



# INDUSTRIAL HEMP CULTIVATION

Criminal History Reports and Other New  
Registration Requirements

**April 2020**



The County of San Diego  
Department of Agriculture, Weights & Measures (AWM)

# WHY CRIMINAL HISTORY REPORTS ARE NOW REQUIRED

## January 1, 2020: A new law took effect

Individuals with a felony conviction related to a controlled substance are ineligible to participate in the Industrial Hemp Cultivation Program for 10 years from the date of conviction

[California Food and Agricultural Code §81012](#)

[California Code of Regulations §4901 and §4902](#)

Current registrants and new applicants must provide Criminal History Reports for all key participants to verify they do not have a disqualifying conviction.

## March 17, 2020: New regulations took effect

# HOW TO OBTAIN CRIMINAL HISTORY REPORTS

- Criminal History Reports must be obtained via the **FBI's Identity History Summary Check**
  - <https://www.fbi.gov/services/cjis/identity-history-summary-checks>
  - The website includes directions for obtaining fingerprints and submitting requests electronically or by mail.

**No other forms of background check will be accepted**

# HOW TO OBTAIN CRIMINAL HISTORY REPORTS

- The following options and response times are available:
  - **Electronic** (3-5 business day response)
    - Fingerprint services available at 2 US Post Offices in San Diego County: <https://www.edo.cjis.gov/#/org/USPS>
  - **Mail** (2-4 week response)
    - Fingerprint instructions are on FBI's website.
  - **FBI-Approved Channeler**
    - Contracted private businesses to expedite the delivery of Identity History Summary information on behalf of the FBI
    - [List of FBI-Approved Channelers](#)
    - Response time varies by channeler; may be as little as **24 hours**
    - Contact each Channeler for costs, processing times, and availability in your area.

# WHO CRIMINAL HISTORY REPORTS ARE REQUIRED FOR

- Must be submitted for all **key participants**.
  - **Key participants** include:
    - Any person who is a sole proprietor, partner in partnership, or person with executive managerial control (e.g. CEO, COO, CFO)
  - Key participants do **not** include:
    - A person in a management position with no executive managerial control, such as farm, field, or shift managers.



# WHEN TO SUBMIT CRIMINAL HISTORY REPORTS

## Current registrants:

- Must submit Criminal History Reports for all key participants by **April 30, 2020**
  - Or be subject to **registration cancellation**
    - Any crop in production at that time will be subject to abatement.

## New applicants:

- Must submit Criminal History Reports for all key participants with their application
  - Or be subject to **registration denial**



# WHAT TO SUBMIT WITH CRIMINAL HISTORY REPORTS

## **Current registrants** amending their registration:

- Submit CHRs with an **amendment** application and any other items you wish to update on your registration

## **New applicants** or those **renewing** their registration:

- Submit with **grower** or **breeder** application and all other required registration documents

Applications are located on CDFA's website under  
"Forms" tab:

<https://www.cdfa.ca.gov/plant/industrialhemp/>

# HOW TO SUBMIT CRIMINAL HISTORY REPORTS

- Criminal History Reports can be submitted to AWM by e-mail or mail.

## **E-mail:**

[AgStandards.AWM@sdcounty.ca.gov](mailto:AgStandards.AWM@sdcounty.ca.gov)

## **Mail:**

Department of Agriculture, Weights and Measures  
Agricultural Standards Program  
9325 Hazard way, Suite 100  
San Diego, CA 92123

**Select the option to have your CHR submitted directly to AWM by entering the e-mail or mailing address above.**



# WHAT HAPPENS AFTER YOU SUBMIT

AWM will review and verify:

- Correct type of Criminal History Report (CHR) submitted for each key participant
  - Must be **FBI Identity History Summary**
- Each CHR dated within 60 days prior to submission
  - **Example:** a CHR submitted on April 30, 2020, must be dated no earlier than March 1, 2020.
- No key participants have **disqualifying convictions**, defined as:
  - Any finding of guilt for a State or Federal felony related to a controlled substance.

# WHAT HAPPENS AFTER YOU SUBMIT

If any key participants have **disqualifying convictions**:

- Registration will be denied
- May re-apply when 10 years from date of conviction have passed; New registration fee and application required

If all requirements for registration are met:

- AWM will issue your new, renewed, or amended registration listing all key participants

### **Current registrants:**

If registration is cancelled or denied for any reason, any crop in production at that time will be subject to abatement.

# OTHER THINGS TO KNOW

- Criminal history reports (CHRs) must be dated within **60 days** prior to submission.
- New CHRs must be provided each year to renew registration.
- Registration must be amended within **15 days** of any change to key participants, and a CHR provided for any new key participants.
- Registrants must notify AWM within **48 hours** of a key participant receiving a disqualifying conviction.
- Any person who materially falsifies information on an application or CHR will be ineligible to participate in the Industrial Hemp program.



# OTHER NEW REGISTRATION REQUIREMENTS

- CDFA has posted new application forms on their website under the “Forms” tab:  
<https://www.cdfa.ca.gov/plant/industrialhemp/>
  - Old application forms will not be accepted.
- Applications received with missing or incomplete information will result in a “**Notice of Incomplete Application**”
  - Applicants have 30 days to provide the requested information/documents or the application will be cancelled
  - New application and registration fee required to re-apply
- Registrations will not be issued without any approved cultivars or sites
  - Must provide all information and documentation for cultivar(s) and site(s) with application, or receive a “**Notice of Incomplete Application**”





# Contact Information

County of San Diego Department of  
Agriculture, Weights & Measures  
– Industrial Hemp Cultivation Program

Phone: (858) 614-7786

Email: [AgStandards.AWM@sdcounty.ca.gov](mailto:AgStandards.AWM@sdcounty.ca.gov)

Website:

<https://www.sandiegocounty.gov/awm/industrialhemp.html>

California Department of Food and  
Agriculture  
– Industrial Hemp Program

Phone: (916) 654-0435

Email: [industrialhemp@cdfa.ca.gov](mailto:industrialhemp@cdfa.ca.gov)

Website:

<https://www.cdfa.ca.gov/plant/industrialhemp/>