



Wyoming
DEPARTMENT OF *Agriculture*

HEMP REGULATORY PROGRAM

**USDA PROGRAM
ADMINISTRATION
PROPOSAL**

APRIL 2019

By signing below we signify our approval and support of the enclosed plan as submitted.



Mark Gordon, Governor
State of Wyoming

2 April 2019
Date



Bridget Hill, Attorney General
State of Wyoming

3/29/19
Date



Doug Miyamoto, Director
Department of Agriculture
State of Wyoming

3-29-19
Date



The Wyoming Department of Agriculture is dedicated to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life.

The State of Wyoming respectfully submits our plan to regulate hemp production and processing in the state of Wyoming. As part of this plan, you will see our rules for the program and the enabling legislation for hemp regulation in Wyoming (2019 Hemp, Cannabidiol and Other Controlled Substance Regulation Act). Below you will find specific information for each of the requirements of a state plan according to the Agriculture Improvement Act of 2018.

- **A practice to maintain relevant information regarding land on which hemp is produced in the State or territory of the Indian tribe, including a legal description of the land, for a period of not less than 3 calendar years**

In Section 4 of the Wyoming Rules Pertaining to Hemp, applicants are required to submit the following information to be considered for an application.

- Name, mailing address, physical address of the license applicant.
- A copy of the applicant's Wyoming issued photo identification or other Wyoming identification card or if a business entity license applicant, a Wyoming Secretary of State business certificate of good standing.
- Type of business entity, such as individual, corporation, LLC, partnership, sole proprietor, etc.
- Legal description by Section, Township, Range in which each individual licensed area is located.
- Global positioning system (GPS) location coordinates taken at the approximate center of each individual licensed area.
- An aerial map or photograph of the licensed area on which the applicant plans to grow the hemp, showing the boundaries, and dimensions of the licensed area(s) in acres or square feet.
- A signed affidavit stating an individual applicant has not been convicted or pled nolo contendere to a controlled substance felony in the last ten years, or a business entity applicant, a signed affidavit stating that no member, principal, officer or director of the applicant has been convicted of or pled nolo contendere to a controlled substance felony within the last ten (10) years.

This information will be held by the Wyoming Department of Agriculture (WDA) for at least five (5) years after the expiration of the license as part of our records retention practices. You can also see how this material is gathered by looking at the application form for licensing a producer and/or processor.

- **A procedure for testing, using postdecarboxylation or other similarly reliable methods, delta-9 tetrahydrocannabinol concentration levels of hemp produced in the State or territory of the Indian tribe.**

WDA Analytical Services Laboratory (ASL) plans to measure tetrahydrocannabinol (THC) concentration using a Gas Chromatography-Flame Ionization Detector (GC-FID) with an Ultra high Pressure Liquid Chromatography-UV (UHPLC-UV) analysis for secondary confirmation of violative samples. ASL is well situated with laboratory instrumentation should a standardized method be released for THC concentration measurement and will be able to run a standardized method if released.

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Analytical Services Laboratory is accredited by the American Association for Laboratory Accreditation (A2LA) in accordance to the ISO 17025 standard for the specific tests listed in certificate 4833.01. The ISO/IEC 17025 standard is the internationally recognized standard for assessing the quality and competence of laboratories' analytical testing activities.

- **A procedure for the effective disposal of— plants, whether growing or not, that are produced in violation of this subtitle; and products derived from those plants.**

In Section 10 (b) of the Wyoming Rules Pertaining to Hemp, disposal is addressed by saying, "Disposal shall be by a method approved by the Department, and may be by any method legal within the jurisdiction of which the cultivation of the hemp took place. Such methods include, but are not limited to, burning, shredding, mowing, burying, plowing, any combination thereof, or other mechanical and agricultural means by which the crop will be permanently destroyed and no longer viable as a commodity or able to be processed for further use. The corrective action plan may also provide for a process to render the THC inaccessible by using hemp as a soil amendment material or other means."

- **A procedure to comply with the enforcement procedures under subsection e.**

Section 9 of the Wyoming Rules Pertaining to Hemp addresses Violations and Penalties. Within Section 9, there are provisions that cover actions by the producer or processor that may constitute reason to terminate any license during its valid term of issuance like refusal or failure by a license holder or authorized representative to fully cooperate and assist the WDA with the inspection process, failure to provide any information required or requested by the WDA, failure to submit any required reports, failure to pay fees, and providing false, misleading, or incorrect information pertaining to the license holders cultivation of hemp to the WDA. Along with this, it also allows for the surrender and revocation of any license to cultivate or process hemp if the license holder is convicted of a controlled substance felony and producers or processors with a revoked license shall not sell or transport any product or introduce any unlicensed product into commerce.

Section 10 of the Wyoming Rules Pertaining to Hemp addresses Corrective Action Plans for hemp that does not meet the requirements of state statute and is determined to be in violation. The Disposal shall be by a method approved by the WDA, and may be by any method legal within the jurisdiction of which the cultivation of the hemp took place. Such methods include, but are not limited to, burning, shredding, mowing, burying, plowing, any combination thereof, or other mechanical and agricultural means by which the crop will be permanently destroyed and no longer viable as a commodity or able to be processed for further use. The corrective action plan may also provide for a process to render the THC inaccessible by using hemp as a soil amendment material or other means.

