that: <ol style="list-style-type: none"> All information and documents submitted in support of this notification are correct and complete to the best of my knowledge. If this notification is submitted on behalf of a corporation, cooperative, or partnership, I, being one of its officers, directors, or partners, have the authority to bind the corporation, cooperative, or partnership. 	
Licence holder signature:	
Printed name:	Date: