



Office of Alcohol Tobacco Control

Juana Lombard, Commissioner

HEMP DERIVED CBD PRODUCT WHOLESALE PERMIT INFORMATION

Who Must Complete an Application?

Any and all Persons, Corporations, Partnerships, Limited Liability Company (LLC) or other organizations shall be required to complete an application and obtain a permit before selling or engaging in the business of selling any products hemp or hemp derived CBD products to licensed CBD retail dealer.

Permit Fees:

Hemp CBD Wholesale Dealer Permit: \$175 per year

Hemp CBD Retail Dealer means any business who sells or intends to offers for resale purposes industrial hemp or hemp-derived CBD products produces in accordance with the law for the purpose of resale in Louisiana.

Definition:

“CBD” means cannabidiol

“Industrial Hemp” means the plant Cannabis sativa L. and any part of that plant including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol (THC) concentration of not more than 0.3 percent on a dry weight basis.

“Industrial hemp-derived CBD Products” means any industrial hemp-derived products or hemp derived products that contains CBD intended for consumption or topical use.

“Place of Business” means the place where hemp or hemp derived CBD products orders are received or where the taxable CBD articles are sold or offered for sale.

Prohibited CBD Products

No person shall process or sell:

- (1) any part of the hemp plant or any hemp derived CBD products for inhalation;
- (2) any alcoholic beverage containing hemp or CBD; and
- (3) any food product containing hemp or CBD unless the United State Food and Drug Administration (FDA) approves CBD as a food additive.
- (4) any CBD product marketed as a dietary supplement

CBD Product Requirements

All hemp or hemp-derived CBD products that are manufactured, distributed, imported, or sold for use in Louisiana shall:

- (1) Be produced from hemp by a licensee authorized to grow hemp in accordance with a state plan or a pilot program approved by the United States Secretary of Agriculture.
- (2) Be registered with the State Food, Drug, and Cosmetic Law in accordance with La. R.S. 40:601 et. seq.
- (3) Be labeled in accordance with the State Food, Drug, and Cosmetic Law in accordance with La. R.S. 40:601 et. seq.
- (4) Not be marketed as a dietary supplement.
- (5) Meet all label requirements and receive approval from Louisiana Department of Health.

CBD Label Requirements

- (1) Label must contain: “This product has not been evaluated by the Food and Drug Administration and is not intended to diagnose, treat, cure, or prevent any disease.”
- (2) Label shall not contain any medical claim.
- (3) Label shall have a scannable code, QR code, or web address linked to a document or website that contains certification of analysis as provided in the law.

For additional information, please contact the Louisiana Department of Health, Food and Drug/Milk and Dairy Unit (FDU/MDU)
Contact FDU/MDU at (225) 342-7533

HOW TO APPLY FOR A WHOLESALE HEMP CBD PERMIT

I. New Applicants

- Obtain and fully complete an application for CBD wholesale permit at www.atc.la.gov.
- Attach a copy of Applicant's corporate documents including charter, articles of incorporation, management agreement, operating agreement, or other relevant documents.
- Attach proof business is authorized to do business in Louisiana
- Attach Louisiana Tax Certificate

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APPLICATION FOR HEMP DERIVED CBD WHOLESALE PERMIT

NOTICE TO APPLICANT: Misstatement or Suppression of material facts in this application is **GROUNDS FOR DENIAL** or **REVOCAION** of any permit(s) issued thereafter. Additionally, filing false public records is a violation of Louisiana Revised Statute 14:133 and may result in imprisonment for not more than five (5) years with or without hard labor and/or fines of not more than \$5000.00.

Business Information	
1. Type of Ownership: <input type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Partnership <input type="checkbox"/> Other _____	
2. Owner/Entity Legal Name: (Name of individual, LLC, or Corporation)	
3. Trade Name (D/B/A):	
4. Business Physical Address: (Street address, City, Zip code)	
5. Are you within City limits? <input type="checkbox"/> Yes <input type="checkbox"/> No	6. Parish:
7. Mailing Address: (If different from physical address) <input type="checkbox"/> Not Applicable	
8. Primary Business Email Address:	9. Business Contact Number: <input type="checkbox"/> Cell <input type="checkbox"/> Business
10. Federal Employee Identification No. (FEIN)	11. Louisiana State Identification No.
12. Does Business consent to receive ATC communications, administrative notices, and/or administrative decisions in electronic format via email? If YES, provide email:	<input type="checkbox"/> YES <input type="checkbox"/> NO Initials:

Ownership Structure

If the applicant is not an individual (sole proprietorship), list the name, title, and percentage of ownership of each person. All partners, stockholders, officers, directors, members or managers of LLCs, and/or any person owning more than 5% must submit suitability documents and any applicable fees.

Name of Individual & Affiliation	SSN	Type of interest **	% of Interest

** owner, officer, director, stockholder, trustee, beneficiary, managing member, member, partner, financial backer, manager**

CBD Products

13. Applicant attest it shall only sell or offer for sale for resale purposes hemp or hemp derived CBD products produced by hemp that is grown in accordance with federal and state law.	<input type="checkbox"/> YES <input type="checkbox"/> NO
14. Applicant attest it shall not sell or offer for sale for the purpose of resale any part of the hemp plant or any hemp derived CBD products for inhalation.	<input type="checkbox"/> YES <input type="checkbox"/> NO
15. Applicant attest it shall not sell or offer for sale for the purpose of resale any alcoholic beverage containing hemp or CBD.	<input type="checkbox"/> YES <input type="checkbox"/> NO
16. Applicant attest it shall not sell or offer for sale for the purpose of resale any food product or beverages containing hemp or CBD unless FDA approved as a food additive.	<input type="checkbox"/> YES <input type="checkbox"/> NO
17. Applicant attest all hemp or hemp-derived CBD products sold for the purpose of resale in Louisiana shall be registered with the Louisiana Department of Health in accordance with La. R.S. 40:601 et seq.	<input type="checkbox"/> YES <input type="checkbox"/> NO
18. Applicant attest all hemp and hemp derived CBD products sold or offered for sale for the purpose of resale shall contain labels approved by Louisiana Department of Health in accordance with La. R.S. 40:601 et. seq.	<input type="checkbox"/> YES <input type="checkbox"/> NO


