

**WSR 21-19-073****PREPROPOSAL STATEMENT OF INQUIRY****DEPARTMENT OF AGRICULTURE**

[Filed September 15, 2021, 10:01 a.m.]

**Subject of Possible Rule Making:** Subject of possible rule making: Chapter 16-306 WAC, Hemp program, as a result of recently passed (ESB 5372, chapter 104, Laws of 2021) the department is considering amending this rule to create a process and fee for hemp processors to register their businesses/facilities with the Washington state department of agriculture (WSDA).

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** RCW 15.140.030, 15.140.060; and chapter 104, Laws of 2021 (ESB 5372).

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** This amendment will create a process for hemp processors to register their businesses with the WSDA. This will create security for hemp processors that are transporting or exporting hemp by providing them with a registration certificate. In addition, this amendment will create a publicly-available list of registered hemp processors. Hemp producers may access this list of registrants to identify processors they can send their harvested crop to. This list will also provide law enforcement the names and addresses of registered hemp processors in hopes of reducing confusion by businesses that are processing hemp without a WSDA hemp producer license.

**Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies:** Washington state liquor and cannabis board and the Washington state department of health. WSDA will provide notice to these agencies of our rule-making process via email.

**Process for Developing New Rule:** WSDA will discuss any proposed amendments with affected stakeholders and individual businesses that may be affected. Affected stakeholders will also have an opportunity to submit written comments on the proposed rule during the public comment period, and will be able to present oral testimony at the public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Trecia Ehrlich, Hemp Program Manager, 1111 Washington Street S.E., P.O. Box 42560, Olympia, WA 98504-2560, phone 360-584-3711, fax 360-902-2085, TTY 800-833-6388, email tehrlich@agr.wa.gov, website www.agr.wa.gov; or Reanna McNamara, 1111 Washington Street S.E., P.O. Box 42560, Olympia, WA 98504-2560, phone 360-902-1931, fax 360-902-2085, TTY 800-833-6388, email rmcnamara@agr.wa.gov, website www.agr.wa.gov.

September 15, 2021  
Jessica Allenton  
Assistant Director