

Adult-Use Processor Type 3 - Flower License

Overview

An Adult-Use Processor Type 3 - Flower license holder (“Flower licensee”) is authorized to package, label, market, and otherwise make their own cannabis flower products under their own brand or another New York licensed third-party brand. Flower products include whole flower, non-infused pre-rolls and kief pressed into pucks using a punch press. Products made using solvent or solventless extraction, including, but not limited to bubble hash and rosin are not authorized to be processed by this license type. Additionally, the infusion of pre-rolls with cannabis extract, or otherwise infusing cannabis extract possessed by the licensee into products (e.g. filling vaporizers) is not authorized by this license type.

To be eligible to apply for a Processor Type 3 Flower license, an applicant must be either a licensed Adult-Use Cultivator, or in the process of transitioning from an Adult-Use Conditional Cultivator to an Adult-Use Cultivator. They may engage in packaging, labeling, and branding of their own cannabis flower products.

A Flower licensee shall only conduct those activities specified on its application, whether on an initial or amended application, that have been approved by the Office of Cannabis Management (Office) for such processor.

Please note, all Flower licensees must comply with § 123.6(a)(1) of the New York Code Rules and Regulations (NYCRR) which requires that all cannabis product processing comply with Good Manufacturing Practice standards pursuant to either Part 111 or Part 117 of Title 21 of the Code of Federal Regulations, as applicable for the type of cannabis or cannabis product being processed. Additionally, Flower licensees who are conducting any cannabis grinding activity in the production of cannabis pre-rolls or other products and who do not have prior written approval from the Office, will be required to comply with § 123.6(a)(2) which requires the submission to the Office of a qualified third-party GMP audit, of the licensee’s manufacturing processes within one year of conducting cannabis license activities.

A Flower licensee must meet and comply with all applicable laws, rules, regulations, and guidance. Failure to comply with any current or future laws, rules, regulations, or guidance issued by the Office may result in disciplinary action, including, but not limited to, revocation of the license.

If you have any questions about the Adult-Use Processor Type 3 - Flower license or have issues applying, please call 1-888-OCM-5151 (1-888-626-5151) or reach out to AUlicensing@ocm.ny.gov for assistance. Please note, that only completed applications with payment of the correct application fee will be reviewed.

Program Contact Information:

Telephone: 1-888-OCM-5151 (1-888-626-5151)

E-Mail: AUlicensing@ocm.ny.gov

Website: <https://cannabis.ny.gov/>

Requirements:

1. The applicant and anyone in the ownership structure must be 21 years of age or over.
2. The applicant must be a United States citizen, or a person lawfully admitted for permanent residence in the United States. A corporation that otherwise conforms to the requirements of the Cannabis Law may be licensed if each of its principal officers and more than one-half of its directors are citizens of the United States or persons lawfully admitted for permanent residence in the United States.
3. Applicant must be either a licensed Adult-Use Cultivator, or in the process of transitioning from an Adult-Use Conditional Cultivator to an Adult-Use Cultivator.
4. The applicant must provide a federal employee identification number ("FEIN") or [if operating as a sole proprietor with no employees, a social security number may be used](#). (Did you know you can get an FEIN [even if operating as a sole proprietor here?](#) Consult with your accountant or attorney for more information)
5. A business/operating location is required at the time of submitting your license application. A flower licensee's operating location must be in New York State.
6. The applicant must provide name and contact information for all True Parties of Interest. [What is a True Party of Interest?](#)
7. The applicant must provide ownership, management, and financial information including organizational structure/ charts, capitalization tables/ ownership structures, and any proposed or existing sources of capital.
8. The applicant must submit full payment of non-refundable Application Fee before their application will be considered

How to Apply:

1. All applications must be submitted online through New York Business Express (NYBE) at <https://www.businessexpress.ny.gov/>
2. Sign in or create a NY.gov account.
3. Your application has a save and resume feature. You do not need to complete it within one sitting.
4. After you submit your application, you can log in to NYBE at any time to check your application status.

Required Fees

All fees are reduced by 50% for qualified Social and Economic Equity (SEE) applicants.

TYPE	REFUNDABLE	AMOUNT	COMMENTS
Adult-Use Processor Type 3 - Flower Application Fee	No	\$1,000	An application fee is required to be paid online in order to submit an application. Credit card transactions accepted up to a limit of \$5000. For all transactions exceeding \$5000, ACH will be the only accepted method of payment.
Adult-Use Processor Type 3 - Flower License Fee	No	Packaging, Labeling, and Branding, including for the exclusive performance of written white labeling agreements: \$2,000 per processing premises, provided, however, if applying as a Tier 1 or Tier 2 Cultivator Licensee of any cultivation type, the processor license fee shall be \$500.	A license fee is required to be paid online once the license is approved in order for the final license to be issued. Credit card transactions accepted up to a limit of \$5000. For all transactions exceeding \$5000, ACH will be the only accepted method of payment.

Additional Info

- Relevant Legislation S.854-A (Marihuana Regulation and Taxation Act)
 - [Adult-Use Cannabis Regulations Part 120, 124, 128, 129](#)
 - [Adult-Use Cannabis Regulations S.123.5](#)
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For additional information/Sponsor Agency:

[Cannabis Management, Office of](#)