



2023 Hemp Certification Program Standards

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EXTERNAL

GAP Connections Hemp Certification Program Standards

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Documentation of Revisions

Version 1.0 approved November 2021

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- **Revisions or additions of clarifying language to the following Critical Standards** (*revision and/or clarifying language is in italics*):
 - Use appropriate methods such as *washing, steaming, bleaching, or use of commercial tray cleaner* to clean or sanitize transplant trays in the production of seedlings.
 - All CPA applications, restricted or non-restricted, should be completed or supervised by a licensed pesticide applicator. *This includes organic growers using only non-restricted CPAs.*
 - Have a designated, enclosed, dry (weather protected) and lockable CPA storage area with proper signage. *Signage should signify “Danger”, “Pesticide Storage”, or “Keep Out” at a minimum, be able to withstand normal wear and tear and if exposed to outdoor conditions, be able to withstand weather.* If no storage area a grower must show *CPA purchase receipts, receipts from a custom applicator, or organic certification.*
 - Ensure that CPAs are stored in original manufacturer's containers with labels attached or on file in CPA storage room. If there is no storage area a grower must show *CPA purchase receipts, receipts from a custom applicator, or organic certification.*
 - Dispose of *empty* CPA containers by *triple-rinsing and punching or removing lid AND* either recycling through programs or sites designated for CPA container recycling OR *disposing* of them in appropriate landfill. CPA containers cannot be burned.
 - If there are H-2A workers on the farm the grower's name (Primary or Associate), the name of the entity which the individual is a part of (member or employee), ~~or farm location~~ must be listed on all of the: ETA 790(s) and ETA 790A(s) and ETA 9142A(s) (if requested)
 - Growers should not employ unauthorized H-2A workers or allow H-2A workers under their employment to work on an unauthorized farm location. H-2A workers are only authorized to work for the employers and at the locations listed on their H-2A contract, the ETA 790, and the ETA 9142A. *Grower's operation must be listed on the ETA paperwork.*
 - Ensure that workers are paid either daily, weekly, or bi-weekly and according to their employment terms and conditions.
 - Provide workers *with a copy of* their individual written wage for each pay period.
 - Workers shall be allowed to terminate their commitment at any time, without the threat of intimidation, coercion, blacklisting, or any other type of discrimination or retaliation. *If H-2A workers are employed, growers should follow all legal requirements if an H-2A worker terminates their employment commitment.*
 - If the grower provides housing directly to seasonal workers, the grower must: *Maintain the housing facility(s) to comply with all federal and state safety and health standards, including up-to-date certification from DOL or other appropriate governmental agencies.*
 - Provide workers with an emergency plan for medical emergencies, fires, or weather events *that includes, at minimum, a list of important numbers for emergency services and the location of a safe shelter on the farm or an evacuation plan that leads workers to a safe location in case of weather events.*
 - Farm Safety, including Farm Equipment Safety and First Aid
- **Revisions or additions of clarifying language to the following Additional Standards** (*revision and/or clarifying language is in italics*):
 - CPA storage with impermeable floor. This includes tubs, bins, or containers *used to hold CPAs made of impermeable material.*
 - CPA storage designed to retain runoff from spills and leakages. This includes tubs, bins, or containers *used to hold CPAs made of impermeable material* that can hold more than the volume of CPA being stored.
- **Addition of the following Critical Standards:**

- The FLC/H-2ALC must maintain the housing facility(s) to comply with all federal and state safety and health standards, including up-to-date certification from DOL or other appropriate governmental agencies.
- If the FLC or H-2ALC is driving workers, they should be authorized to drive on their Certificate of Registration.
- Obtain and keep a copy of the FLC's or H-2ALC's driver's license and doctor's certificate if FLC or H-2ALC is authorized to drive.

Introduction

GAP Connections (GAPC) develops, maintains, and provides leadership for agricultural standards and practices. We seek to promote production that is competitive, sustainable, fair, compliant, and responsive to changing industry conditions and stakeholder needs.

The GAP Connections Grower Certification Program is a voluntary program to help domestic hemp growers be recognized for their excellence in the areas of Crop, Environment and Labor practices. This document outlines requirements and measurable standards associated with the voluntary GAP Connections Certification Program. Growers can follow GAP Connections Certification Standards and choose not to participate in the GAP Connections Certification Program.

GAP Connections Certification Standards do not replace or supersede contract requirements between growers and purchasing companies but instead offer the industry a set of guiding principles that identify and promote best practices for on-farm production and post-production processes which produce a quality crop while protecting, sustaining or enhancing the environment with regard to soil, water, air, animal and plant life as well as protecting and ensuring the rights of farm laborers.

Growers can learn more about the GAPC Certification Program by contacting GAP Connections at 865.622.4606 or by visiting www.gapconnections.com.

Certification Unit and Scope

Individuals who grow hemp (*Cannabis Sativa L.*) for hemp fiber, raw and dried biomass for direct sale or further processing, and/or the constituents and extracts for food, dietary supplements, personal care products, pet supplements are eligible for GAPC Hemp Certification. Each GAPC Hemp Certification is certifying a grower or growers on ONE licensed operation. All growers listed on application must be listed on hemp license. If hemp license is in a business name, legal entity documents will have to show individual growers to have them listed on the application and eligible for Certification.

Types of Certifications

Growers may choose one of two types of GAP Connections Certification to achieve:

- United States (U.S.) Certification
- International Certification

To be certified, a grower must adhere to the GAP Connections Certification Standards set forth for each Certification.

Certification Standards

Within each of the types of GAP Connections Certifications, Certification Standards are defined as Critical or Additional.

- **Critical Standards** - are aligned to current legal requirements or otherwise deemed necessary for the quality of the crop, or protection of the environment or workers. Compliance with Certification Standards does not guarantee compliance with Federal, State or local law.
- **Additional Standards** - are aligned to best practices in the industry.

A large, light brown, stylized letter 'G' is centered in the background. The 'G' has a thick, rounded, sans-serif font style. The top of the 'G' is open, and the bottom curve is thick and rounded. The 'G' is set against a light beige background with a subtle circular pattern of concentric arcs.

General

EVERY DECISION MATTERS

GENERAL CERTIFICATION STANDARDS

SELF-ASSESSMENT

PRINCIPLE

Providing a method that allow growers to report and verify information about their operation during the season prior to a monitoring visit is a time efficient and cost-effective method to collect needed data and prepare growers for GAPC Certification.

CRITICAL STANDARDS

- Complete the GAPC Annual Self-Assessment prior to the monitoring activity.

GROWER TRAINING

PRINCIPLE

Training allows content experts and GAPC to provide information and guidance on industry best practices and GAPC Certification Standards in the three topics of crop, environment, and labor management to improve on-farm practices and help growers achieve GAPC Certification.

CRITICAL STANDARDS

- Grower and all Associated Growers must attend Annual GAP Training by June 30 of each year.

RECORD RETENTION

- Grower shall keep records, electronically or in hard copy, for at least five (5) years after obtained, or longer if required by the authority having jurisdiction.

