

State of Louisiana
Office of Alcohol and Tobacco Control

Jeff Landry
GOVERNOR



Jarrod Coniglio
SECRETARY

CHAD M. BROWN
ATC COMMISSIONER

APPLICATION FOR CONSUMABLE HEMP WHOLESALE PERMIT

FOR INFORMATION AND QUESTIONS

Visit ATC's website at www.atc.la.gov or contact ATC at (225) 925-4041. Customer Service Representatives are available Monday-Friday 8:00 a.m. to 4:30 p.m. (excluding Holidays).

IMPORTANT MESSAGE TO ALL APPLICANTS

Although the state has thirty-five (35) days to investigate and review submitted applications, we would like to assure you that it is our goal to issue your permit as quickly as possible. Typically, licensing delays are a result of an applicant not carefully reading and completing the application packet, or not submitting all required documents. There are no exceptions to the statutory requirements to obtain an alcoholic beverage or other applicable permits. As such, please assist us in permitting your business quickly by ensuring that you have carefully reviewed the application and supplied all necessary documentation. Please use the enclosed checklist and instructions to guide you through the application process and feel free to contact us at the number above for additional guidance.

WHO MUST COMPLETE THIS APPLICATION?

Any person, or legal entity, including but not limited to corporations, partnerships, LLCs or other organizations shall be required to complete this application and obtain a permit prior to engaging in the wholesale or offer for wholesale sale of consumable hemp products. NOTE: Louisiana issues permit(s) per location. A separate consumable hemp wholesale application (with separate address) and permit is required for *each* "place of business."

Consumable Hemp Wholesale Dealer means any person or legal entity who distributes, packages, or sells consumable hemp products at wholesale to other licensed wholesale dealers or licensed retail dealers in accordance with Louisiana law.

WHERE/HOW DO I SUBMIT OR MAIL THIS APPLICATION

We recommend applicants register with the ATC's Online licensing system by visiting <https://laatcab.c.atc.la.gov/laatcprod/pub/Login.aspx> and submitting applications online. Applicants may also mail applications to 7979 Independence Blvd. Suite 101, Baton Rouge, LA 70806 or P.O. Box 66404, Baton Rouge, LA 70896. Alternatively, applications may be submitted in person at any of the following ATC offices. Office locations can be found at <https://atc.la.gov/contact/contact-atc/>.

DEFINITIONS

- **"Consumable Hemp Product"** means any product derived from industrial hemp that contains any cannabinoid, including cannabidiol, and is intended for consumption or topical use. Consumable hemp products shall include commercial feed, pet products, and hemp floral material.
- **"Industrial Hemp" or "Hemp"** means the plant Cannabis sativa L. and any part of that plant including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a total delta-9 THC concentration of not more than 0.3 percent on a dry weight basis.
- **"Place of Business"** means the place where hemp or hemp derived CBD product orders are received or where the taxable CBD articles are sold or offered for sale.
- **"Remote retailer"** means a person or entity who offers any consumable hemp product for sale at retail or for any transaction of products in lieu of a sale, through digital application, catalog, or the internet, that can be purchased and delivered directly to a consumer in Louisiana.
- **"Retail Sale" or "Sale at retail"** means the sale or transaction in lieu of a sale of products to the public for use or consumption but does not include the sale or transaction in lieu of a sale of products for resale.
- **"THC"** means a combination of tetrahydrocannabinol and tetrahydrocannabinolic acid.
- **"Wholesaler"** means a wholesale seller, distributor, or packer of consumable hemp products.

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PROHIBITED CONSUMABLE HEMP PRODUCTS

No person shall sell any part of hemp for inhalation, except for hemp rolling papers. No person shall process or sell:

- 1) Any alcoholic beverage containing hemp cannabidiol.
- 2) Any consumable hemp products without a license or permit as required by law.

CONSUMABLE HEMP PRODUCT REQUIREMENTS

All consumable hemp processors and all consumable hemp products must be registered with and obtain approval from the Louisiana Department of Health prior to offering such products for sale at retail or wholesale in Louisiana.

NOTE: It is prohibited to offer for sale any consumable hemp products that have not been registered and approved by the Louisiana Department of Health. For a list of registered and approved products, visit <https://ldh.la.gov/index.cfm/page/4081>.

For additional information, please contact the Louisiana Department of Health, Food and Drug/Milk and Dairy Unit (FDU/MDU) at (225) 342- 7533

INSTRUCTIONS & MORE DETAILED INFORMATION

STEP ONE: Obtain and complete a Consumable Hemp Wholesale Dealer Application.

- ❖ Verify ALL questions and fields are completed.
- ❖ Verify an authorized representative sign the application and that the application is notarized

WARNING

STEP TWO: Attach a copy of the following documentation. Failure to submit the following documents may significantly delay the processing of your application and/or result in the denial of your application.

1. Copy of Applicant's corporate documentation. Example: Charter, Article of Incorporation or Organization, partnership agreements, or other equivalent legal documents.
2. Copy of proof that business has registered with the Louisiana Secretary of State and is authorized to do business in Louisiana.
3. Copy of Louisiana Tax Clearance certificate from the Louisiana Department of Revenue.

STEP THREE: Attach Application Fee (\$500). Note: Upon submission of this fee to the ATC, no refunds will be granted.

All consumable hemp wholesale permits expire annually on June 30th. Renewals will be available online and must be completed on or before the permit's date of expiration.

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NOTICE TO APPLICANT: Misstatement or Suppression of material facts in this application is GROUNDS FOR DENIAL of this application. Additionally, filing false public records is a violation of Louisiana Revised Statute 14:133 and may result in imprisonment for not more than five (5) years with or without hard labor and/or fines of not more than \$5000.00.

