



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)

(Implements RCW 34.05.310)

Do NOT use for expedited rule making

Agency: Dept. of Agriculture

Subject of possible rule making: The Department is considering adopting rules for an industrial hemp research program to include a licensing component and related fees, program goals and administration, testing criteria and protocols, and an industrial hemp seed certification program pursuant to chapter 15.49 RCW.

Statutes authorizing the agency to adopt rules on this subject: Chapter 11, Laws of 2016 1st Special Session; RCW 15.49.005; and chapter 34.05 RCW

Reasons why rules on this subject may be needed and what they might accomplish: During the 2016 legislative session, the Legislature passed ESSB 6206 to authorize the growing of industrial hemp as a legal agricultural activity in this state as part of an agricultural pilot program in conformance with the federal agricultural act of 2014, 128 Stat. 912 § 7606. ESSB 6206 requires the Dept. of Agriculture to adopt rules establishing an industrial hemp research program to be supervised by the Department to study the growth, cultivation, or marketing of industrial hemp. The bill allows the Department to adopt rules for the administration of an industrial hemp seed certification program pursuant to chapter 15.49 RCW.

“Industrial Hemp” means all parts and varieties of the plant *Cannabis sativa L.* and any part of such plant, whether growing or not, with a delta-9 tetrahydrocannabinol (THC) concentration of not more than 0.3 percent on a dry weight basis.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The Dept. of Agriculture will coordinate with the Drug Enforcement Agency (DEA) to obtain any approvals necessary to establish the program; with the U.S. Dept. of Agriculture’s Animal Plant Health Inspection Service (USDA APHIS) to facilitate the issuance of import permits to allow for the importation of industrial hemp seed; and the Washington State Patrol (WSP) and Liquor and Cannabis Board (WSLCB).

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) Department staff will discuss any proposed amendments with affected stakeholders. Affected stakeholders will also have an opportunity to submit written comments on the proposed rules during the public comment period and will be able to present oral testimony at the public hearing.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

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DATE

June 1, 2016

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STATE OF WASHINGTON
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