- **A procedure for conducting annual inspections of, at a minimum, a random sample of hemp producers to verify that hemp is not produced in violation of this subtitle.**

Section 6 of the Wyoming Rules Pertaining to Hemp addresses inspection and sampling of hemp in Wyoming. All license holders are subject to inspection and sampling to verify all parts of the hemp plant does not exceed the allowable three-tenths of one percent (0.300%) THC. Along with this,

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the WDA may inspect and take samples from any licensed area without advanced notice and license holders or authorized representatives may be present at the licensed area and shall provide the WDA with complete and unrestricted access to all hemp licensed areas.

- **A procedure for submitting the information described in section 297C(d)(2) (Contact info for each hemp producer, a legal description of the land, status of license), as applicable, to the Secretary not more than 30 days after the date on which the information is received.**

As part of the application for obtaining a hemp license, contact information for each hemp producer, a legal description of the land used, and more will be collected prior to the issuance of a license. This information, and license status, will be kept in a database that is accessible to law enforcement and USDA personnel.

- **A certification that the State or Indian tribe has the resources and personnel to carry out the practices and procedures described in clauses.**

As part of 2019 Hemp, Cannabidiol and Other Controlled Substance Regulation Act, the WDA received an appropriation of \$120,000 for the purpose of administering this program and \$315,000 for building maintenance, employee training, laboratory supplies and equipment and maintenance agreements necessary to implement this act. These appropriations will be used to hire staff for the implementation of this program and purchase/install the equipment needed to provide sound scientific testing of hemp samples in order to regulate this crop and product.

Enclosed in this plan, you will find the 2019 Rules Pertaining to Hemp for the Wyoming Department of Agriculture and the 2019 Hemp, Cannabidiol and Other Controlled Substance Regulation Act. This legislation gives the authority of developing and implementing a hemp regulation program to the WDA and the rule shows how this program will be implemented. These two documents lay out the regulatory framework and actions the WDA will take in regulating hemp in the State of Wyoming. Also enclosed in this plan is the application form that will be used for the program.

This plan puts Wyoming in a position to effectively regulate hemp in our great state. We look forward to a quick review and approval of this plan so our producers and processors can take advantage of this productive and diversifying regulated crop.

Enclosed:

- 2019 Rules Pertaining to Hemp
- 2019 Hemp, Cannabidiol and Other Controlled Substance Regulation Act
- Hemp Grower/Processor Application Form
- Hemp Sampling Procedure
- WDA Records Retention Schedule
- Order of License Suspension
- Order of Destruction
- Hemp Fee Schedule

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**WYOMING DEPARTMENT OF
AGRICULTURE**

**PROPOSED RULES
PERTAINING TO HEMP
REGULATION**



Wyoming
DEPARTMENT OF *Agriculture*

2019 Chapter 58 DRAFT**Rules Pertaining to Hemp**

Section 1. Authority. Pursuant to the authority vested in the Wyoming Department of Agriculture by W.S. 11-51-105 the following regulations are hereby promulgated and adopted.

Section 2. Purpose of rules. These rules pertain to hemp farming, outlining licensure requirements and procedures, reporting requirements, seed certification, laboratory and testing requirements, and authorizing enforcement and penalties. In accordance with the Wyoming Law W.S. 11-51-101 through W.S. 11-51-107, these rules allow for the growing or processing of hemp and hemp products. Any applicable term defined by statute shall have the same meaning throughout these rules.

Section 3. Definitions.

(a) “Commercial” means the growth of hemp, for any purpose including engaging in commerce, market development and market research, by any person or legal entity other than an institution of higher education or under a program administered by the Department for purposes of agricultural research in the development of growing hemp.

(b) “Producer” means all persons who grow hemp for commercial purposes or educational organizations.

(c) “Harvest” means the collection of any or all portions of hemp from a licensed area at any time.

(d) “Law Enforcement” means the activities of the federal, state and local agencies responsible for maintaining public order and enforcing the law.

(e) “License holder” means any person or business entity who holds a valid license to plant, grow, harvest or process hemp and.

(f) “License or licensing” means authorization by the Department for any individual or legal entity to plant, grow, harvest or process hemp on a licensed area.

(g) “Licensed Area” means a, individual field, greenhouse, hoop house, high tunnel, building or other structure licensed with the Department on which a license holder plans to cultivate or process hemp. A licensed area may include land and buildings that are not used for cultivation or processing.

(h) “Processor” means any person who possesses hemp for further cleaning, conditioning, manufacturing, or other production methods, including educational organizations.

(i) “Official Test Result” means any analytical result from any inspection, sampling and/or analysis done by the Department.

Section 4. Producer/Processor Licensing.

(a) Each license applicant for an Hemp License shall submit a signed, complete, accurate and legible application form prescribed by the Department.

(i) The application form shall include, but is not limited to, the following information:

(A) Name, mailing address, physical address of the license applicant, and any other contact information required on forms as specified by the Department.

(B) Copy of the applicant's Wyoming issued photo identification or other Wyoming identification card or if a business entity license applicant, a Wyoming Secretary of State business entity certificate of good standing.

(C) Type of business entity, such as individual, corporation, LLC, partnership, sole proprietor, etc.

(D) Legal description by Section, Township, Range in which each individual licensed area is located.

(E) Global positioning system (GPS) location coordinates taken at the approximate center of each individual licensed area.

(F) An aerial map or photograph (Farm Service Agency, Google, Bing, etc) of the licensed area on which the applicant plans to grow the hemp, showing the boundaries and dimensions of the licensed area(s) in acres or square feet.

