

Industrial Hemp Licence

What is industrial hemp?

Industrial hemp is a Cannabis plant that has been bred to have tetrahydrocannabinol (THC) levels in the leaves and flowering heads of not more than 1%.

Industrial hemp must be grown from certified hemp seed, that is seed that will typically produce hemp plants with a concentration of THC in leaves and flowering heads of not more than 0.5%.

Where can I find out more about growing industrial hemp in Tasmania?

The Tasmanian Hemp Association is the peak industry body for industrial hemp growers in Tasmania. Visit <https://www.tasmanianhempassociation.org.au/>.

There are also resources for industrial hemp growers at the AgriFutures Australia website, including a best practice guide for growing industrial hemp.

Visit <https://agrifutures.com.au/product/best-management-practice-manual-for-growing-harvesting-and-storing-industrial-hemp-in-australia/>.

I have a licence to cultivate. Why do I have to complete an "Intent to Grow" form when I want to grow industrial hemp?

The "Intent to Grow" form captures important crop information, such as the sowing date/s, location/s, seed variety, and crop size. This information changes from year to year and is used to plan the timing for sampling and THC testing of your crop, and to make sure that any regrowth is destroyed after harvest.

Regulated Crops will send you the form before each growing season. If you are not growing industrial hemp, you do not need to complete an "Intent to Grow" form.

Industrial hemp is low THC. Why does my industrial hemp crop need to be tested?

Soil type, nutrition, sunlight hours, temperature and moisture can all influence THC levels and result in levels rising above 1% unintentionally. THC testing helps to maintain confidence that Tasmania's industrial hemp licence scheme is robust and illegal (high THC) forms of cannabis are not being grown.

Why do I have to remove industrial hemp regrowth?

It is a condition of your licence to destroy all regrowth. Regrowth plants can become environmental weeds and contaminate future crops, or cause problems for disease management.

What's the difference between industrial hemp and medicinal cannabis?

Medicinal cannabis is approved, quality-assured pharmaceutical grade products intended for human therapeutic use. It can include flowers, tablets, oils, tinctures and other extracts.

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Medicinal cannabis is only available under medical supervision.

Medicinal cannabis products generally contain cannabidiol (CBD) and/or THC, which is the psychoactive substance in cannabis.

Industrial hemp has low THC (below 1%), while medicinal cannabis products can contain up to 25% THC. Low-THC cannabis, including industrial hemp, can contain high levels of CBD.

The cultivation, production and manufacture of medicinal cannabis is regulated by the Australian Government under the Narcotic Drugs Act 1967 by the Office of Drug Control.

For more information on medicinal cannabis visit <https://www.odc.gov.au/medicinal-cannabis>.

I have a medicinal cannabis licence and permit, and a Tasmanian industrial hemp licence. Can I grow the same industrial hemp crop under both licences?

Yes, this is known as “dual licensing”. If you are using industrial hemp under dual licensing, a Regulated Crops Inspector may ask to see your medicinal cannabis licence and permit.

You need to comply with the conditions of your industrial hemp licence, for example, allowing Regulated Crops to take samples of your crop for THC testing, destroying any regrowth and keeping records about your industrial hemp activities for the duration of your industrial hemp licence.

Your medicinal cannabis licence and permit may have other conditions, such as extra security requirements.

Can Tasmanian hemp growers make extracts and resins from industrial hemp?

Yes. Tasmanian hemp growers can make extracts and resins of industrial hemp under the Australian Government’s medicinal cannabis licensing scheme. The Commonwealth Office of Drug Control (ODC) administers the medicinal cannabis licence scheme under the *Narcotic Drugs Act 1967* (Cwlth).

Tasmanian industrial hemp growers can have both an industrial hemp licence (for fibre and seed production) and a medicinal cannabis licence and permit (for medicinal cannabis production). This is known as dual licensing.

Can I make non-medicinal extracts or resin under my industrial hemp licence?

No. Your industrial hemp licence does not authorise extraction of cannabinoids or cannabis oil, or any activities relating to therapeutic or medicinal use of cannabis.

You can make extracts and resins of industrial hemp under the Australian Government’s medicinal cannabis licensing scheme, but only for medicinal or scientific purposes.

Cannabis extracts and resins, including from industrial hemp, are regulated as a drug under the *Poisons Act 1971* (Tas), the National Poisons Standard and the UN Convention on Narcotic Drugs 1961. Any changes to the classification of cannabis extracts and resins needs to be addressed at the national level. The Tasmanian Government will support industry to advocate for a pathway for non-medicinal extracts of industrial hemp.

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Can food made from industrial hemp seed be sold for human consumption?

Yes. In 2017 Food Standards Australia and New Zealand approved industrial hemp seed foods as safe for consumption, provided they meet the requirements of the Australia New Zealand Food Standards Code (the Code).

