

FDACS CLARIFIES HEMP INDUSTRY PERMITTING REQUIREMENTS

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On February 14, 2020, after receiving many permitting questions relating to various aspects of the Florida hemp industry, the Florida Department of Agriculture and Consumer Services (“FDACS”) issued a clarifying chart to summarize the basic requirements. The chart is helpful for a few reasons. First, it clarifies that FDACS does not have jurisdiction over regulation of topical creams and ointments containing hemp-based products, including cannabidiol (known as “CBD”). The statement makes it clear that CBD in topical form, as opposed to ingestible form, is regulated by the Florida Department of Business and Professional Development (“DBPR”) and not FDACS. Second, the chart reiterates that it is not yet possible to get a permit to grow hemp in Florida. The applicable permit is called a “cultivation permit,” and once ready for issuance will be issued by FDACS’s Division of Plant Industries. The Division of Plant Industry is a division of FDACS that, in essence, works to prevent pest infestation of Florida plants and agricultural resources.

For more information on the requirements related to each aspect of the Florida hemp industry, visit FDACS’s website at: <https://www.fdacs.gov/Cannabis-Hemp/Hemp-CBD-in-Florida>.

What do you do?	Permit needed	Cost	Link to Apply	Division overseeing the process	Contact Information
Retail, Wholesale, Distribute, Manufacture, Store, or Process Hemp Extract for Human Ingestion	Hemp Food Establishment Permit	\$650 per year	https://www.fdacs.gov/Business-Services/Food-Establishments/Hemp-Food-Establishment-Permit	Food Safety (FS)	850-245-5520 or foodinsp@fdacs.gov

Wholesale, Distribute, Manufacture, Store or Process Dairy Products	Dairy Permit	\$0 per year	Currently not available online please call 850-245-5520	Food Safety (FS)	850-245-5520 or foodinsp@fdacs.gov
Wholesale, Distribute, Manufacture, Store or Process Frozen Desserts	Frozen Dessert Permit	\$200 Initial/\$100 Annual Renewal	Currently not available online please call 850-245-5520	Food Safety (FS)	850-245-5520 or foodinsp@fdacs.gov
Distribute Pet Food in Florida	Feed Master Registration	\$40-\$3,500 per year	https://www.fdacs.gov/Agriculture-Industry/Feed-Distributor-Licensing	Agriculture Environmental Services (AES)	850-617-7866 or AESCares@FDACS.gov
Sell Seed in Florida	Seed Dealer License	\$10 to \$4600 per year	https://www.fdacs.gov/Agriculture-Industry/Seed-Dealer-Licensing	Agriculture Environmental Services (AES)	850-617-7866 or AESCares@FDACS.gov
Grow Hemp in Florida to include Nursery Stock	Cultivation Permit	coming soon	coming soon	Department of Plant Industry (DPI)	coming soon
Topicals	contact DBPR	contact DBPR	http://www.myfloridalicense.com/DBPR/	DBPR	850-487-1395
Hemp Flower and Vaping	coming soon				