



Health Canada

Santé Canada

**INDUSTRIAL HEMP GUIDE**

**SCHEDULE 5**

**DISTRIBUTOR**

Effective as of : November 15, 1998

Aussi disponible en français

## SCHEDULE 5

### INDUSTRIAL HEMP GUIDE - DISTRIBUTION

SCHEDULE SPECIFIC REGULATORY REFERENCES	
Industrial Hemp Regulations	Specific Sections 2, 3, 5, 8, 9, and 32.

#### A. BACKGROUND:

These guidelines state generally applicable principles and practices that are acceptable to the Therapeutic Products Programme (TPP) and that should facilitate compliance with the *Industrial Hemp Regulations*

1. All persons wishing to apply for licences, authorizations or permits should read the *Therapeutic Products Programme (TPP) Industrial Hemp Guide - Overview*. It provides the necessary background to make it easier for applicants to comply with the Regulations.
2. The definitions contained in the Industrial Hemp Guide Overview in Appendix I and the explanations in the Glossary of Terms in Section 4 of the Overview must be well understood by the applicant.
3. To be eligible to hold a licence, permit, or authorization, a person must be a resident of Canada. A Partnership, a Corporation or Cooperative, must have its head office in Canada or operate a branch office in Canada.
4. Importers of industrial hemp, in the form of seed or viable grain, must be licensed. ***In addition to holding a licence they are also required to obtain a permit for each shipment.*** See Schedule 2 and its Guide for further instructions.
5. Persons **are not** permitted to import, sell, or produce any derivative without a licence unless a representative sample of the derivative or product has been tested by a competent laboratory, contains 10 µg/g or less THC and is labelled accordingly. Products made from a derivative of whole plants, including sprouts, leaves, flowers or bracts of industrial hemp are not permitted to be imported or sold.

#### B. WHO MUST HAVE A LICENCE:

All persons wishing to sell, provide, transport, send and deliver industrial hemp must apply for a licence.

#### C. FORMS TO BE COMPLETED:

1. Industrial hemp licence application.
2. Schedule 5.
3. Schedule 6 - if the applicant is a Corporation, Cooperative or Partnership.

**D. COMPLETING THE SCHEDULE 5 FORM:**

**1. Applicant Information:**

- (a) Provide the surname and given names if the applicant is an individual .
- (b) Provide the Registered name if the applicant is a Corporation, Cooperative or Partnership.
- (c) The same name used on the Industrial Hemp Licence Application is to be used here.
- (d) Provide the complete legal description of the site to be licensed. A Post Office Box is not acceptable, as a post office box cannot be licensed.

**Legal Description:** There are several ways used to provide a legal description of the location to be licensed. Systems will vary from Province to Province and even within a Province. For example, the legal description for a cultivation site in Ontario may be:

North ½ of Lot 9  
Concession II  
Township of Goulburn  
County of Carleton

Only in New Brunswick is the 911 number acceptable, which is the accepted “legal description” in that province.

- (e) Provide the address at which the records, books, electronic data or other documents required by the Regulations will be kept. If the records are kept at a place other than the licensed site, the licence holder must make them available for inspection as necessary.
  - A Post Office Box is not acceptable. You cannot store records in a post office box.
  - List the complete address at which industrial hemp will be stored only. Under this provision, no other activity requiring a licence may take place. The address must be clear enough to enable someone to find the property without difficulty.

**2. Licence to Distribute Industrial Hemp - Certification**

- (a) Provide the name, title and telephone number of the person responsible for ensuring compliance with the Regulations.
- (b) The individual signing the Certification on the Schedule 5 should be the same individual signing the Industrial Hemp Licence Application, except in the case of a Corporation, Cooperative or Partnership. In the case of a Corporation, Cooperative or Partnership, the name provided for the Certification on the Industrial Hemp Licence Application must be a person who has the authority to bind the company. This is usually a Director or officer.

**(c) Consent for Publication of Company Name:**

- If consent is given, the company Name, Address, Phone Number, Fax Number, e-mail address and the activity for which the company is licensed, may be published by Health Canada. Publication may include, but is not limited to, posting on the Therapeutic Products Programme's website ([www.hc-sc.gc.ca/hpb-dgps/therapeut](http://www.hc-sc.gc.ca/hpb-dgps/therapeut)).

**E. SUBMISSION TO HEALTH CANADA:**

1. The Schedule 5 form submitted to Health Canada must bear an **original signature**. A **faxed or photocopied form will be considered incomplete** and will be returned to the applicant.
2. In the case of a Corporation, Cooperative or Partnership, a completed Schedule 6 must also be attached.
3. Include all other documents which are required to satisfy the requirements of the Industrial Hemp Licence Application.

**F. RECORDS TO BE KEPT A MINIMUM OF 2 YEARS, INCLUDE:**

1. Form and quantity in which industrial hemp is purchased or sold.
2. Variety of industrial hemp cultivar purchased, sold and distributed.
3. The name of the person to whom seed or viable grain of each approved cultivar is delivered (distributed) and the quantity of each shipment.
4. A reference to the identifying mark contained on each package of a shipment. See section 32(1) of the Industrial Hemp Regulations.
5. The date that each shipment of industrial hemp was received and sent.
6. The carrier, if any, that is used to deliver the industrial hemp.

**G. POINTS TO BE CONSIDERED BY LICENSED DISTRIBUTOR:**

1. You must ensure compliance with the Regulations.
2. You must provide adequate security.
3. You must report thefts to police and the Bureau of Drug Surveillance.
4. You must ensure transportation and storage are secure.

**TPP Industrial Hemp Guide - Schedule 5**

5. THC testing may be required by the Regulations, or as a condition of licensing. (Identify these requirements early to avoid problems. Requirements may be posted on the website and supplied as attachments to your Industrial Hemp Licence.)
6. You must purchase industrial hemp from a licensed seed supplier.
7. You must only provide Industrial Hemp to licensed or authorized parties.
8. You must carry out the activities at a licensed location only.
9. You must have sampling performed by authorized samplers.