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19. Applicant attest business shall not sell or offer for resale purposes any hemp or hemp derived CBD products marketed as a dietary supplement.	<input type="checkbox"/> YES	<input type="checkbox"/> NO
20. Applicant attest business shall not sell or offer for sale for the purpose of resale any hemp or hemp derived CBD products containing any medical claims.	<input type="checkbox"/> YES	<input type="checkbox"/> NO
21. Applicant understand business shall be responsible to ensure it complies with all federal and state laws and regulations related to hemp products and/or hemp derived CBD products.	<input type="checkbox"/> YES	<input type="checkbox"/> NO
22. If Yes, does applicant understand applicant may be required to register its product with the Louisiana Department of Health, Food and Drug Unit/Milk and Dairy Unit (FDU/MDU) at 225-342-7533.	<input type="checkbox"/> YES	<input type="checkbox"/> NO <input type="checkbox"/> NA

Submission of Required Documents & Forms		
23. Is a copy of Applicant's Corporate Documents attached including Articles of Incorporation or Article of Organization as obtained from Secretary of State, notarized partnership agreement, or any other agreement or forms filed with the Secretary of State?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
24. Has Applicant attached proof of registration and good standing with the Louisiana Secretary of State?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
25. Has Applicant attached a copy of its Louisiana Tax Clearance certificate as issued by the Louisiana Department of Revenue?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
26. Has Applicant attached proof the hemp or hemp derived product is produced by hemp grown by a licensee authorized to grow hemp in accordance with a state plan or a pilot program approved by the United States Secretary of Agriculture?	<input type="checkbox"/> YES	<input type="checkbox"/> NO

Application Fees
<input type="checkbox"/> Hemp-CBD wholesale dealer permit annual fee (\$175)
Application fees may be paid with personal or business checks, cashier checks, money orders, or credit card.
Application fees are non-refundable once submitted to the ATC.

WARNING & SIGNATURE: Applications may only be signed by the Applicant as listed below. Applications signed by a person other than listed below may result in denial of application.

If Applicant is:	Must sign:
Individual or Sole proprietor	Individual owner(s)
Partnership	Any Partner
Limited Liability Corporation (LLC)	Member, managing member, director, or officer
Corporation	Officer or Director

BY SIGNING BELOW, YOU ARE SWEARING, UNDER OATH, that you have read each of the questions in this application and that all answers are true and correct to the best of your knowledge, that you meet all the qualifications and that you understand your obligations as a Hemp CBD retail dealer permit including understanding any laws and regulations related to the products, the products label and registration requirements. For additional information, see www.atc.la.gov.

Print Name (Applicant)

Signature of Applicant

Title

Date

Notary Use Only	
<i>Sworn to and subscribed to me on this _____ day of _____, 20_____, in the parish/county of _____, State of _____</i>	
_____ Name of Notary Public	_____ Signature of Notary Public

Office Use Only	Permit No. _____	Processed By & Date: _____	Issued by & Date: _____
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Affidavit

Applicant, _____ (“Owner’s Name”) on behalf of _____ (“Business Name”) attest that he/she is an authorized representative of the named business and is responsible for business decisions and implementation of business policies and procedures related to the retail sale of hemp or hemp derived CBD products.

Applicant attest that he/she understands that Business shall be required to registered any and all hemp or hemp derived CBD products and obtain labels approval from the Louisiana Department of Health (“LDH”), Food and Drug Unit/Milk and Dairy Unit (FDU/MDU) on or before January 31, 2020. Failure to submit proof may result in denial of its CBD permit upon request to issue annual permit. **Contact the FDU/MDU at 225-342-7533 for additional details.**

Applicant attest he/she understands that pending approval of hemp and hemp-derived CBD products from LDH, business may be granted a temporary permit from the ATC and shall be required to submit proof of registration with LDH including a list of approved labels are provided to the ATC on or before February 29, 2020 or applicant shall not be granted an annual permit

Applicant attest he/she understands its permit shall be issued on an annual basis and shall expired based upon the parish where business is located. Said permit shall be required to be publicly display and shall contain in print expiration date.

Applicant attest he/she shall maintain any and all records or invoices of purchases for resale purposes of hemp or hemp-derived CBD products business sells or intends to offer for sale and shall have such record available for review upon request of the ATC.

Applicant attest he/she understands any hemp or hemp-derived CBD products sold or offered for resale that which are not registered or approved by the LDH after February 29, 2020 may result in denial of its permit or monetary penalties, suspension or revocation of business’ whoelsale permit issued thereafter.

Applicant attest he/she understands rules and regulation related to the retail sale of hemp or hemp-derived CBD products are currently in progress and business shall be responsible to ensure compliance once promulgated as well as any federal or state law therein. Updates shall be available at www.atc.la.gov.

Print Name

Signature

Title

Date

Sworn to and subscribed to me on this _____ day of _____, 20_____, in the parish/county of _____, State of _____

Name of Notary Public

Signature of Notary Public