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HEALTH AND SAFETY CODE - HSC

DIVISION 104. ENVIRONMENTAL HEALTH [106500 - 119406] (Division 104 added by Stats. 1995, Ch. 415, Sec. 6.)

PART 5. SHERMAN FOOD, DRUG, AND COSMETIC LAWS [109875 - 111929.4] (Part 5 added by Stats. 1995, Ch. 415, Sec. 6.)

CHAPTER 9. Industrial Hemp [111920 - 111929.4] (Chapter 9 added by Stats. 2021, Ch. 576, Sec. 10.)

ARTICLE 4. Registration and Fees [111923 - 111923.9] (Article 4 added by Stats. 2021, Ch. 576, Sec. 10.)

111923. The Industrial Hemp Enrollment and Oversight Fund is hereby established in the State Treasury. All money received by the department pursuant to Section 111923.5 shall be deposited into this fund and shall be expended by the department, upon appropriation by the Legislature, to carry out and implement this chapter. Moneys in this fund shall not be redirected for any other purpose.

(Added by Stats. 2021, Ch. 576, Sec. 10. (AB 45) Effective October 6, 2021.)

111923.3. (a) (1) A hemp manufacturer who produces an industrial hemp product that is a food or beverage shall register with the department pursuant to Article 2 (commencing with Section 110460) of Chapter 5.

(2) Sections 110473 and 110474 shall not apply to dietary supplements and food products that include industrial hemp.

(b) Notwithstanding the voluntary nature of registration provided in Section 111795, a hemp manufacturer who produces an industrial hemp product that is a cosmetic shall register pursuant to Article 4 (commencing with Section 111795) of Chapter 7.

(c) A hemp manufacturer who produces an industrial hemp product that is a processed pet food shall obtain a license pursuant to Article 2 (commencing with Section 113060) of Chapter 10 of Part 6.

(d) (1) An in-state hemp manufacturer who produces raw hemp extract and who does not produce an industrial hemp product, or an out-of-state hemp manufacturer who produces raw hemp extract with the intent to import that raw hemp extract into this state, shall register with the department pursuant to Article 2 (commencing with Section 110460) of Chapter 5.

(2) Sections 110473 and 110474 shall not apply to hemp manufacturers who register pursuant to this subdivision.

(e) All hemp manufacturers shall notify the department immediately of any change of information in their application for a license of registration.

(Added by Stats. 2021, Ch. 576, Sec. 10. (AB 45) Effective October 6, 2021.)

111923.5. (a) In addition to licensing and registration requirements and fees required pursuant to other applicable laws, as specified in Section 111923.3, a hemp manufacturer shall obtain an industrial hemp enrollment and oversight authorization from the department. Authorization shall be renewed annually.

(b) The department shall assess an authorization fee and renewal fee to cover the actual reasonable costs of implementing the regulatory program in this chapter. Fees may be set at different amounts for different hemp manufacturer types, including food products, cosmetic products, and pet food products, based on the differing costs associated with regulatory requirements, including, but not limited to, the nature and scope of the authorization activities and oversight, inspection, and enforcement activities.

(c) The fee shall be adjusted pursuant to Section 100425.

(d) Fees may be prorated based upon the date of the renewal or issuance of the authorization.

(Added by Stats. 2021, Ch. 576, Sec. 10. (AB 45) Effective October 6, 2021.)

111923.7. A hemp manufacturer located outside the state shall reimburse the department for travel and per diem required to perform necessary onsite inspections at the facility to ensure compliance with this chapter and related activities pursuant to this part.

(Added by Stats. 2021, Ch. 576, Sec. 10. (AB 45) Effective October 6, 2021.)

111923.9. A hemp manufacturer or retailer who is operating in conformance with this part and in good faith compliance with their responsibilities under this chapter may manufacture or sell industrial hemp products or raw hemp extract without authorization for three months after the effective date of the act that added this chapter.

(Added by Stats. 2021, Ch. 576, Sec. 10. (AB 45) Effective October 6, 2021.)