FSA 578: FSA CROP REPORT STANDARDS

PRINCIPLE

Ensuring the integrity of the GAPC Certification Program is critical to sustainable improvements within the industry. GAPC requires the FSA 578 form to verify active participation and accurate reporting for the current year.

CRITICAL STANDARDS

- Obtain an FSA crop report(s) for the current year detailing all hemp acreage from all counties. Location listed on the FSA 578 must match information provided by hemp license and registration.
- Acreage reported on current year FSA Form 578 crop report(s) must match acreage reported at time of monitoring visit.
- Maps of all growing parcels must be kept on file.

REGULATIONS AND HEMP LICENSING

PRINCIPLE

The GAPC Certification Program is critical to sustainable improvements within the industry. GAPC requires the FSA 578 form to verify active participation and accurate reporting for the current year.

CRITICAL STANDARDS

- Growers must demonstrate to the certification body how they stay informed of the legal requirements that apply to their operations, and how they follow such requirements on an ongoing basis.
- Growers must keep on file a record of any violations of applicable laws and corrective actions for which they have been cited by relevant regulatory authorities.
- Prior to planting any seed, obtain and maintain a valid and non-expired hemp license, registration and/or agreement with the state, tribal government or USDA according to local, state and federal laws. The following information should be included:
 - Name of the person or corporation to whom the license or authorization is to be issued
 - Address of the farm or place including county and township or legal description
 - The number of acres (must match or be less than acres listed on 578)
 - Global Positioning System coordinates
 - Intended purpose of hemp, e.g., foods, dietary supplements, fiber production, etc.
 - In the case of a plant breeder, the variety of hemp that may be cultivated and any conditions that are necessary to minimize security, public health or safety hazards related to the licensed or authorized activities.
 - Specify if the hemp is for food or non-food purposes.



Crop & Environmental Management

HOW YOU GROW MATTERS

HOW YOU GROW MATTERS: CROP MANAGEMENT

NUTRIENT MANAGEMENT

PRINCIPLE

A desirable nutrient management plan meets the needs of the crop, minimizes the costs to the grower, and minimizes the impact on the environment. Recording information about fields and applications helps to plan an effective nutrient management strategy.

CRITICAL STANDARDS

- Sample soils where hemp is grown, at minimum, every three years. Soil test should include tests for:
 - Heavy metals (at minimum, for arsenic, cadmium, mercury, and lead)
 - pH
 - Crop Protection Agent (CPA) residues (as required by your contractor or buyer)
 - Soil nutrient profile
- Laboratories conducting soil analysis must be accredited to ISO 17025.
- Have a soil management plan that determines fertilizer applications according to soil sample results.
- Keep records of all nutrient applications- greenhouse, transplant water, and field (soil and foliar), which includes date of fertilizer application, application timing (pre-plant, side-dressing, transplanting, or foliar), type of fertilizer applied (N-P-K), and rate of application. This includes lime applications.
- If using animal manure or litter for fertilizer, have it tested for nutrient content and heavy metal levels to determine appropriate rates.
- If required in your watershed, comply with nutrient management regulations as applicable such as having a nutrient management plan.

ADDITIONAL STANDARDS

High Risk

- Sample soils where hemp is grown every year. Soil test should include tests for:
 - Heavy metals (at minimum, for arsenic, cadmium, mercury, and lead)
 - pH
 - Crop Protection Agent (CPA) residues (as required by your contractor or buyer)
 - Soil nutrient profile

INTEGRATED PEST MANAGEMENT

PRINCIPLE

Growers should implement diverse methods of pest controls, paired with monitoring to reduce unnecessary pesticide applications to decrease potential human health risks and adverse environmental effects. CPAs should be used after other practical alternative pest, weed, and disease management measures have been utilized. Given the hazards associated with CPA use, it is important that the people who use them are informed and trained.

CRITICAL STANDARDS

- Keep field/tract records of all CPA applications, including in the greenhouse, transplant water and field. This includes:

- CPA common name
- Active Ingredient
- Application date
- Application method (transplant water, hand sprayer, overhead sprayer, etc.)
- Rate
- Name of Applicator
- Field name and location
- EPA Number
- REI
- Pest targeted or reason for application

Note: Growers may use a reference sheet such as the “CPA Reference Sheet” found in the GAPC records to record brand name, EPA registration number, active ingredient, and REI to avoid writing this information for each individual application. This reference sheet must be kept with the records of the individual CPA applications.

- All CPA applications, restricted or non-restricted, should be completed or supervised by a licensed CPA applicator. This includes organic growers using only non-restricted CPAs.
- Use only CPAs that have been approved by the EPA for use on hemp (labeled). Always refer to your grower contract; some buyers may prohibit use of CPA’s which are labeled for hemp.
- Maintain CPA application records for the previous five growing seasons as well as the current season

ADDITIONAL STANDARDS

High Risk

- Maintain calibration records for current year

Medium Risk

- Have a documented scouting program for pests and record the scouting information by field/tract following GAP standards. Records should include the following:
 - Date of scouting
 - Pests observed
 - Percent of plants affected/infested
 - Crop protection agent applications made by field and date
 - Conduct a follow-up of your pest control practices to determine the effectiveness of the action taken
- Using the documented scouting program, scout hemp crop weekly.
- Use appropriate methods such as washing, steaming, bleaching, or use of commercial tray cleaner to clean or sanitize transplant trays in the production of seedlings.

CROP AND OPERATIONS MANAGEMENT

PRINCIPLE

Implementing acceptable agronomic and industry requested practices from planning to post harvest will help achieve industry acceptable and quality production. Observation and records of variety disease resistance, yields, and other characteristics will assist in planning future quality and productive crops.

CRITICAL STANDARDS

- Direct the day-to-day activities involved in producing the hemp sold under your name, the name of an associated grower, employee, or the name of the farming operation.
- Follow all federal and state laws related to the transport, import, and/or export of hemp seed and hemp plants for planting.
- If you import and/or export seed, hemp biomass, or any derivatives ensure that a copy of the import and/or export permit and any declarations as required by the operator's legal jurisdictional authority(s) is maintained on the farming operation.
- Keep the purchase receipts for hemp seeds and/or plants that include source, variety and amount.
- Keep copies of analysis done on seed on file such as results from crop improvement programs or seed provider.
- Whether you produce or purchase your hemp plants, keep records of transplant/greenhouse seed origination, seeding dates, varieties, and seed lot numbers by field/tract.
- Keep hemp types and varieties strictly separated from each other during seeding, drying, and market preparation
- Keep records of transplanting by field/tract
- All equipment involved in production, harvesting, and transportation must be properly cleaned so as to avoid contamination of the crop by unintended materials.

ADDITIONAL STANDARDS

High Risk

- Keep records of plant and row spacing / plant population maintained by field/tract.

SAMPLING HEMP FOR ANALYSIS

PRINCIPLE

Growers shall comply with applicable local, state and federal laws relating to hemp production and maintain documentation to verify compliance.