BUSINESS INFORMATION

1) Type of Ownership (check one):

Individual Corporation Limited Liability Corporation (LLC) Partnership Other: _____

2) Owner/Entity Legal Name: (Name of individual, partnership, LLC, or corporation):

3) Trade Name (D/B/A):

4) Business Physical Address:

Business Street:		
Business City:	Business State:	Business Zip:

5) Mailing Address: Same as Physical

Mailing Street:		
Mailing City:	Mailing State:	Mailing Zip:

6) Website:

7) Business Email Address:

8) Business Contact Number: Cell Business

9) Federal Employee Identification Number (FEIN):

10) Louisiana State Identification Number:

11) Does Business consent to receive ATC communications, administrative notices, and/or administrative decisions in electronic format via email?

Yes

No

If YES, provide email: _____

OWNERSHIP/CORPORATE STRUCTURE

If the applicant is not an individual (sole proprietorship), list the name, title, and percentage of ownership of each person. All *partners, stockholders, officers, directors, members, and/or any person owning more than 5% must submit suitability document Schedule A/F and fingerprints with authorization form. If multiple entities, attach organizational chart.

Name of Individual & Affiliation:	SSN	Type of interest**	% of ownership:

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BUSINESS OPERATION		
1) Select the type of Products Applicant intends to offer for sale:		
<input type="checkbox"/> Tinctures <input type="checkbox"/> Capsule/Similar form <input type="checkbox"/> Hemp Floral <input type="checkbox"/> Food/Beverage Hemp Items <input type="checkbox"/> Topical <input type="checkbox"/> Other: _____		
2) Does Applicant sell or intend to sell for resale purposes consumable hemp products in Louisiana?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3) Does Applicant understand that consumable hemp products must be registered and approved by the Louisiana Department of Health prior to offering such products for sale in Louisiana?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4) Does Applicant understand that it is prohibited to sell or offer for sale any part of hemp for inhalation except for hemp rolling papers? All Hemp vapor/vape products including e-liquids are prohibited by law.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
5) Does Applicant understand it is prohibited to sell or offer for sale any alcoholic beverage products containing cannabidiol?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
6) Does Applicant understand it is prohibited to offer for sale hemp floral products except in pre-packaged tamper free containers as approved by the Louisiana Department of Health and that such products not be labeled or marked for inhalation?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
7) Does Applicant understand that the business is required to comply with all federal and state laws and regulations related to the retail or wholesale sale of consumable hemp products?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
8) Does Applicant understand that wholesalers may only sell to licensed Louisiana Consumable Hemp (CBD) retailers holding a current and valid permit?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
9) Does Applicant understand that the business is required to timely file and remit taxes to the Louisiana Department of Revenue as required by R.S. 47:1693?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
CHECKLIST OF FORM REQUIRED TO BE SUBMITTED WITH APPLICATION		
Failure to submit all required documents may significantly delay processing of your application or result in denial of your application.		
<input type="checkbox"/> Attach a colored copy of Driver's License for EACH PERSON, Owner, Member, Director, Officer or any other person listed with the application.		
<input type="checkbox"/> Attach a copy of Applicant's Corporate Documents. Example: Articles of Incorporation or Article of Organization as obtained from the Secretary of State, notarized partnership agreement, or any other agreement or forms filed with the Secretary of State.		
<input type="checkbox"/> Attach proof of registration and good standing with the Louisiana Secretary of State.		
<input type="checkbox"/> Attach a copy of Applicant's Louisiana Tax Clearance certificate as issued by the Louisiana Department of Revenue.		
<input type="checkbox"/> Attach all applicable Application Fees as listed below. Failure to submit fees may result in denial or significant delays in the application process.		
APPLICATION FEES		
<input type="checkbox"/> Consumable Hemp Wholesale Application Fee	\$500.00	

****Only Personal/Business checks, cashier check, money order, or Credit Cards accepted. Upon submission, all application and permit fees are non- refundable.**

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APPLICATION AFFIDAVIT			
	IF APPLICANT IS:	MUST SIGN APPLICATION:	
WARNING & SIGNATURE	Individual /Sole Proprietor	Individual Owner	
	Partnership	Any Partner	
	Limited Liability Company (LLC)	Managing member, member, officer, director	
	Corporation	Officer, Director	
<p>BY SIGNING BELOW, YOU ARE SWEARING, UNDER OATH, that you have read each of the questions in this application and that all answers are true and correct to the best of your knowledge, that you meet all the qualifications and conditions as set forth under La. R.S. 26:80 and 26:280; that you have complied with the notice requirements contained in La. R.S. 26:77 and 26:277; and that you have no interest in any business that holds a retail or wholesaler's license issued by the Louisiana Office of Alcohol and Tobacco Control. I also swear (or affirm) that this applicant (except as provided in R.S. 26:85) holds no interest either directly or indirectly in a liquor permit other than the type applied for in this application. Applicant understands that his/her is responsible to understand and maintain the requirements related to transfer pursuant to La. R.S. 26:243.</p>			
<p>_____</p> <p>Print Name (Owner, Officer, Member)</p>		<p>_____</p> <p>Signature of Owner, Officer, Member</p>	
<p>_____</p> <p>Title</p>		<p>_____</p> <p>Date</p>	
Notary			
For NOTARY Use Only			
<p>Sworn to and subscribed to me this _____ day of _____, 20_____,</p> <p>In the parish/county of _____, State of _____,</p>			
<p>_____</p> <p>Notary Public's Signature</p>		<p>_____</p> <p>Print Name of Notary Public</p>	
Office Use Only	Permit Number	Processed by & Date	Issued by and Date