



FREQUENTLY ASKED QUESTIONS GEORGIA HEMP PROGRAM

GEORGIA DEPARTMENT OF AGRICULTURE | COMMISSIONER TYLER J HARPER

What Changed with the Passage of Senate Bill 494?

The Department of Agriculture now regulates the growing, processing, testing, manufacturing, wholesale, and retail sale of consumable hemp products. Additionally, there are new packaging, advertising, testing, and labelling requirements for consumable hemp products.

Senate Bill 494 also amended the Georgia criminal code to prohibit selling or furnishing consumable hemp products to individuals under 21 years of age, and to require retailers selling consumable hemp products to post signs accordingly.

What Kind of License, Permit, or Registration Do I Need?

- **Hemp Grower License**
 - You need this license if you plan to grow hemp into hemp products in Georgia.
- **Hemp Processor Permit**
 - You need this permit if you plan to process hemp flower in Georgia.
- **Retail Consumable Hemp Establishment License**
 - You need this license if you plan to sell consumable hemp products to consumers at a retail location in the State of Georgia. You also need this license if you plan to sell to Georgians via an online platform.
- **Wholesale Consumable Hemp License**
 - You need this license if you plan to sell prepackaged consumable hemp products to retail establishments in Georgia, or if you plan to sell prepackaged consumable hemp products to retail establishments outside of Georgia.
- **Hemp Manufacturer License**
 - You need this license if you plan to manufacture consumable or industrial hemp products in Georgia.
 - Note: If an applicant for a manufacturer license holds a Hemp Processor Permit with the Department, the applicant will be exempted from the licensing fee (\$5,000.00) associated with the applicant's manufacturer license.
- **Hemp Laboratory Registration**
 - You need this registration if you plan to test cannabis plants or any products derived from cannabis. Only a registered lab can produce official certificates of analysis for consumable hemp products. Labs outside of Georgia may register.

What are Consumable Hemp Products?

Consumable hemp products are hemp products intended to be ingested, absorbed, or inhaled by humans or animals.

Which Products are Permitted for Sale in Georgia?

Gummies, vapes, oil-based tinctures, and beverages that fall within the newly established requirements are permitted for sale in Georgia.

Which Products are Prohibited for Sale in Georgia?

Unprocessed hemp flower and leaves, food products, and beverages containing alcohol & hemp are prohibited for sale in Georgia.

Where Can I Find the Department of Agriculture's Proposed Rules and Regulations Relating to Hemp and Consumable Hemp Products?

Please visit the Department's Notice of Intent to Amend, Repeal, and Adopt Hemp and Hemp Product Rules and the Department's Notice of Intent to Adopt Consumable Hemp Product Rule. These proposed rules, in addition to Senate Bill 494, establish all new licensing and product requirements related to Georgia's hemp program. Senate Bill 494 can be found on the Georgia General Assembly's website.

How Do I Apply for a License?

The Department is developing a system to license and register the new categories of market participants. The Department projects this system will go live on September 16, 2024. The license application portal will be available on the Department's hemp page. Lab license applications may be submitted beginning the first full work week in September.

When Does the New Law Take Effect?

Senate Bill 494 had two distinct effective dates. On July 1, 2024, sections of the law related to the proximity of retail consumable hemp establishments to K-12 schools and retail consumable hemp establishments advertising or representing themselves as dispensaries of Low-THC Oil (more commonly known as Medical Cannabis) took effect. On October 1, 2024, all other sections of the law take effect.

When Do the New Rules & Regulations Take Effect?

On August 8, 2024, the Department issued its notice of intent to amend, repeal, and adopt rules and regulations related to hemp and hemp products. Additionally, on August 8, 2024, the Department issued its notice of intent to adopt a consumable hemp product rule. The Department's public comment period is closed as of September 6, 2024. For questions about the hemp program, please contact:

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Are Out of State Businesses Allowed to Sell Consumable Hemp Products in Georgia?

As long as the business is properly licensed in Georgia, has tested their products with a laboratory registered with the Department, and is in compliance with Georgia law and Department regulations, out of state businesses are permitted to sell consumable hemp products in Georgia.

Do Consumable Hemp Products Have to be Tested in Georgia?

Consumable hemp products must be tested by a laboratory that is registered with the Department. A list of registered laboratories will be posted on the Department's hemp page.

How Does Senate Bill 494 Affect Other Hemp-Derived Compounds like Delta-8 THC, Delta-10 THC, and Other Isomers and Esters?

Consumable hemp products must be tested by a laboratory that is registered with the Department. A list of registered laboratories will be posted on the Department's hemp page: agr.georgia.gov/hemp-program