(G) A signed affidavit stating an individual applicant has not been convicted or pled nolo contendere to a controlled substance felony in the last ten (10) years, or for a business entity applicant, a signed affidavit stating that no member, principal, officer or director of the applicant has been convicted of or pled nolo contendere to a controlled substance felony within the last ten (10) years.

(b) In addition to the application form, each applicant for a license shall submit the license fee set by the W.S. 11-51-103. If the license fees do not accompany the application, the

application will be deemed incomplete.

(c) By submitting an application, the license applicant acknowledges and agrees to the following terms and conditions:

(i) Any information provided to the Department may be publicly disclosed in accordance with the Wyoming Public Records Act (W.S. §16-4-201-16-4-205) and may be provided to law enforcement agencies without further notice to the license applicant or license holder.

(ii) Any license applicant or listed officer of applicants corporation, upon the findings of a state and federal criminal background check or other source of information that shows past conviction of a controlled substance felony or felonies within the past ten (10) years, shall be denied a license for growing/processing hemp and their current license will be revoked in accordance with the Wyoming Administrative Procedures Act.

(iii) The license holder shall allow and fully cooperate with any inspection and sampling that the Department deems necessary.

(iv) The license holder shall submit all required reports by the applicable due-dates specified by the Department.

(v) A license holder shall only cultivate and/or process hemp on each individual licensed area outlined in the application and provide the legal authority to grant the Department access for inspection and sampling.

(vi) Only samples collected and analyzed by the Department shall be used in any regulatory action.

(d) Licenses cannot be assigned or transferred to another person, business, individual or entity.

(e) If at any time sampling and testing performed by the Department reveal that any plants or plant derived products within a licensed area contained more than 0.300% THC, all plants or plant derived products in the licensed area shall be subject to corrective action plan as defined in Section 10 of this title.

(f) No alterations will be allowed to any license application or licensed area once approved, excluding primary contact information.

(g) Any changes to contact information must be reported to the Department within 10 days of the change.

(h) The license holder shall provide for a right of way or another access point to the individual licensed area. If no access point is available the application for hemp producer/processor license may be denied.

Section 5. Harvest Reports.

(a) At least 30 days prior to harvest, each hemp license holder shall file a Harvest Report, on a form as prescribed by the Department that includes the harvest date(s) and location of hemp cultivated within each individual licensed area.

(b) A license holder must notify the Department immediately of any changes in the reported harvest date(s) in excess of 5 days. If any such changes are made the Department may require additional testing prior to harvest.

Section 6. Inspection and Sampling Program.

(a) All license holders are subject to inspection and sampling to verify all parts of the hemp plant does not exceed the allowable three-tenths of one percent (0.300%) THC. The Department may select up to 100% of the license holders to be inspected.

(b) The Department may inspect and take samples from any licensed area without advance notice.

(c) During the inspection, the license holder or authorized representative may be present at the licensed area and shall provide the Department with complete and unrestricted access to all hemp licensed areas, as well as all land, buildings and other structures used for the cultivation and storage of hemp, and all documents and records pertaining to the license holder's hemp business.

(d) Any official test result with THC greater than 0.300% shall constitute evidence that at least one hemp plant or part of a plant in the licensed area contains tetrahydrocannabinol concentration at a level of more than 0.300%, and that the license holder is therefore not in compliance with this Act. Upon receipt of such a test result, the Department will negotiate a corrective action plan with the license holder as provided by Section 10 of this act. Official test results shall not be subject to additional testing or verification.

(e) Samples may be tested for pesticide residues. Any sample found to have unauthorized residues of pesticides may trigger disposal of hemp and implementation of a corrective action plan. Authorized pesticides for use on hemp include any pesticide labeled for

use on the plant Cannabis Sativa L. and/or any pesticide on the WDA approved hemp pesticide list.

Section 7. Fees. All fees assessed as provided in W.S. 11-51-103 and W.S. 11-51-106 shall be deposited with the State Treasurer in a separate account which is continuously appropriated for the use of the Department to administer and enforce this article.

(a) License Fee. Each application must be accompanied with individual payment per application. Acceptable forms of payment shall be deemed by the Department, stated on the application form.

(b) Inspection, sampling and testing fees shall be reviewed and set by the Board of Agriculture. Fees will become effective upon approval by the Board.

(c) Applications for an Hemp license shall be valid for the remainder of the current calendar year for which the application was received. All licenses will expire on December 31 of each year. Initial applications will be prorated for the portion of the year remaining after issuance of the license. Following years will be required to be renewed by January 31.

Section 8. Exceptions.

(a) Any hemp grown solely for research and development by the Department, University of Wyoming and Wyoming Community Colleges that tests higher than 0.300% THC, shall not be subject to any penalty if:

(i) The sampled hemp was grown solely for research and development purposes by an individual and the crop is destroyed or utilized on site in a manner approved of and verified by the Department.

(ii) Notwithstanding the fact that a sample of hemp tests higher than 0.300% THC, the license holder shall not be subject to revocation, suspension or corrective action plan of their license if the crop is destroyed or utilized on site in a manner approved of and verified by the Department.

Section 9. Violations and Penalties. The following provisions may constitute reason to terminate any license during its valid term of issuance.

(a) Refusal or failure by a license holder or authorized representative to fully cooperate and assist the Department with the inspection process.

