

**MEMORANDUM OF UNDERSTANDING (MOU)**  
*by and between*  
**California Department of Food and Agriculture (CDFA)**  
*and*  
**California Agricultural Commissioners and Sealers Association (CACASA)**  
*relating to the*  
**State-County Cooperative Industrial Hemp Cultivation Program**

**I. PARTIES**

The parties to this Memorandum of Understanding (MOU) are the California Department of Food and Agriculture (CDFA) and the California Agricultural Commissioners and Sealers Association (CACASA), each individually referred to as a party (Party) or collectively as the parties (Parties).

**II. BACKGROUND**

The Food and Agricultural Code (FAC) Division 24 requires growers of industrial hemp and seed breeders to register with county agricultural commissioners before growing industrial hemp. When a registrant wishes to alter the land area or change the seed cultivar grown, the registrant must notify and obtain approval from the agricultural commissioner in which the registrant is growing hemp. All registration information must be forwarded to CDFA. Chapter 8, Division 4, Title 3 of the California Code of Regulations implements FAC Division 24.

**III. AUTHORITIES**

- A. The CDFA enters into this MOU with authority under FAC Division 24 to implement an industrial hemp program. The FAC section 482 authorizes CDFA to enter into cooperative agreements with associations for the purpose of administering and enforcing the FAC.
- B. CACASA enters into this MOU with authority under FAC section 2003 to act as the representative body on behalf of county agricultural commissioners. Under Article II of its bylaws, CACASA promotes uniformity in methods and practice of enforcing laws and regulations among counties.

**IV. STATEMENT OF PURPOSE**

This MOU sets forth recommended enforcement responsibilities for Division 24 among CDFA and county agricultural commissioners. Though this MOU does not bind individual counties to carry out enforcement, the MOU is intended to facilitate uniformity among county systems of enforcement and complement those of CDFA through CACASA's role as liaison among counties and between counties and CDFA.

**V. RESPONSIBILITIES**

The CDFA shall:

- A. Allocate funds from the Department of Food and Agriculture Fund, as described in FAC section 221, for disbursement to county agricultural commissioners pursuant to industrial hemp regulatory enforcement contracts to cover the actual costs of the commissioners for the purposes of registration, investigation, and enforcement for non-compliant industrial hemp cultivation, public outreach, and training.
- B. Develop and maintain a centralized statewide registration data system based on data received from the county agricultural commissioners, which shall include GPS coordinates for both registered and exempted cultivation sites.
- C. Establish, coordinate, and supervise a uniform industrial hemp registration and regulatory enforcement program.
- D. Develop and distribute forms to county agricultural commissioners and industry for registration, preharvest reporting, sample collection for testing for tetrahydrocannabinol content, chain of custody for samples collected, and harvest/destruction reporting.
- E. Develop and distribute a standard monthly reporting form to county agricultural commissioners for industrial hemp registration and regulatory enforcement activities conducted by the county agricultural commissioners.
- F. Assist with the training of county personnel for registration, investigation, and enforcement activities.
- G. Issue guidelines and regulations to county agricultural commissioners and industry for registration and regulatory enforcement.
- H. Provide guidance to county agricultural commissioner on regulatory enforcement issues.

CACASA shall represent the interests of the county agricultural commissioners as they:

- A. Enforce industrial hemp registration and/or notification requirements for all hemp growers within the county in accordance to Division 24 of the FAC and Title 3 of the California Code of Regulations.
- B. Maintain records of registration, sampling, testing, and other records necessary for regulatory enforcement actions. Forward copies of registration forms and related data to the CDFA along with registration fees.
- C. Perform inspections, sampling, and regulatory enforcement activities as needed to comply with all California laws, regulations, and agreements pertaining to industrial hemp.
- D. Train county personnel to perform effective inspections, sampling, and regulatory enforcement activities.
- E. Report sampling, testing, and regulatory enforcement activities to the CDFA pursuant to industrial hemp cultivation program agreement between CDFA and county agricultural commissioners.

- F. Investigate all complaints of violations of state industrial hemp laws and regulations and coordinate with local law enforcement, as necessary, to take appropriate enforcement action regarding industrial hemp cultivation within the county.

**VI. GENERAL TERMS**

**A. Period of Performance**

This MOU shall become effective upon signature of the Parties and shall remain in force for two (2) years or until terminated in writing by any Party, according to Section V. C. of the MOU. At the end of the two-year period this work may be continued with the issuance of a written amendment executed by the authorized representatives of the Parties.

**B. Modifications**

This MOU may be modified during the period of performance only by written instruments signed by authorized representatives of all Parties.

**C. Termination**

Any Party may terminate its participation in this MOU at any time during the period of performance upon issuing a 15-day written notice to the other Party. Upon receipt of such notice, the other Party shall decide whether it desires to continue performance under this MOU once the terminating Party stops performing.

This MOU may be immediately terminated by any Party, if another Party fails to comply with any material obligation provided in this MOU.

**D. Signatures**

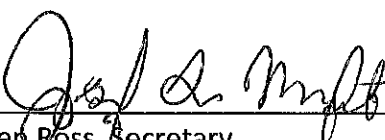
IN WITNESS WHEREOF, THE PARTIES HERETO have executed this memorandum, on the date(s) set forth below.



\_\_\_\_\_  
Ruben Arroyo, President  
California Agricultural Commissioners and Sealers Association

May 29, 2019

\_\_\_\_\_  
Date

 *Jenny Lester Moffitt, for*  
\_\_\_\_\_  
Karen Ross, Secretary  
California Department of Food and Agriculture

\_\_\_\_\_  
May 15, 2019  
Date