CRITICAL STANDARDS

- The grower shall refer to the authority having jurisdiction to determine and document timeline for sampling.
- During the sampling, the grower or an authorized representative shall be present at the growing site.
- Grower should have a documented procedure for pre-harvest sampling.
- Grower should provide the number of testing results given jurisdiction standards on adequate number of samples and proper locations.
- Grower must have a pre-harvest analysis result that attests to THC levels bring 0.3% or less on a dry weight basis.

- Growers shall refer to the authority having jurisdiction for regulations regarding the disposal of non-compliant material.

HARVEST AND STRUCTURE MANAGEMENT

PRINCIPLE

Proper harvesting and barn management including monitoring the curing atmosphere, is critical for maximizing both yield and quality, impacting crop value. Inspecting and maintaining barns and structures allows for safe and efficient labor housing the crop and the efficient use of fuel to cure the crop. Traceability provides transparency and integrity to your crop, operation, and brand in the market and an added reassurance to purchasers.

CRITICAL STANDARDS

- Have a documented safety program for drying structures that includes inspection of tier rails and support beams for soundness, inspection of general barn soundness, removal of stored machinery, lumber and other items from barn floors that could enhance injury in falls. Ladders or steps should be installed and maintained to reach tiers.
- Record the date that hemp was placed in the drying structure and the date it was removed.
- Keep records of harvesting dates by field/tract or production structure
- Maintain records of the type and number of drying structures or barns.
- Maintain documentation on the drying structure or barn used for hemp from each by field/tract or production structure for traceability purposes.

NON-HEMP RELATED MATERIAL (NHRM)

PRINCIPLE

Providing a product that is free of NHRM is critical in producing a quality crop at time of delivery. By eliminating sources of NHRM or physically removing NHRM operations are increasing crop value.

GUIDANCE

Market preparations (market prep) is defined as all preparations of hemp for delivery and sale.

CRITICAL STANDARDS

- Clean harvested hemp to remove any Non-Hemp Related Materials (NHRM).

ADDITIONAL STANDARDS

High Risk

- Have at least one trash can in market prep areas. If market prep area is not currently in use, the trash cans that will be used need to be visible.

- Regularly inspect market prep area and remove NHRM and other potential sources of taint that could contaminate the hemp, keeping records of weekly inspection dates when in use. If market prep area is not currently in use, a documented inspection program including an inspection checklist and log of dates needs to be available from previous year or plan for current year.

Medium Risk

- Do not use brooms with synthetic bristles in market preparation area.
- Have designated break areas away from market prep area
- Do not have tools with plastic handles in market prep area

Low Risk

- Have a dedicated market prep and baling area with concrete, wood or asphalt floor

POST HARVEST PROCESSING, STORAGE AND TRANSPORTATION

PRINCIPLE

On-farm storage is often necessary to hold hemp from the time it has completed curing through market preparation until it is ready to be delivered. Proper conditions help to avoid deterioration in quality and loss of yield.

CRITICAL STANDARDS

- Keep records of cleaning, cutting, grinding, packing and storage by field/tract and drying structure (i.e. activity, date, individual doing task)
- Any water used during harvesting, post-harvest handling, or storage of hemp not from a public source must be tested for E. coli using the EPA Method 1603: Escherichia coli (E. coli) in Water by Membrane Filtration Using Modified membrane-Thermotolerant Escherichia coli Agar (Modified mTEC) which includes the following equivalent testing methods:
 - TECTA EC/TC medium and instrument
 - Modified Colitag, ATP D05-0035
 - IDEXX Colilert test kit
 - IDEXX Colilert-18 test kit
 - IDEXX Colisure test kit
 - E*Colite Bag or Vial test
 - ReadyCult Coliforms 100
- Monitor for mold risk by maintaining frequent checks for heat and moisture content.
- Storage of hemp shall be properly inventoried and labeled at each stage of processing and at all times to prevent adulteration, contamination and unintended comingling.
- Labeling of hemp shall at a minimum include information representative of:
 - Variety
 - Field/Growing Location
 - Lot number and/or Harvest date
 - Grower Name

- Have a documented program that allows for labeling and traceability of hemp from seed to farm sale or delivery.
- Packaging materials must not be coated with or otherwise contain any materials (eg. fungicides, mold inhibitors, etc.) that may contaminate the hemp.
- Storage of packaging and labels shall be under conditions adequate to prevent the packaging and labels from being adversely affected.
- Maintain a clean, dry hemp storage area when in use, with no treated wood in contact with hemp, no storage of CPAs, petroleum products, paint, stains, fertilizers or Styrofoam trays, or other sources of taint that could contaminate the hemp in storage area.
- Storage of hemp shall be under appropriate conditions of temperature, humidity, and light so that the identity, purity, strength, and composition of the components and hemp are not affected.
- Ensure that livestock are excluded from drying and storage structures
- Transportation of hemp shall be under conditions that will protect the hemp against contamination, deterioration, and adulteration.
- Any transported hemp material should be accompanied by the state or federal registration upon which the hemp was grown, a 3rd party COA stating the cannabinoid content, and a manifest stating sender contact information, type of products with a description of packaging/quantities and receiving party contact information.
- Keep records of amount sold by variety (included on the Bill of Lading or label) and amounts disposed.

ADDITIONAL STANDARDS

High Risk

- Store baled hemp on concrete floor, untreated wood (floor or pallets), trailers, wagons or truck beds.

Medium Risk

- Have an enclosed storage area with doors and windows that can be secured, if windows present. Doors and windows can be closed.

HOW YOU GROW MATTERS: ENVIRONMENTAL MANAGEMENT

CROP PROTECTION AGENT (CPA) MANAGEMENT

PRINCIPLE

Growers shall manage CPA applications using legal, safe, and environmentally friendly practices. Growers shall implement proper handling, controlled storage and proper disposal techniques of all CPA's and CPA containers used on hemp production.

CRITICAL STANDARDS

- Have a designated, enclosed, dry (weather protected) and lockable CPA storage area with proper signage. Signage should signify "Danger", "Pesticide Storage", or "Keep Out" at a minimum, be able to withstand normal wear and tear and if exposed to outdoor conditions, be able to withstand weather. If no storage a grower must show receipts from a custom applicator or organic certification.
- Dispose of empty CPA containers by triple-rinsing and punching or removing lid AND either recycling through programs or sites designated for CPA container recycling OR disposing of them in appropriate landfill. CPA containers cannot be burned.
- Properly segregate, store, and recycle hazardous waste including but not limited to residual CPAs, fuel, oil, grease, paint, and batteries.
- Maintain SDS sheets for all CPAs used in hemp production
- Maintain copies of labels for all CPAs currently being used in hemp production either on the container in storage, or in farm files. Does not include CPAs that are no longer in use and are not on the farm.
- Ensure that CPAs are stored in original manufacturer's containers with labels attached or on file in CPA storage room

ADDITIONAL STANDARDS

Medium Risk

- CPA storage with impermeable floor.
This includes tubs, bins, or containers used to hold CPAs made of impermeable material.
-
- CPA storage designed to retain runoff from spills and leakages. This includes tubs, bins, or containers used to hold CPAs made of impermeable material that can hold more than the volume of CPA being stored.
- Mix or transfer CPAs in containment areas away from runoff channels
- Ensure that greenhouse float water is properly and legally disposed of such as natural evaporation or used in transplant water (follow CPA label information at a minimum).