(b) Failure to provide any information required or requested by the Department

- (c) Providing false, misleading, or incorrect information pertaining to the license holder's cultivation of hemp to the Department by any means, including but not limited to information provided in any application form, report, record or inspection.
- (d) Failure to submit any required report.
- (e) Failure to pay fees assessed by the Department for inspection, sampling, and/or laboratory analysis.
- (f) Denied payments by the license holder by a financial institution for the Department provided services, inspection, sampling, and testing as a result of insufficient funds or closed accounts.
- (g) Any producer or processor of hemp who is convicted of a controlled substance felony, shall surrender for revocation any license to cultivate or process hemp.
- (i) Producers or processors with a revoked license shall not sell or transport any product or introduce any unlicensed product into commerce.

Section 10. Corrective Action Plan.

- (a) Hemp that does not meet the requirements of this Act shall be determined to be in violation and shall be subject to a corrective action plan upon immediate order of the Department.
- (b) The corrective action plan may include additional reporting requirements, additional inspections, suspension of a license, steps necessary to restore a license, and/or requirements related to disposal of hemp. Disposal shall be by a method approved by the Department, and may be by any method legal within the jurisdiction of which the cultivation of the hemp took place. Such methods include, but are not limited to, burning, shredding, mowing, burying, plowing, any combination thereof, or other mechanical and agricultural means by which the crop will be permanently destroyed and no longer viable as a commodity or able to be processed for further use. The corrective action plan may also provide for a process to render the THC inaccessible by using hemp as a soil amendment material or other means.

2019

STATE OF WYOMING

**HEMP, CANNABIDIOL AND
OTHER CONTROLLED
SUBSTANCE REGULATION ACT**



Chapter 173

ORIGINAL HOUSE
BILL NO. HB0171

ENGROSSED

ENROLLED ACT NO. 110, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

AN ACT relating to food and drugs; amending substances regulated by the controlled substances act; requiring the commissioner of drugs and substances control to conform controlled substances regulation to federal law within a specified period; providing for hemp production and hemp processing; providing rulemaking authority; providing a penalty; authorizing the use and possession of hemp and hemp products; repealing conflicting provisions; requiring the department to submit a state plan for the regulation of hemp; providing appropriations; requiring a report; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 11-51-101 through 11-51-107 are created to read:

CHAPTER 51
HEMP PRODUCTION

11-51-101. Definitions.

(a) As used in this article:

(i) "Corrective action plan" means a plan the department develops in consultation with a licensee to correct any violation of this article;

(ii) "Disposal" means activities to alter or treat hemp or hemp products that contain an amount of THC in excess of the amount authorized in this article to ensure that the THC is reduced to bring the hemp or hemp product into compliance with this article or, if compliance is not attainable, that the THC is rendered inaccessible;

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(iii) "Hemp" or "hemp product" means all parts, seeds and varieties of the plant *cannabis sativa* L., whether growing or not, or a product, derivative, extract, cannabinoid, isomer, acid, salt or salt of isomer made from that plant with a THC concentration of not more than three-tenths of one percent (0.3%) on a dry weight basis when using post-decarboxylation or another similarly reliable testing method;

(iv) "Licensee" means a person licensed under this article to produce, process or test hemp;

(v) "Produce" means all acts necessary to produce and market hemp including, without limitation, planting, cultivating, harvesting, cloning, producing seeds, handling, transporting and selling;

(vi) "Process" means converting hemp into another product that contains no more than three-tenths of one percent (0.3%) THC on a dry weight basis when using post-decarboxylation or another similarly reliable testing method;

(vii) "THC" means tetrahydrocannabinol, the psychoactive component of the cannabis plant, with the scientific name *trans-delta 9-tetrahydrocannabinol*.

11-51-102. Hemp as agricultural crop; use of hemp.

(a) Hemp is an agricultural crop in this state. Upon meeting the requirements of this article, a person may produce or process hemp.

(b) Notwithstanding the requirements of this article, the possession, purchase, sale, transportation and use of

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hemp and hemp products by any person is allowable without restriction.

11-51-103. Licensing.

(a) No person shall produce or process hemp unless the person has obtained a license from the department on a form provided by the department.

(b) The application for a license under this section shall include:

(i) The name and address of the applicant;

(ii) The physical address and legal description of all land and property where the production or processing will occur;

(iii) A statement that the applicant has not been convicted of or pled nolo contendere to a controlled substance felony within the past ten (10) years, or in the event the applicant is not an individual, a statement that no member, principal, officer or director of the applicant has been convicted of or pled nolo contendere to a controlled substance felony;

(iv) Authorization for reasonable access by the department for random inspections related to production or processing activities; and

(v) Verification that the applicant is a business entity organized under the laws of Wyoming or a Wyoming resident, as defined by rule of the department.

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(c) The department shall issue a license, or renewal thereof, which is valid for one (1) year if:

(i) The requirements of subsection (b) of this section are met including that the applicant has not been convicted of or pled nolo contendere to a controlled substance felony within the past ten (10) years; and

(ii) Seven hundred fifty dollars (\$750.00) is received for each annual license or renewal application. This fee shall be reduced to five hundred dollars (\$500.00) for a nonprofit or educational organization.

(d) Licenses under this section may authorize producing hemp and processing hemp products at more than one (1) location for the same licensee.

(e) Any person possessing hemp or hemp products only for the purpose of testing THC levels may, but shall not be required to, obtain a license under this article.

11-51-104. Enforcement; penalties.

(a) The department shall perform inspections and provide chemical analysis of a random sample of licensees to determine compliance with this article.

