



Health Canada

Santé Canada

INDUSTRIAL HEMP GUIDE

SCHEDULE 3

EXPORTATION

Effective as of : November 15, 1998

Aussi disponible en français

SCHEDULE 3

INDUSTRIAL HEMP GUIDE - EXPORTATION

SCHEDULE SPECIFIC REGULATORY REFERENCES	
<i>Industrial Hemp Regulations</i>	Specific Sections 8 (1) (d)(e)(l), 9 (3), 26, 27, 28, 29, 32, and 33.

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 on the Regulations to make it easier for applicants to comply with the Regulations.
2. The definitions contained in the Regulations 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. At least one of the partners in the case of a partnership, or, if the person is a corporation or cooperative, must have its head office in Canada, or operate a branch office in Canada.
4. Exporters 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.
5. Exporters of derivatives must provide proof with each shipment that the shipment contains no more than 10 mcg/g of THC for each lot. Similarly, products made from the derivatives of seed or grain must be accompanied with evidence that each shipment contains no more than 10 mcg/g of THC.
6. Persons are not permitted to export a derivative, or a product produced from a derivative, if that product contains more than 10 mcg/g of THC.
7. Persons are not permitted to sell, or produce any derivative, or any product made from a derivative of whole plants, including sprouts, leaves, flowers or bracts of industrial hemp.

B. WHO MUST HAVE A LICENCE:

All persons wishing to export industrial hemp must apply for a licence.

C. FORMS TO BE COMPLETED:

1. Industrial Hemp Licence Application
2. Schedule 6 - if the applicant is a Corporation, Cooperative or Partnership
3. Schedule 3

D. COMPLETING THE SCHEDULE 3 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 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 for this purpose.

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 it is the 911 number, 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 here.
 - List the complete address at which Industrial hemp will be stored only and no other activity requiring a licence will take place.

***Note:** As it is illegal to store industrial hemp at an unlicensed location all such locations must be listed. If, however, sale or distribution is to take place at a location, it should not be listed here since that site must be licensed for that*

activity.

- List all forms in which the industrial hemp will be stored.

2. About the Exportation

- (a) Indicate all forms in which the industrial hemp is to be exported.

Example: If the applicant anticipates exporting both seed and oil, then both should be checked on the application.

- (b) List the complete address at which Industrial hemp will be stored only and no other activity requiring a licence will take place.

Note: *As it is illegal to store industrial hemp at an unlicensed location all such locations must be listed. If, however, sale or distribution is to take place at a location it should not be listed here since that site must be licensed for that activity.*

- (c) List all forms in which the industrial hemp will be stored.

3. Licence to Export Industrial Hemp Certification

- (a) Provide the name, title and telephone number of the Person Responsible for ensuring compliance with the Regulations.
- (b) In the case of a corporation, cooperative or partnership, the name provided must be of a person who has the authority to bind the company. This is usually a Director or officer.
- (c) This is to be signed by the person signing the Industrial Hemp Licence Application, who may or may not be the person certifying, above.

E. SUBMISSION TO HEALTH CANADA:

1. Submit the Schedule 1 form to Health Canada. It 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, attach the Schedule 6.
3. Include the completed Schedule 3 form.
4. Also attach other documents which are required by 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 and sold.
3. Quantity and source of industrial hemp exported
4. Name of person to whom seed or viable grain is delivered.
5. Other information as outlined in the Regulations, paragraph 38(1).

G. POINTS TO BE CONSIDERED — LICENSED EXPORTER MUST:

1. Ensure compliance with the Regulations.
2. Have adequate security.
3. Report thefts to police and Bureau of Drug Surveillance.
4. Ensure transportation and storage are secure.
5. Purchase industrial hemp from licensed seed supplier.
6. Provide Industrial Hemp to licensed parties only.
7. Carry out activities at licensed location only.