Low Risk

- Maintain an inventory of CPA stocks in storage updated monthly if changes occurred within the month.
- Have a designated, fenced or otherwise lockable storage area for empty CPA containers that have not been tripled rinsed and punched pending disposal
- Dispose of non-hazardous waste products (i.e. move wastepaper, cardboard, plastic (other than CPA chemicals) to a trash receptacle or recycle container. Burning non-hazardous waste is not acceptable.

SOIL AND WATER MANAGEMENT

PRINCIPLE

Soils are a dynamic, living, and fragile resource while water is a limited resource. Growers shall manage both to conserve, protect, preserve, and improve.

CRITICAL STANDARDS

- As required by law, maintain a conservation management plan approved by the soil and water conservation district for fields that are considered highly erodible land
- Keep records of dates and amounts of irrigation water and maintain records of rainfall amounts during the growing season.

ADDITIONAL STANDARDS

High Risk

- Use vegetated buffers between field and streams or lakes (minimum buffer distance is 33 feet)

Low Risk

- Maintain field borders/buffer strips along lower edges of fields and beside field ditches and drainage ways (minimum buffer distance is 33 feet)
- If you use irrigation, then use proper irrigation management methods, which include:
 - Maintain equipment and piping to prevent leakage
 - Maintain runoff water



Labor Management

HOW YOU WORK MATTERS

HOW YOU WORK MATTERS: LABOR MANAGEMENT

RECRUITING, HIRING AND TERMINATION

PRINCIPLE

Growers shall comply with applicable federal and state laws relating to recruiting, hiring and termination and maintain documentation to verify compliance. I-9's shall be completed and used to verify worker's age to ensure compliance with the age requirements of the GAPC Certification Program.

CRITICAL STANDARDS FOR ALL CERTIFICATIONS

- Qualified employees who grow, manufacture, package, or label hemp shall be qualified to do so, and those responsible for quality control or performing any quality control operations must have the education, training, or experience to perform the assigned functions.
- Supervisors shall be qualified by education, training, or experience to supervise.
- If there are H-2A workers on the farm obtain and keep a copy of the ETA 790(s) which must include the number of workers, location of employment, name of employer, number of housing units, housing location, and H-2A case number.
- If there are H-2A workers on the farm the grower's name (Primary or Associate), the name of the entity which the individual is a part of (member or employee) must be listed on the:
 - ETA 790
 - ETA 9142A (if requested)
- Growers should not employ unauthorized H-2A workers or allow H-2A workers under their employment to work on an unauthorized farm location. H-2A workers are only authorized to work for the employers and at the locations listed on their H-2A contract, the ETA 790 and the ETA 9142A. *Grower's operation must be listed on the ETA paperwork.*
- Complete and maintain a Form I-9 for each worker. Once the work commitment has terminated, grower keeps the Form I-9 for either three years after the date of hire, or one year after the date the work commitment is terminated, whichever is longer. I-9's are not required for immediate family farm labor¹.

CRITICAL STANDARDS FOR U.S. CERTIFICATION

- If you hire more than 500 man-days of hired labor in any of calendar quarters of last year, at the time of hire of seasonal workers (excludes immediate family farm labor¹⁸ and workers involved in a vocational or apprenticeship program²) and at the time of recruitment of migrant workers the following must be provided in writing in the worker's preferred language, to include:
 - place of work (with specifics, such as the name and address of the Company or the association),
 - pay rates (including piece rates) to be paid,
 - crops and kinds of activities for which the worker may be assigned,

¹ Immediate family members includes only: (1) A spouse; (2) Children, stepchildren, and foster children; (3) Parents, stepparents, and foster parents; and (4) Brothers and sisters. If the worker does not fall into one of the four categories listed here then the worker is considered a hired employee per the US DOL definition.

² Workers are exempt if they are involved in a vocational or apprenticeship program sanctioned by the Board of Education in the state. Documentation verifying the vocation or apprenticeship program will be required.

- period of work commitment,
- transportation, housing, and any other worker benefits to be provided, if any, and any costs to be charged for each, and
- whether state workers' compensation or state unemployment insurance is provided.

CRITICAL STANDARDS FOR INTERNATIONAL CERTIFICATION

- At the time of recruitment and at the time of hire, provide all hired workers (excludes immediate family farm labor¹⁸) a written disclosure describing the terms and conditions of their work commitment written in the worker's preferred language, to include:
 - place of work (with specifics, such as the name and address of the Company or the association),
 - pay rates (including piece rates) to be paid,
 - crops and kinds of activities for which the worker may be assigned,
 - period of work commitment,
 - transportation, housing, and any other worker benefits to be provided, if any, and any costs to be charged for each, and
 - whether state workers' compensation or state unemployment insurance is provided.

ADDITIONAL STANDARDS

High Risk

- Maintain records concerning any worker who was terminated, the reason for such termination, and report to the proper authorities (important for H-2A). Termination records are not required for immediate family farm labor²¹ and workers involved in a vocational or apprenticeship program³.
- Maintain documentation of the number of permanent, local, seasonal, migrant, H2A, and immediate and non-immediate family workers.

IMMEDIATE FAMILY WORKING ON THE FARM

PRINCIPLE

Align GAPC U.S. Certification Standards with U.S. law regarding immediate family labor and align GAPC International Certification with the International Labor Convention (ILO) regarding restrictions on immediate family labor.

GUIDANCE

Immediate family members include only: (1) A spouse; (2) Children, stepchildren, and foster children; (3) Parents, stepparents, and foster parents; and (4) Brothers and sisters. If the worker does not fall into one of the four categories listed here, then the worker is considered a hired worker per the US DOL definition.

CRITICAL STANDARDS FOR US CERTIFICATION

- Comply with all federal and state child labor laws pertaining to immediate family labor.

³ Workers are exempt if they are involved in a vocational or apprenticeship program sanctioned by the Board of Education in the state. Documentation verifying the vocation or apprenticeship program will be required.

CRITICAL STANDARDS FOR INTERNATIONAL CERTIFICATION

- Immediate family members ages 15 years of age or younger may only be assigned light, nonhazardous work only if does not interfere with compulsory school.
- Immediate family members ages 16 – 17 cannot be assigned any DOL hazardous tasks (Appendix 1- List A) or other restricted tasks (Appendix 1 – List B).
- Ensure that a responsible adult is always present and supervising the child’s work, and that you follow regulations on the number of hours a child is permitted to work.⁴ Furthermore, children are not permitted to work at night.

