

August 2024

HAWAII DEPARTMENT OF HEALTH - HEMP PROCESSOR PERMIT

The following hemp processing operations require a permit and compliance with interim rules 11-37, HAR

A



Anyone processing hemp biomass to make a compliant MHP.

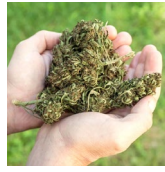


Crude Extract = initial cannabinoid containing extraction from hemp biomass that is not fit for use or consumption. Further processing required to create cannabinoid containing MHP.

Hemp Biomass = floral and leaf plant material.

Manufactured Hemp Product (MHP) = cannabinoid containing product applied topically to skin or taken orally in a form allowed in rules.

B



Anyone processing hemp biomass into compliant crude extract.

"Crude extract shall be sold only to a hemp processor with a valid permit issued by the department, or to a person with equivalent authority from a regulatory agency in another jurisdiction." Not allowed for sale to consumer.



C



Anyone completing the process of producing a compliant MHP from crude extract.

Those that do not want to process hemp biomass can obtain compliant crude extract and complete the manufacturing process into a compliant MHP.



D



Anyone using a compliant MHP as an ingredient to make another MHP. *Those that do not want to process hemp biomass or start with crude extract can obtain compliant MHP to use as ingredient to make another MHP. *Includes repackaging/relabeling activities.*



[Permit application, Law – Ch 328G, HRS and *Interim Rules – Ch 11-37, HAR](#) *tentative Aug/Sept 2024. Email: doh.hemp@doh.hawaii.gov

Applicant requirements:

1. Complete application and return with permit fee and supporting documentation:

- Valid USDA license to grow hemp or consent to background check establishing proof of no disqualifying felony conviction.
- Indoor facility and planned processing operations (e.g., extraction methods) comply with local zoning, building and fire codes.
- Or, processing operations (e.g., extraction methods) do not include use of heat, volatile compounds or gases under pressure and operations occur in enclosed indoor facility that is:
 - Exempt from building permit and building code requirements pursuant to section [46-88, HRS](#).
 - Or, occurs in a food hub or agricultural park.

NOTE: Applicants sharing a facility, like a food hub or commercial kitchen, with a business permitted by [Food Safety Branch \(FSB\)](#) should consult with permit owner and FSB to ensure hemp processing operations can occur in same shared space.

2. Indoor processing facility criteria:

- Facility used to process hemp biomass, as described in pathway "A" or "B" above, must be at least 500 ft. from playgrounds, schools, state parks, state recreation areas, residential neighborhoods, hospitals, or daycare facilities. This requirement does NOT apply to applicants that limit their processing operations to those described in pathway "C" or "D".
- Applicant must provide description how their processing facility will comply with relevant sections of Ch. 11-37, HAR, with respect to facility design and construction (e.g., easily cleanable materials), ventilation control, source water for cleaning and sanitation operations, facility plumbing to carry water to required locations and to convey sewage and liquid waste away from facility, access to plumbed hand wash sinks and toilets with water under pressure, etc.

NOTE: Please consult DOH - [Environmental Management Division](#) and [Environmental Health Services Division](#) to ensure your planned hemp processing operations comply with the laws and rules they administer. If your process uses solvents or other hazardous materials, please contact the DOH's Hazardous Waste Program (808-586-4226) for information on waste management regulations.