All low-THC hemp seed food products must comply with the provisions contained in Standard 1.4.4 of the Code. This Standard includes mandatory limits on the levels of THC and cannabidiol (CBD) in hemp food products, and restrictions on the marketing and labelling of these foods.

Only the hulled seed of the industrial hemp plant can be used to produce low-THC hemp seed foods. Hulled seeds are non-viable and therefore not able to germinate if planted. Industrial hemp seed foods cannot be fortified or produced with any other part of the industrial hemp plant, including the leaves, stems or flowering tops.

For more information visit <https://www.legislation.gov.au/F2015L00416/latest/text>.

I want to grow industrial hemp as a food crop.

You'll need a licence to cultivate for food production purposes. You will also need to notify Regulated Crops each year when you intend to grow industrial hemp – a reminder will be sent to you before each growing season. You may not need a licence if you are growing industrial hemp under contract to an industrial hemp licensee, but the licensee should inform you of your responsibilities.

I want to grow industrial hemp for food and fibre, and I want to sell the seed and process the fibre myself.

You'll need a licence to cultivate, possess and supply for the purposes of commercial production, food production and use in any manufacturing process.

I am a commercial seed processor, do I need a licence to process industrial hemp seed under contract to a licenced grower?

If you are processing viable industrial hemp seed under contract to a licenced grower, you do not need a licence yourself. The licensee should nominate you as an "Interested Party" on their "Intent to Grow" form. As a contractor you must comply with the licence conditions as if you were the licensee.

Alternatively, you may prefer to apply for your own industrial hemp licence to possess industrial hemp.

I want to transport my industrial hemp off my premises.

You must ensure your industrial hemp bales or seed is securely transported, for example in a covered trailer or closed container. This prevents spills, which could cause environmental weeds and roadside regrowth.

If an employee or contractor transports industrial hemp for you, you must ensure they transport it securely.

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Who can I sell my industrial hemp to?

Hulled hemp seed, hemp seed oil or harvested hemp stalks with no leaves, flowers or viable seeds can be sold to the general public.

Viable seed, plants or stems with flowers, leaves and viable seeds attached – for example, raw (untreated) bales of harvested industrial hemp stalks which contain viable seeds – can only be supplied (sold) to an authorised person. An “authorised person” includes an industrial hemp licensee or a medicinal cannabis licensee.

I want to sell industrial hemp straw as garden mulch to the general public.

Industrial hemp straw with no seeds, leaves or flowers attached can be sold as garden mulch to the general public.

I want to sell raw hemp bales as mulch.

Raw (untreated) bales of harvested industrial hemp stalks contain viable seeds that could germinate, so they can only be sold to a person with a licence to possess industrial hemp.

I want to import industrial hemp seed.

You must meet the import requirements of the Australian Government’s Department of Agriculture, Fisheries and Forestry <https://www.agriculture.gov.au/biosecurity-trade/import/goods/plant-products/seeds-for-sowing>, the Australian Government’s Office of Drug Control <https://www.odc.gov.au/hemp-products/importing-hemp-products-australia> and Biosecurity Tasmania <https://nre.tas.gov.au/Documents/Tasmanian%20Approved%20Seed%20Importers%20Application.pdf>.

It is also recommended you ask your seed supplier for a recent germination result (within the last six months) to ensure that you are buying good quality seed.

When is a licence not required?

An industrial hemp licence is not required to possess, manufacture or sell:

- Hulled industrial hemp seeds.
- Products derived from industrial hemp seeds (e.g. industrial hemp seed oil).
- Harvested industrial hemp stalks that have been stripped of their leaves, flowers and seeds.
- Processed products made from industrial hemp stalks (e.g. textiles, building materials).

How much does an industrial hemp licence cost?

There are no licence fees for a Tasmanian industrial hemp licence.

The only cost for applicants is the National Police Check fee. For more information on the current fee visit <https://www.police.tas.gov.au/services-online/police-history-record-checks/>.

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How long does my industrial hemp licence last?

Licences are issued for up to five years.

What records do I need to keep for my industrial hemp licence?

For the duration of your licence, you need to keep records of your industrial hemp seed purchases and sales, THC testing results and seed certification. Records can be receipts or invoices. A Regulated Crops Inspector may ask to see your records.

Does my licence apply to my contractors or employees?

Yes. It is your responsibility to make sure your contractors or employees are aware of and comply with the conditions of your licence.

What happens if I don't comply with the conditions of my licence?

In the first instance, Regulated Crops Inspectors will work with you to make sure you understand the conditions of your licence and know what you are required to do. After this, if there are still compliance issues, Regulated Crops may issue a compliance notice. The notice may require you take action within a certain timeframe.

Continued non-compliance may lead to your licence being suspended or cancelled, and penalties may apply.

Find out more at:

<https://nre.tas.gov.au/agriculture/multifaceted-agriculture/plant-industries/industrial-hemp/industrial-hemp-faqs>.



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