HIRED WORKERS

PRINCIPLE

Eliminating work which puts minor's (under the age of 18) health, safety, education, and development at risk.

GUIDANCE

Standards in this section do not apply to immediate family farm labor. If your operation hires ANY non-immediate family farm labor these standards will apply to those non-immediate family workers.

CRITICAL STANDARDS FOR US CERTIFICATION

- The grower must obtain the written consent of a youth worker’s (under 18) parent (or legal guardian) prior to work commitment commencing.
- Growers must not engage or obtain services from any person who is younger than 16 years of age. Exceptions for utilizing a person under 16 years of age include the following:
 - Youth excused from compulsory school attendance by applicable law, AND
 - Youth involved in accredited learning programs (such as 4H and school programs) can be assigned work tasks as long as the tasks relate directly to the learning experiences of the program and are in compliance with law.
- Youth labor that is excused from compulsory school attendance by applicable law, and youth involved in accredited learning programs (apprenticeships or vocational programs) must have verification documentation.
- No hired worker under 18 may be assigned DOL hazardous tasks (Appendix 1 - List A).

CRITICAL STANDARDS FOR INTERNATIONAL CERTIFICATION

- Growers must not employ or obtain services from any person who is younger than 16 years of age.
- No hired worker under 18 may be assigned DOL hazardous tasks (Appendix 1 - List A) or Other Restricted Tasks (Appendix 1 - List B).

ADDITIONAL STANDARDS

- If minors are engaged on the farm, records that include, at minimum:
 - Name in full
 - Place where the minor lives while engaged

⁴ The recommended hourly limit for family children 13 to 15 years old is 2 hours per day.

- Permanent address (if different from current residence)
- Date of birth

WAGE, BENEFITS, AND WORKING HOURS

PRINCIPLE

Wages shall be in accordance with all federal, state, and local laws and records of time worked and/or production provided by workers. Workers shall be given the terms and conditions of their employment and receive wage statements to ensure transparency and monitoring for proper payment, illegal fees and deductions.

GUIDANCE

Standards in this section do not apply to immediate family farm labor⁵ and workers involved in a vocational or apprenticeship program⁶. If your operation hires ANY non-immediate family farm labor not involved in a vocational or apprenticeship program these standards will apply to those workers.

CRITICAL STANDARDS FOR ALL CERTIFICATIONS

- Growers must offer workers rest breaks during the day, including lunch, without compromising their ability to earn wages.
- Ensure that the pay of all workers (including for temporary, piece rates, seasonal, and migrant workers) meet, at a minimum, national and state minimum wage requirements or adverse effect wage if H2A workers.
- Ensure that workers are paid either daily, weekly, or bi-weekly and according to their employment terms and conditions.
- Provide workers with a copy of their individual written wage statements that remain in their possession for each pay period that include (wage statements are not required for immediate family farm labor):
 - Worker's full name;
 - Worker's address (permanent or seasonal)
 - Worker's social security number (last 4-digits is acceptable);
 - Total pay period earning;
 - Number of hours worked;
 - Basis on which wages are paid (piece rate if paid on a piecework basis);
 - Number piecework units earned, if applicable;
 - Specific sums withheld, and the purpose of each sum withheld.

NOTE: If subject to MSPA, H2A or FSLA, a more detailed statement may be required. Workers are exempt if they are involved in a vocational or apprenticeship program sanctioned by the Board of Education in the state. Documentation verifying the vocation or apprenticeship program will be required.

⁵ Immediate family members includes only: (1) A spouse; (2) Children, stepchildren, and foster children; (3) Parents, stepparents, and foster parents; and (4) Brothers and sisters. If the worker does not fall into one of the four categories listed then the worker is considered a hired employee per the US DOL definition.

⁶ Workers are exempt if they are involved in a vocational or apprenticeship program sanctioned by the Board of Education in the state. Documentation verifying the vocation or apprenticeship program will be required.

- Compensation must include all time under the grower’s direction and control once worker initiates any work activity including short breaks (15 minutes or less) and time used to conduct training. This does not include transportation from housing to field to start and from the field to housing when work is complete.
- All over contract work hours are voluntary and paid in accordance with applicable laws related to wage and working hour requirements.
- All deductions must be in accordance with applicable law.
- Workers must not be subject to any illegal wage withholdings, such as deposits or deductions, for the purpose of recruitment or retention.

LABOR POSTERS

PRINCIPLE

Growers shall comply with all applicable federal and state laws relating to postings of laws, regulations and critical messages.

GUIDANCE

Standards in this section do not apply to immediate family farm labor⁷. If your operation hires ANY non-immediate family farm labor these standards will apply to your operation as applicable.

- Post all legally required labor standards posters where they will be visible to all workers, in a language common to the workers, which sets forth the rights and protections of the workers. Including but not limited to:
 - Notice of Migrant and Seasonal Agricultural Workers Protection Act (MSPA)
 - Notice of Employee Rights under the Fair Labor Standards Act
 - Employee Rights under the H-2A Program (if H-2A workers work on the operation)
 - OSHA Occupational Safety and Health Poster and any other appropriate and relative OSHA warnings

FARM LABOR CONTRACTORS (FLCs and H-2ALCs)

PRINCIPLE

Growers shall comply with all applicable federal and state laws relating to the use of FLCs and H-2ALCs and ensure that all practices required by GAPC Certification in regard to directly hired labor or applied to indirectly hired labor (i.e. labor provided by a third-party) including eliminating work which puts minor's (under the age of 18) health, safety, education, and development at risk.

GUIDANCE

Standards in this section apply to operations that indirectly hire labor through a third-party defined by U.S. law as a Farm Labor Contractor or H-2ALC. A Farm Labor Contractor (FLC) is someone who, for money or other valuable consideration, recruits, solicits, hires, employs, furnishes or transports migrant and/or seasonal agricultural

⁷ Immediate family members includes only: (1) A spouse; (2) Children, stepchildren, and foster children; (3) Parents, stepparents, and foster parents; and (4) Brothers and sisters. If the worker does not fall into one of the four categories listed then the worker is considered a hired employee per the US DOL definition.

workers or, provides housing to migrant agricultural workers. They are often called crew leaders or crew bosses. Anyone in the US who meets this definition of a Farm Labor Contractor as defined by the US Department of Labor must be registered with the US Department of Labor.