(b) Any licensee who violates any provision of this article or any regulation promulgated pursuant to this article shall be subject to a corrective action plan. The corrective action plan may include reporting requirements, additional inspections, suspension of a license, steps necessary to restore a license, or requirements related to disposal of hemp or hemp products that contain in excess of three-tenths of one percent (0.3%) THC on a dry weight basis.

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The plan may require rendering THC inaccessible by using hemp or hemp products as a soil amendment material or by destruction of the hemp or hemp product as authorized by rule of the department.

(c) Any person who intentionally violates this article is guilty of a misdemeanor punishable by a fine of not more than seven hundred fifty dollars (\$750.00), imprisonment for not more than six (6) months, or both.

(d) If any person has three (3) or more violations of this article or any regulation promulgated pursuant to this article within five (5) years, the department shall revoke the license and the person shall be ineligible for licensure under this article for five (5) years.

11-51-105. Rules; agreements; research activities.

(a) The department shall adopt rules necessary to implement the provisions of this article.

(b) The department may enter into agreements with tribal governments related to hemp production and the processing of hemp products.

(c) The department, the University of Wyoming and Wyoming community colleges may produce or process hemp for research purposes.

11-51-106. Disposition of fees.

All fees collected under this article shall be deposited with the state treasurer in a separate account which is continuously appropriated to the department for the administration of this article.

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11-51-107. Exception if this article is not implemented.

Nothing in this article shall preclude any person from applying for and receiving authorization to produce and process hemp from another authorized entity if the department does not receive authority to do so or is otherwise not implementing this article.

Section 2. W.S. 35-7-1011(d) and 35-7-1063(a)(i), (iii) and by creating a new subsection (b) are amended to read:

35-7-1011. Control of substances.

(d) If any substance is designated, rescheduled, or deleted as a controlled substance under federal law and notice thereof is given to the commissioner, the commissioner shall similarly control the substance under this act after the expiration of in the same manner as federal law within thirty (30) days from after receiving notice of the change but not later than thirty (30) days after the first publication of the change in the Federal Register. of a final order designating a substance as a controlled substance, or rescheduling, or deleting a substance unless within that thirty (30) day period, Under this subsection, the commissioner shall control the substance in the same manner as federal law through the promulgation of an emergency rule, followed by promulgation of a permanent rule under the Wyoming Administrative Procedure Act. If the commissioner objects to inclusion the designation, rescheduling or deletion. In that case of a substance, the commissioner shall within the same period required to control the substance publish the reasons for objection and afford all interested parties an opportunity to be heard. At the conclusion of the hearing,

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the commissioner shall publish his decision which shall be final unless altered by statute. Upon publication of an objection to inclusion designation, rescheduling or deletion under this act by the commissioner, control under this act is stayed until the commissioner publishes his final decision. Any final decision that ultimately controls the substance under this act in the same manner as federal law shall be finalized through the promulgation of an emergency rule, followed by promulgation of a permanent rule under the Wyoming Administrative Procedure Act.

35-7-1063. Exceptions to provisions.

(a) The provisions and penalties of this chapter shall not apply to:

(i) The medical possession or use of hemp extract when used in accordance with the provisions of W.S. 35-7-1901 through 35-7-1903 or hemp products for any purpose or application;

(iii) Industrial Hemp farming production, processing or testing in accordance with the provisions of W.S. 35-7-2101 through 35-7-2109, or industrial hemp grown for research purposes by the university or the department of agriculture W.S. 11-51-101 through 11-51-107.

(b) As used in this section "hemp" or "hemp product" means all parts, seeds and varieties of the plant cannabis sativa l. or a product made from that plant with a trans-delta 9-tetrahydrocannabinol (THC) concentration of not more than three-tenths of one percent (0.3%) on a dry weight basis.

Section 3. W.S. 35-7-1901 through 35-7-1903 and 35-7-2101 through 35-7-2109 are repealed.

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Section 4.

(a) Not later than thirty (30) days after the effective date of this act, the department of agriculture, after consulting with the governor and the attorney general, shall submit a state plan to the United States secretary of agriculture for primary regulatory authority of hemp in Wyoming as provided in the Agriculture Improvement Act of 2018, Section 10113.

(b) The department of agriculture shall receive and process license applications for the production and processing of hemp as provided in W.S. 11-51-103, created under section 1 of this act, immediately upon approval of the state plan submitted under subsection (a) of this section.

(c) There is appropriated one hundred twenty-thousand dollars (\$120,000.00) from the general fund to the department of agriculture. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, 2020. This appropriation shall only be expended for the purpose of administering this act. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2020.

(d) There is appropriated three hundred fifteen thousand dollars (\$315,000.00) from the general fund to the department of agriculture. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, 2020. This appropriation shall only be expended for building maintenance, employee training, laboratory supplies and equipment and maintenance agreements

ORIGINAL HOUSE
BILL NO. HB0171

ENGROSSED

ENROLLED ACT NO. 110, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

necessary to implement this act. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2020. This appropriation shall not be included in the department of agriculture's 2021-2022 standard biennial budget request.

(e) The department of agriculture shall provide a report to the joint agriculture, public lands and water resources interim committee and the joint appropriations committee on the production and processing of hemp as provided in this act. The report required under this subsection shall be provided on October 1 of each year beginning in 2019 and ending after the report is submitted in 2021.

