

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING

A Statement of Need and Fiscal Impact accompanies this form.

Oregon Department of Agriculture	OAR Chapter 603-048	
Agency and Division	Administrative Rules Chapter Number	
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Rules Coordinator	Address	Telephone

RULE CAPTION

Amends rules for growing and handling Industrial Hemp and Agricultural Hemp seed.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Sept. 28, 2016	9:00 AM	Oregon Department of Agriculture	Rose Kachadoorian
Hearing Date	Time	Location	Hearings Officer

Auxiliary aids for persons with disabilities are available upon advance request.

RULEMAKING ACTION

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

AMEND:

OAR 603-048-0010
OAR 603-048-0100
OAR 603-048-0200
OAR 603-048-0300
OAR 603-048-0400
OAR 603-048-0500
OAR 603-048-0600
OAR 603-048-0650
OAR 603-048-0700
OAR 603-048-0800
OAR 603-048-0900
OAR 603-048-1000

REPEAL:

603-048-0050
603-048-0110
603-048-0250

RENUMBER:

AMEND & RENUMBER:

Stat. Auth. : ORS 569.445, ORS 571.300 to 571.315, ORS 632.940, ORS 633.511 to 633.996, Chapter 71 (2016 Laws)

Other Auth.:

Stats. Implemented: ORS 571.300 to 571.315; Chapter 71 (2016 Laws)

RULE SUMMARY

The 2016 legislative assembly passed HB 4060 which made substantial revisions to industrial hemp statutes, ORS 571.300 to ORS 571.315. The Oregon Department of Agriculture (department) promulgated temporary rules to immediately revise rules to address HB 4060. The department now seeks to adopt permanent rules as the temporary rules will soon expire. This proposed rulemaking t revises and makes permanent certain temporary rules, further aligns the regulatory scheme with HB 4060 revisions, and repeals certain rules that are now redundant. To summarize, the proposed rules make permanent temporary rules that; Remove the requirement for a 2.5 acre minimum production site; Authorize a single registration for growing on multiple, non-contiguous locations; Authorize growers to use any propagation method including planting seeds or starts, or the use of clones or cuttings; Authorize production in greenhouses or locations other than direct seeding into fields; Allow sampling and testing to be performed

by other than the department; Clarifies sampling and testing requirements. In addition, the proposed permanent rules: In addition, the proposed rule amendments: : Further clarify the processes for sampling and testing industrial hemp; Define how growers may designate lots for testing by distinguishing between “crop” and “harvest lot”; Clarify reporting and record keeping requirements,; Clarify the scope of industrial hemp that may be detained, seized, or embargoed by the department; Define the meaning of industrial hemp product.

The department requests public comment on whether other options should be considered for achieving the rule’s substantive goals while reducing the negative economic impact of the rule on business.

Friday October 14, 2016 at 5:00 PM Pacific Daylight Savings Time.

Last Day for Public Comment (Last day to submit written comments to the Rules Coordinator)

Signature

Printed name

Date

Note: Hearing Notices must be submitted by the 15th day of the month to be published in the next month’s *Oregon Bulletin*.