CRITICAL STANDARDS FOR ALL CERTIFICATIONS

- If minors (under 18), provided by the FLC/H-2ALC, work on the farm records that include, at minimum must be maintained: Name in full, place where the minor lives while employed, permanent address, date of birth.
- Ensure no worker under 18 provided by the FLC/H-2ALC is assigned DOL hazardous tasks (Appendix 1 - List A).
- If a grower chooses to work with an individual defined as a FLC or H-2ALC by current U.S. laws they must be currently registered with the U.S. DOL and have a valid and non-expired Certificate of Registration.
- Obtain and keep a copy of the contractor's valid and non-expired Certificate of Registration.
- If there are H-2A workers on the farm through a H-2ALC, obtain and keep a copy of the ETA 790(s) which must include the number of workers, location of employment, name of employer, number of housing units, housing location, and H-2A case number.
- If there are H-2A workers on the farm through a H-2ALC, the FLC's H-2ALC's name must be listed on the:
 - ETA 790
 - ETA 9142A (if requested)
 - Grower's operation must be listed on work order.
- Growers should not employ unauthorized H-2A workers. H-2A workers are only authorized to work for the employers and at the locations listed on their H-2A contract, the ETA 790 and the ETA 9142A.
- If there are H-2A workers on the farm through a H-2ALC, there must be a contract between the grower and the H-2ALC. The contract is required by U.S. DOL when the H-2ALC requests H-2A workers.
- If there are H-2A workers on the farm through a H-2ALC, a copy of the contract between the grower and the FLC must be provided. The contract is required U.S. DOL when the H-2ALC requests H-2A workers.
- If there are H-2A workers on the farm through a H-2ALC, the H-2ALC must have a surety bond that covers liability incurred during the term of the worker contract period listed on the H-2A application and must remain in effect for a period of at least 2 years from the expiration date of the labor certification.
- If there are H-2A workers on the farm through a H-2ALC, the grower must have proof of ensure the H-2ALC has a surety bond that covers liability incurred during the term of the worker contract period listed on the H-2A application and must remain in effect for a period of at least 2 years from the expiration date of the labor certification.
- If the FLC or H-2ALC is housing workers, they should be authorized to house on their Certificate of Registration.
- Obtain and keep a copy of the housing inspection if FLC or H-2ALC is authorized to house.
- The FLC/H-2ALC must maintain the housing facility(s) to comply with all federal and state safety and health standards⁸, including up-to-date certification from DOL or other appropriate governmental agencies.

⁸ Housing must be maintained during occupancy to meet the appropriate OSHA, ETA standards, and/or local and state-specific rules for employer-provided housing and/or migrant housing.

- If the FLC or H-2ALC is transporting workers, they should be authorized to transport on their Certificate of Registration.
- If FLC or H-2ALC is transporting workers, they must be insured.
- Obtain and keep a copy of insurance if FLC or H-2ALC is authorized to transport.
- If the FLC or H-2ALC is driving workers, they should be authorized to drive on their Certificate of Registration.
- Obtain and keep a copy of the FLC's or H-2ALC's driver's license and doctor's certificate if FLC or H-2ALC is authorized to drive.
- Obtain and keep copy of the terms and conditions of their work commitment written in the worker's preferred language, to include:
 - place of work (with specifics, such as the name and address of the Company or the association),
 - pay rates (including piece rates) to be paid,
 - crops and kinds of activities for which the worker may be assigned,
 - period of work commitment,
 - transportation, housing, and any other worker benefits to be provided, if any, and any costs to be charged for each, and
 - whether state workers' compensation or state unemployment insurance is provided.
- Ensure that the pay of all workers provided by the FLC/H-2ALC meet, at a minimum, national and state minimum wage requirements or adverse effect wage if H2A workers by either paying workers directly rather than through FLC/H-2ALC or ensure the FLC/H-2ALC provides wage statements to workers as legally required and grower obtains and keeps copies.
- Ensure that all workers provided by the FLC/H-2ALC are provided with a copy of individual written wage statements for each pay period that include:
 - Worker's full name;
 - Worker's address (seasonal or permanent);
 - Worker's social security number (last 4-digits is acceptable);
 - Employer's name;
 - Employer's address;
 - Employer's identification number (entire number);
 - Total pay period earnings;
 - Number of hours worked;
 - Basis on which wages are paid (piece rate if paid on a piecework basis);
 - Number piecework units earned, if applicable;
 - Specific sums withheld, and the purpose of each sum withheld;
 - Net pay.

NOTE: If subject to MSPA, H2A or FSLA, a more detailed statement may be required.

CRITICAL STANDARDS FOR US CERTIFICATION

Growers who employ FLC/H-2ALC workers must:

- The grower must obtain the written consent of any youth worker's (under 18) parent or legal guardian prior to work commitment commencing provided by the FLC/H-2ALC.
- Ensure all workers provided by the FLC/H-2ALC are 16 years of age or older.

- Verify workers provided by the FLC/H-2ALC are 16 years of age or older by reviewing the worker's I-9 form.

CRITICAL STANDARDS FOR INTERNATIONAL CERTIFICATION

- Ensure no worker under 18 provided by the FLC/H-2ALC is assigned Other Restricted Tasks (Appendix 1 - List B).
- Ensure all workers provided by the FLC/H-2ALC are 18 years of age or older.
- Verify workers are 18 years of age or older by reviewing the worker's I-9 form.

FORCED LABOR AND HUMAN TRAFFICKING

PRINCIPLE

All farm labor must be voluntary. There shall be no forced labor or labor carried out under any threat or duress.

GUIDANCE

Standards in this section do not apply to immediate family farm labor. If your operation hires ANY non-immediate family farm labor these standards will apply to those non-immediate family workers.

CRITICAL STANDARDS FOR ALL CERTIFICATIONS

- Workers shall be allowed to terminate their work commitment at any time, without the threat of intimidation, coercion, blacklisting, or any other type of discrimination or retaliation. If H-2A workers are employed, growers should follow all legal requirements if an H-2A worker terminates their employment commitment.⁹
- All work must be voluntary and shall not be carried out under threat or duress. Growers must not recruit, transport, or receive workers using threats, force, coercion, abduction, fraud, or deceit or abuse of their power or the vulnerability of workers.
- Workers shall not be charged any fees for their recruitment or transport to their place of work, by the grower.
- Growers are prohibited from retaining workers' personal identity documents, visas, money, valuables, paychecks, debit or credit cards, or return tickets. Growers may provide, upon request, workers with safe place to store these items, but these items must be accessible to the workers upon request.
- There shall be no restrictions on workers' freedom of movement, and workers shall be permitted to enter and exit their place of work.⁸
- Growers are prohibited from employing compulsory or prison labor.

WORKER RIGHTS AND RESPONSIBILITIES AND WORKER CONCERN PROCESS

⁹ H-2A workers must only work for the employer listed on the contract and at the location(s) stated on the contract. Employers of H-2A workers must notify USCIS within 2 workdays if any of the following occur: (1) No show: The H-2A worker fails to report to work within 5 workdays of the latter of the employment start date on the H-2A petition, or the start date established by the employer; (2) Abscondment: The H-2A worker leaves without notice and fails to report for work for 5 consecutive workdays without the consent of the employer; (3) Termination: The H-2A worker is terminated before completing of the H-2A labor or services for which he or she was hired; or (4) Early Completion: The H-2A worker finishes the labor or services for which he or she was hired more than 30 days earlier than the date specified in the H-2A petition.