ORIGINAL HOUSE
BILL NO. HB0171

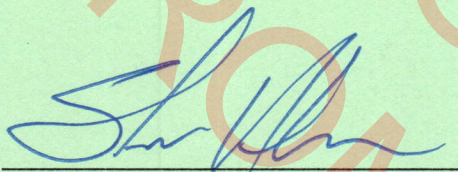
ENGROSSED

ENROLLED ACT NO. 110, HOUSE OF REPRESENTATIVES

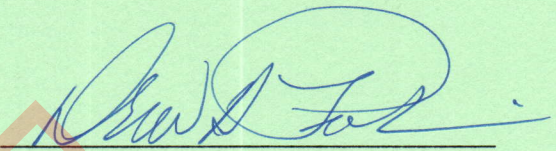
SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

Section 5. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

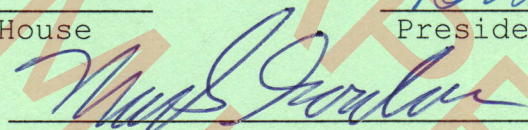
(END)



Speaker of the House



President of the Senate

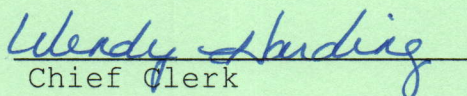


Governor

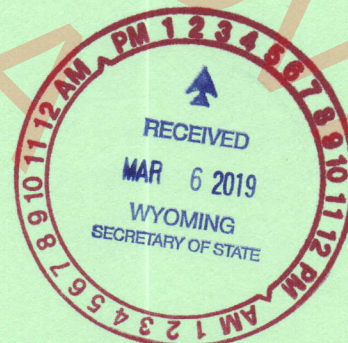
TIME APPROVED: 10:42 AM

DATE APPROVED: 6 March 2019

I hereby certify that this act originated in the House.



Chief Clerk



WYOMING DEPARTMENT OF AGRICULTURE

HEMP GROWER/PROCESSOR APPLICATION FORM



Wyoming
DEPARTMENT OF *Agriculture*



Wyoming
DEPARTMENT OF *Agriculture*

2219 CAREY AVE. | CHEYENNE, WY 82002 | PHONE: 307-777-7321 | FAX: 307-777-6593

**TECHNICAL SERVICES DIVISION
HEMP PRODUCER/PROCESSOR LICENSE APPLICATION**

PLEASE TYPE OR PRINT CLEARLY (Incomplete or illegible forms will be rejected.)

PLEASE INDICATE: ☐ PRODUCER ☐ PROCESSOR ☐ BOTH

SECTION 1: INDIVIDUAL APPLICANT INFORMATION

(Only complete this section if you are an individual applying. Business entities proceed to section 2.)

NAME: _____ DATE OF BIRTH: ____/____/____
LAST FIRST MI

PRINCIPAL ADDRESS*: _____
STREET CITY STATE ZIP

MAILING ADDRESS: _____
STREET CITY STATE ZIP

PHONE NUMBER: (____) ____-____ ALTERNATE PHONE NUMBER:(____) ____-____

EMAIL ADDRESS: _____

SECTION 2: BUSINESS APPLICANT INFORMATION

(Only complete this section if you are a business entity. Individuals complete section 1, proceed to section 3.)

BUSINESS NAME: _____

CONTACT NAME: _____ DATE OF BIRTH: ____/____/____
LAST FIRST MI

PRINCIPAL ADDRESS*: _____
STREET CITY STATE ZIP

MAILING ADDRESS: _____
STREET CITY STATE ZIP

PHONE NUMBER: (____) ____-____ ALTERNATE PHONE NUMBER:(____) ____-____

EMAIL ADDRESS: _____

TYPE OF BUSINESS (CIRCLE ONE): CORPORATION LLC PARTNERSHIP OTHER: _____

* Principal address must be a physical address in Wyoming and not a Post Office Box.

WDA OFFICE USE ONLY (DO NOT WRITE BELOW THIS LINE PROCEED TO SECTION 3.)

Date Application Rec'd: ____/____/____

Payment: Cash Check Check # _____ Amount: \$ _____

License Number: _____ Processed Date: ____/____/____

LICENSED AREA NUMBER: _____ FIELD/BUILDING NAME: _____

LEGAL DESCRIPTION: _____

1/4 Section

Section

Township

Range

GPS: (LATITUDE): _____ (LONGITUDE): _____

GROWING AREA SIZE: _____ (sq/ft or acres) PROCESSING AREA: _____ (sq/ft)

OWNERSHIP (Circle One): OWNED LEASED (if area is leased please complete Section 4 for each non-owned field)

LICENSED AREA NUMBER: _____ FIELD/BUILDING NAME: _____

LEGAL DESCRIPTION:

$\frac{1}{4}$ Section

Section

Township

Range

GPS: (LATITUDE): _____ (LONGITUDE): _____

GROWING AREA SIZE: _____ (sq/ft or acres) PROCESSING AREA: _____ (sq/ft)

OWNERSHIP (Circle One): OWNED LEASED (if area is leased please complete Section 4 for each non-owned field)

LICENSED AREA NUMBER: _____ FIELD/BUILDING NAME: _____

LEGAL DESCRIPTION: _____

1/4 Section

Section

Township

Range

GPS: (LATITUDE): _____ (LONGITUDE): _____

GROWING AREA SIZE: _____ (sq/ft or acres) PROCESSING AREA: _____ (sq/ft)

OWNERSHIP (Circle One): OWNED LEASED (if area is leased please complete Section 4 for each non-owned field)

LICENSED AREA NUMBER: FIELD/BUILDING NAME:

LEGAL DESCRIPTION:

