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Director and State Public Health Officer

State of California—Health and Human Services Agency
California Department of Public Health



GAVIN NEWSOM
Governor

August 12, 2022

Dear Industrial Hemp (IH) Product Manufacturers and Extractors:

The California Department of Public Health, Food and Drug Branch (FDB) finalized its regulations on July 5, 2022, and is accepting applications and fees for the manufacture of in-state industrial hemp products and extracts (both in-state and out-of-state extractors).

To lawfully manufacture, pack, or hold industrial hemp products and extracts, a manufacturer shall obtain both an Industrial Hemp Enrollment and Oversight (IHEO) Authorization and register with the department for the applicable food, processed pet food, or cosmetic product. Manufacturers of industrial hemp inhalable products need only obtain an IHEO Authorization.

In order to facilitate successful processing of your application(s) please be aware of the following:

1. All applicable laws and regulations (please refer to resources) for the safe production, testing, labeling, and warehousing of your commodity.
2. The California Health and Safety Code (H&SC) Section 110140 allows authorized agents of the Department to enter and inspect any regulated facility to assess compliance with laws and regulations of this State.
3. Application packets submitted to the FDB must include a signed and completed IHEO Authorization application, other applicable applications (e.g., food, processed pet food, cosmetic), supporting documentation, and appropriate fees. Operators who currently maintain a valid food, processed pet food, or cosmetic registration with FDB and are interested in adding industrial hemp to their products need to fill out and submit new applications with their IHEO Authorization application.
4. When submitting your application packet, you must demonstrate compliance with applicable requirements. An FDB representative will contact you to schedule an



initial inspection. After the initial IHEO Authorization is issued, subsequent inspections may be unannounced.

Resources



Food and Drug Branch

- Links to the Industrial Hemp Compliance Program and all other FDB licensing programs including applicable laws and regulations, consumer complaint portal and a variety of industry resources are available on our webpage.
- Website: Scan or click QR code
- Email for IH specific questions: FDBIH@cdph.ca.gov
- Phone: (800) 495-3232

The FDB has regulatory authority over industrial hemp products outlined in California Assembly Bill 45 (AB 45), Chapter 576, Statutes of 2021, and corresponding regulations. Industrial hemp as an agricultural product is regulated by the California Department of Food and Agriculture (CDFA). Their contact information is included below.



California Department of Food and Agriculture – Industrial Hemp Program

- Information about regulating hemp as an agricultural crop
- Website: Scan or click QR Code

If you have any questions or concerns, you may reach out to FDB at FDBIH@CDPH.CA.GOV or (916) 650-6500.

Sincerely,

A handwritten signature in blue ink, appearing to be "BY" or similar initials.

Benson Yee, Chief
Food and Drug Branch