PRINCIPLE

Informing and training workers of their rights and access to a worker concern process equips workers with the knowledge and skills to identify and report any concerns they may have about the working environment. Prohibiting worker retaliation allows workers to report concerns without fear allowing for their active role in continuous monitoring of working conditions for themselves and others working in hemp production.

GUIDANCE

Standards in this section do not apply to immediate family farm labor. If your operation hires ANY non-immediate family farm labor these standards will apply to those non-immediate family workers.

CRITICAL STANDARDS FOR ALL CERTIFICATIONS

- A Worker Rights and Responsibilities poster must be posted in their native language where workers can access and read it on or near the job site.
- The most current GAPC Worker Concern Helpline poster or other approved third-party worker concern phone number must be posted in their native language where workers can access and read it on or near the job site.
- In an effort to identify and resolve workplace issues before they progress, each Grower must implement a worker concern process. This is a documented program that is discussed AND given to or posted for all workers. The policy must be written in a language common to the workers and set forth the terms of the available worker concern process to include statements stating the following:
 - The Grower is committed to providing a safe working environment for all workers and satisfy all legal rights of workers while they are on their farm.
 - A method is available for workers to notify the Grower, orally and in writing, of any concern related to the terms or conditions of work.
 - The Grower will investigate concerns brought forth by workers and provide notice to the workers, if known, of how the concern will be or was addressed. At the request of the workers, an informal meeting between the Growers and workers will be held to address the concern.
 - If a worker raises a concern with Grower and is not satisfied with the resolution or handling of the issue, they are encouraged to call an alternative helpline to voice and address the concern.
 - The Grower nor any of its employees or agents will retaliate against workers for using the worker concern process.

FREEDOM OF ASSOCIATION

PRINCIPLE

Growers shall recognize and respect workers' rights to freedom of association and to bargain collectively. Representatives of worker associations should be able to carry out their activities within the framework of law, regulation, prevailing labor relations and practices, and agreed procedures.

GUIDANCE

Standards in this section do not apply to immediate family farm labor. If your operation hires ANY non-immediate family farm labor these standards will apply to those non-immediate family workers.

CRITICAL STANDARDS FOR ALL CERTIFICATIONS

- Respect the legal rights of workers to, or not to, associate, organize and bargain collectively.
- Do not interfere in union activities.
- Do not discriminate nor retaliate against workers for such activities.

HARRASSMENT AND DISCRIMINATION

PRINCIPLE

Growers shall ensure the fair treatment of workers. No harassment, discrimination, or any other form of abuse or the threat or implication of these actions towards workers shall be tolerated.

GUIDANCE

Standards in this section do not apply to immediate family farm labor. If your operation hires ANY non-immediate family farm labor these standards will apply to those non-immediate family workers.

CRITICAL STANDARDS FOR ALL CERTIFICATIONS

- All workers must be treated with dignity and respect and not be threatened with or subjected to verbal, physical, sexual or mental harassment or abuse, coercion, or corporal punishment during work commitment or recruitment.
- Workers must not be subject to discrimination based on race, color, age, gender, sexual orientation, gender identity and expression, ethnicity or national origin, disability, pregnancy, religion, political affiliation, union membership, veteran status, or marital status.

ADDITIONAL STANDARDS

High Risk

- Have a documented anti-discrimination policy.

SANITATION

PRINCIPLE

Growers shall comply with all federal and state laws relating to sanitation while providing breaks and access to water, bathroom facilities and handwashing stations.

GUIDANCE

Standards in this section apply to ALL farming operations including those that only have immediate family farm labor, if applicable.

CRITICAL STANDARDS FOR ALL CERTIFICATIONS

- Growers must provide workers easy access to the following:
 - Cool, potable water available during work hours
 - Clean and sanitary bathroom facilities during work hours

- Hand washing facilities with soap at close proximity to bathrooms
- Grower operations with eleven (11) or more workers, employed during the past twelve months, at any one time, engaged in hand-labor operations must provide clean and sanitary bathroom facilities during work hours and hand washing facilities with soap at close proximity within a quarter-mile walking distance from workers' place of work in the field. One toilet facility and one handwashing facility shall be provided for each (20) employees or fraction thereof. Toilet and handwashing facilities are not required within a quarter-mile for workers who perform field work for a period of three (3) hours or less (including transportation time to and from the field) during the day.
- Contamination prevention and hygienic measures shall be taken to exclude from any operations any person who might be a source of contamination. Such measures shall include the following:
 - Instructing employees to notify their supervisor if there is a possibility that they have an illness, infection, open lesion, or any other abnormal source of contamination for potential removal from operations.
 - Wearing outer garments in a manner that protects against the contamination of hemp.
 - Maintaining adequate personal cleanliness.
 - Washing hands thoroughly, and sanitizing if necessary, in a hand-washing facility
 - Removing or covering all unsecured jewelry and other objects that might fall into components, hemp, equipment, or packaging.
 - Using gloves when appropriate.
 - Wearing, where appropriate, hair nets, caps, beard covers, shoes, PPE, etc.
- Growers must offer workers rest breaks during the day, including lunch, without compromising their ability to earn wages.

HOUSING AND TRANSPORTATION

PRINCIPLE

Growers shall comply with all federal and state laws relating to housing and transportation. Provided housing shall be clean, safe, and meet the basic needs of the workers.

GUIDANCE

Standards in this section apply to ALL farming operations including those that only have immediate family farm labor, if applicable.

CRITICAL STANDARDS FOR ALL CERTIFICATIONS

- If the grower provides housing directly to seasonal or migrant workers, the grower must:
 - Ensure that the facility complies with all federal and state safety and health standards, including up-to-date certification from DOL (US-based) or other appropriate governmental agencies
 - Post or present to each worker, in their native language a statement of the terms and conditions of occupancy which must include:
 - name and address and contact information of the individual in charge of the housing,
 - Emergency contact information,
 - physical address and mailing address of the housing facility,
 - who may live at the housing facility,

- charges to be made for housing,
 - meals to be provided and any associated cost for them,
 - charges for utilities, and
 - any other charges or conditions of occupancy.
- If transportation is provided, growers must ensure that vehicles meet legally required safety standards and that drivers are properly insured and licensed. Vehicles must be inspected when required by law, and person supplying the transportation must maintain inspection records.

Additional Standards

High Risk

- If the grower provides housing directly to seasonal or migrant workers, the grower must inspect housing prior to occupancy and at mid-season, using the OSHA Housing Safety and Health Checklist provided in Agricultural Labor Management Guide.

FARM SAFETY

PRINCIPLE

Providing a safe working environment prevents accidents and injuries and minimizes health risks. Workers should have the rights to be informed and consulted on health and safety and have the right to remove themselves from danger, without prejudice, where there is justified imminent and serious risk to their safety.

GUIDANCE

Standards in this section apply to ALL farming operations including those that only have immediate family farm labor.