1/4 Section

Section

Township

Range

GPS: (LATITUDE): _____ (LONGITUDE): _____

GROWING AREA SIZE: (sq/ft or acres) PROCESSING AREA: (sq/ft)

OWNERSHIP (Circle One): OWNED LEASED (if area is leased please complete Section 4 for each non-owned field)

LICENSED AREA NUMBER: FIELD/BUILDING NAME:

LEGAL DESCRIPTION:

1/4 Section

Section

Township

Range

GPS: (LATITUDE): (LONGITUDE):

GROWING AREA SIZE: _____ (sq/ft or acres) PROCESSING AREA: _____ (sq/ft)

OWNERSHIP (Circle One): OWNED LEASED (if area is leased please complete Section 4 for each non-owned field)

SECTION 4: LANDOWNER AGREEMENT

This section is to be completed if you are leasing the licensed area from another real property owner. Please make additional copies of this form as necessary.

The landowner of any non owned licensed area used for growing/processing hemp or hemp derivatives MUST consent for the area to be used for hemp production/processing.

I, _____ (print name), the undersigned, am the lawful owner of real property located at the referenced licensed area number _____ in Section 3 of this application, and I hereby consent to the use of such property for the purpose of cultivating hemp consistent with and for all purposes allowed under federal law, Wyoming law, and the rules and regulations of the Wyoming Department of Agriculture ("WDA"). I further acknowledge and agree to the following terms and conditions for Applicant's license from WDA to produce hemp on said property.

1. Any information obtained by WDA with respect to this application and/or the growing or cultivation of hemp on my property may be disclosed to the public and/or provided to law enforcement agencies without further notice to me or my representative(s).
2. I agree to allow any inspection or sampling of my property at the referenced licensed area number _____ in Section 3 of this application that WDA deems necessary relative to this application for an hemp license or its resulting hemp crop or derivatives.
3. I agree to allow WDA to use any right of way or another entry point to access the field for inspection. If no pre-authorized access point exists application will be denied.

Landowners Signature: _____ Date: ____/____/____

Landowner Contact Information: (Please print)

Name: _____

Phone: (____) ____-____ Alternate Phone: (____) ____-____

SECTION 4: LANDOWNER AGREEMENT

This section is to be completed if you are leasing the licensed area from another real property owner. Please make additional copies of this form as necessary.

The landowner of any non owned licensed area used for growing/processing hemp or hemp derivatives MUST consent for the area to be used for hemp production/processing.

I, _____ (print name), the undersigned, am the lawful owner of real property located at the referenced licensed area number _____ in Section 3 of this application, and I hereby consent to the use of such property for the purpose of cultivating hemp consistent with and for all purposes allowed under federal law, Wyoming law, and the rules and regulations of the Wyoming Department of Agriculture ("WDA"). I further acknowledge and agree to the following terms and conditions for Applicant's license from WDA to produce hemp on said property.

1. Any information obtained by WDA with respect to this application and/or the growing or cultivation of hemp on my property may be disclosed to the public and/or provided to law enforcement agencies without further notice to me or my representative(s).
2. I agree to allow any inspection or sampling of my property at the referenced licensed area number _____ in Section 3 of this application that WDA deems necessary relative to this application for an hemp license or its resulting hemp crop or derivatives.
3. I agree to allow WDA to use any right of way or another entry point to access the licensed area for inspection. If no pre-authorized access point exists application may be denied.

Landowners Signature: _____ Date: ____/____/____

Landowner Contact Information: (Please print)

Name: _____

Phone: (____) ____-____ Alternate Phone: (____) ____-____

SECTION 5: AFFIDAVIT

Please review and complete the following terms and conditions. Ensure to review any referenced documents when completing this section.

Please affirm applicant's agreement to the following terms and conditions for an hemp license.

I, _____ (print name), having legal authority to bind the applicant to the terms and conditions of this application for an hemp license, hereby acknowledge those regulations governing the cultivation and processing of hemp under federal law, Wyoming law, and the rules and regulations of the Wyoming Department of Agriculture ("WDA"). I further acknowledge, understand, and agree to each of the following terms and conditions of a license from WDA to produce hemp.

1. Any information obtained by WDA may be disclosed to the public and/or to law enforcement agencies without further notice to me, the applicant, the owner of the property licensed for processing of hemp, or any of our representative(s).
2. I agree to allow any inspection or sampling that WDA deems necessary relative to this application for an hemp license or its resulting hemp crop.
3. I agree to pay all costs incurred at the discretion of WDA for inspection, sampling and analysis relative to this application for an hemp license or its resulting processed hemp.
4. I agree that failure to pay any invoice sent to me by the WDA within 60 days of said invoice being produced may result in license to grow/process hemp to be revoked and an stop sale order may be issued for all hemp products and/or their derivatives grown under that license.
5. I agree to submit all reports or statements requested by WDA relative to this application for an hemp license or its resulting hemp crop, including the processed hemp's origin, disposition, and transport.
6. I warrant that I have not been convicted of a felony, or pled nolo contendere, in any country, relative to the possession, production, sale, or distribution of a controlled substance within the past 10 years.
7. I warrant that no partner, director or member otherwise associated with the applicant business entity named above, if applicable, has been convicted of a felony, or pled nolo contendere, in any country, relative to the possession, production, sale, or distribution of a controlled substance within the past 10 years.
8. I warrant that all documents and information submitted in support of this application for an hemp license are authentic, correct, and complete.
9. I warrant that I have read and understand the Rules of the Wyoming Department of Agriculture, Chapter 58, relative to regulation of hemp, otherwise available at <http://rules.wy.gov>.
10. I agree that any regulatory action done as a result of inspection, sampling and/or analysis done by the WDA relative to this application will be done at a facility approved by WDA and only those sample results will be used in conjunction with that regulatory action. I further agree that official test results shall not be subject to additional testing or verification.