CRITICAL STANDARDS FOR ALL CERTIFICATIONS

Growers should provide a safe and healthy workplace by complying with the standards below and all applicable safety, health and environmental laws and regulations. Growers must:

- Identify risks on the farm such as those involved in operating machinery/equipment, adverse weather conditions, CPA applications, etc. and train workers on how to avoid and protect themselves from such risks.
- Maintain records of all work-related accidents and illnesses serious enough to interfere with the workers' ability to perform their job and/or otherwise required by occupational safety and health laws. Records of all work-related accidents must be maintained at the worksite for at least five years.
- From February through April, growers must post a summary of the injuries and illnesses recorded the previous year (OSHA Form 300 A)
- Review accident records periodically for guidance on avoiding future injuries.
- Follow Occupational Safety and Health Administration (OSHA) guidelines with respect to addressing heat stress risks.
- Follow the legal requirements that restrict workers from entering an area where CPAs have been used, and as legally required, post signs designating re-entry times for specific fields after CPA application.
- Have a dedicated emergency contact person for all workers
- Provide access to Emergency Medical Services (EMS)

- Provide workers with an emergency plan for medical emergencies, fires, or weather events that includes, at minimum a, list of important numbers for emergency services and the location of a safe shelter on the farm or an evacuation plan that leads workers to a safe location in case of weather events.

ADDITIONAL STANDARDS

High Risk

- Have a staff member (or grower) certified in First Aid/CPR/AED training.

TRAINING

PRINCIPLE

Training equips growers, families and workers with the information and skills to identify hazards and provide a safe working environment for themselves and others on the farm. Growers should provide workers with regular health and safety training appropriate to the work they perform.

GUIDANCE

Standards in this section apply to ALL farming operations including those that only have immediate family farm labor. Training is to be done for all workers (family and non-family).

CRITICAL STANDARDS FOR ALL CERTIFICATIONS

- Grower documents training to farm workers on the hazards and risks associated with CPAs, safe working practices, emergency response and health surveillance including:
 - Heat Stress
 - Farm Safety, including Farm Equipment Safety
 - CPA Safety and Personal Protective Equipment (PPE)
 - Emergency response procedures
 - Recognition of REI
 - Storage, handling, application, and disposal of CPAs
- Grower documents training to farm workers on crop management and integrity including:
 - Hygiene and sanitation measures
 - Cultivating
 - Harvesting
 - NHRM Prevention
 - Market preparation (i.e. baling, packaging, and labeling)
- Grower follows all requirements of state and national regulations and training requirements related to worker protection and CPA use to include compliance with the Occupational Safety and Health Act and 26 CFR §§ 1910 (general) and 1928 (agriculture).
- Records shall be maintained of all training provided to employees for the performance of all assigned functions for five (5) years, or longer if required by the authority having jurisdiction.

SAFETY EQUIPMENT

PRINCIPLE

Ensuring that any person who prepares and applies pesticides has access to appropriate protective and safety equipment and maintaining safety precautions on equipment reduces exposure to hazards and harm while working on the farm. Producers must

GUIDANCE

Standards in this section apply to ALL farming operations including those that only have immediate family farm labor. Training is to be done for all workers (family and non-family). Personal protective equipment (PPE) will be evaluated based on tasks performed by workers. PPE should be available to all those workers performing tasks that require PPE.

CRITICAL STANDARDS FOR ALL CERTIFICATIONS

A grower is required to:

- Use label-required PPE by applicators/handlers/early entry workers
- As required by applicable label and/or law, provide Personal Protective Equipment (PPE), including but not limited to:
 - Chemical resistant gloves for anyone handling or applying CPAs
 - Chemical resistant aprons for anyone mixing or loading CPAs
 - Chemical resistant footwear for anyone mixing or loading CPAs
 - Safety glasses for workers applying or handling CPAs or performing jobs which can create flying objects that damage eyes such as grinding, sawing, driving nails, etc.
 - Hearing protection equipment for workers operating machinery or power tools
 - Dust masks for workers handling dry hemp or operating machinery or power tools under dusty conditions

ADDITIONAL STANDARDS

High Risk

A grower is required to:

- Have adequately maintained farm vehicles, machinery and tools with the originally installed guards, shields or other protections as per manual/guidance provided by manufacturer or dealer of equipment.
- Have adequate First-aid equipment for the number of their workers for the grower's hemp production operation.
- Have ready-to use fire extinguishers available within two hundred feet of curing barns and market preparation facilities when workers are present. Fire extinguishers can be in vehicles as long as within 200 feet of facilities when workers are present.

Appendixes

APPENDIX 1: Hazardous Lists Reference

List A: DOL Hazardous Tasks List Items¹⁰

- Operating a tractor of over 20 PTO horsepower, or connecting or disconnecting an implement or any of its parts to or from such a tractor;
- Operating or working with a corn picker, cotton picker, grain combine, hay mower, forage harvester, hay baler, potato digger, mobile pea viner, feed grinder, crop dryer, forage blower, auger conveyor, unloading mechanism of a nongravity-type self-unloading wagon or trailer, power post-hole digger, power post driver, or nonwalking-type rotary tiller; • operating or working with a trencher or earthmoving equipment, fork lift, potato combine, or powerdriven circular, band or chain saw;
- Working in a yard, pen, or stall occupied by a bull, boar, or stud horse maintained for breeding purposes; a sow with suckling pigs; or a cow with a newborn calf (with umbilical cord present);
- Felling, buckling, skidding, loading, or unloading timber with a butt diameter or more than 6 inches;
- Working from a ladder or scaffold at a height of over 20 feet;
- Driving a bus, truck or automobile to transport passengers, or riding on a tractor as a passenger or helper; FS 40 Fact Sheet #40: Overview of Youth Employment (Child Labor) Provisions of the Fair Labor Standards Act (FLSA) for Agricultural Occupations
- Working inside: a fruit, forage, or grain storage designed to retain an oxygen-deficient or toxic atmosphere; an upright silo within 2 weeks after silage has been added or when a top unloading device is in operating position; a manure pit; or a horizontal silo while operating a tractor for packing purposes;
- Handling or applying toxic agricultural chemical identified by the words "danger," "poison," or "warning" or a skull and crossbones on the label;
- Handling or using explosives; and
- Transporting, transferring, or applying anhydrous ammonia.

List B: International Restricted Tasks (for youth under 18 years of age)

- Operating machinery with moving parts or moving vehicles.
- Use of tools requiring motion for cutting (e.g., machete) or shears.
- Handling and application of crop protection agents (CPA) or fertilizers.
- Lifting and handling heavy loads unless the load is less than 10% of the person's body mass.
- Working at heights greater than four feet without approved fall protection equipment.
- Work at night (30 minutes after sundown to 30 minutes before sunrise).
- Working in intense hot weather, humidity or direct sunlight unless guidance on the GTS and Heat Stress Bulletin and precautions in the OSHA Heat Safety Tool and "Using the Heat Index: A Guide to Employees" are followed. Ready access to cool, potable water is required.
- Working long hours (more than 8 hours in a 24-hour period).

¹⁰ Source: <https://www.dol.gov/whd/regs/compliance/whdfs40.pdf>