Applicants Name (Please print): _____

Applicant Signature: _____

Date: ____/____/____

SECTION 7: APPLICATION CHECKLIST

Please ensure that all items listed below are included in this application packet. Any incomplete applications will be rejected and returned to applicant.

✓	APPLICATION ITEM
	Completed and signed application for Hemp Producer/Processor License
	Growing/Processing Area Information
	Maps of Growing/Processing Area (FSA, Google, Bing, etc.)
	Landowner Agreement (If applicable)
	Affidavit
	License Application Fee - \$750.00 (\$500 for educational/non profit) non-refundable CASH OR CHECK ONLY
	Copy of a government issued photo identification (Drivers license, military ID, etc.) Or Copy of Wyoming Secretary of State Business Entity Certificate of Good Standing

Approved licenses to grow/process hemp will be valid for the remainder of the current calendar. All licenses expire on **December 31** of each year.

WYOMING DEPARTMENT OF AGRICULTURE

HEMP SAMPLING PROCEDURES



Wyoming
DEPARTMENT OF *Agriculture*

HEMP SAMPLING PROCEDURES

(3/27/2019)

1. **Enforcement:** The department shall perform sampling and examination of hemp for the purpose of determining whether a license holder is complying with the requirements. The department is authorized, upon presentation of proper identification, to enter any license holder's property, during reasonable times, to have access to hemp for sampling.
2. **Sampling:**
 - a. All hemp license holders are subject to routine inspection and sampling to verify all parts and varieties of the plant *Cannabis sativa* L. do not exceed the allowable three-tenths of one percent (0.3%) tetrahydrocannabinols (THC).
 - b. At least 30 days prior to harvest, each hemp license holder shall file a Harvest Report, on a form provided by the Department that includes the harvest date(s) and location of each variety of hemp cultivated within the licensed area. The Department may select up to 100% of the license holders to be inspected/sampled. The Department, may send or provide notification to each license holder of their selection prior to harvest. Failure to contact the Department as required will result in the initiation of license revocation proceedings in accordance with the Wyoming Administrative Procedures Act and disposal of all hemp crops on all licensed areas.
 - c. In addition to any routine inspection and sampling, the Department may inspect and take samples from any licensed area during normal business hours without advance notice if he has reason to believe a violation of the Act or these Rules may be occurring. The Department may also conduct such additional inspection and sampling to verify compliance with the reporting requirements of the rules pertaining to Hemp.
 - d. During the inspection, the license holder or authorized representative may be present. The license holder or authorized representative shall provide the Department's inspector with complete and unrestricted access to all hemp plants, parts and seeds, and hemp by-products within a licensed area whether growing or harvested, and all land, buildings and other structures used for the cultivation and storage of hemp, and all documents and records pertaining to the license holder's hemp business.
 - e. All hemp plants within a licensed area may be sampled to ensure compliance with the hemp program.
 - f. Individual or composite samples of each variety of hemp may be sampled from the licensed area at the Department's discretion.
3. **Equipment Needed:**
 - a. Pruners/clippers
 - b. Sampling bags(brown paper bags)
 - c. Chain of Custody sealing labels
 - d. WDA inspection, chain of custody, and sampling forms
 - e. GPS unit and Camera

4. **Sampling Procedure:**

- a. Volume and Variety: Material selected for sampling will be solely at the WDA and the WDA inspector's discretion. Inspectors will use their judgment in determining the appropriate amount to be taken. The volume of material obtained should reflect the size and volume of the material being grown on the site. Note that the more plant material sampled the more likely it will better represent the variety's accurate THC levels.
- b. Samples should be from the top 2 inches of the female flowering plants only, hemp inflorescences. This sample ensures that the material contains the highest concentration of THC and creates consistency across all samples and all licensees. Fiber varieties or non-flowering licensed areas will require the top 2 inches of available plant material.
- c. Do not take samples from male plants.
- d. Samples can be taken from individual varieties, groups of varieties or the entire licensed area. The majority of the samples should be collected in the **interior** of the field, to avoid edge effect.
- e. GPS coordinates from each sample must be taken and logged on the inspection form.
- f. **Guidelines for sampling:**
 - i. Small fields may be inspected in an X pattern: Starting in one corner, walk one transect of the field, collecting 15 samples along the way. Continue walking the "X" pattern, collecting sample at regular intervals along each transect. For fields up to 100 acres in size, 30 plants will be sampled. Individual, non-contiguous fields will be sampled separately. Contiguous fields of multiple varieties will be sampled as a single homogeneous sample.
 - ii. Larger or irregularly-shaped fields may be sampled randomly by walking the perimeter of the field and taking paths into the field at regular intervals, taking 1-2 samples along each path. For fields over 100 acres: the number of samples will be 30 plants + 10 plants per additional 100 acres. The samples will be evenly taken throughout the entire field. All of the plant samples will be mixed together and tested as a single homogenous sample, if the acreage is contiguous.
 - iii. In the case of very small plantings i.e. greenhouses and indoor grow sites where individual or a very limited number of plants of a specific variety are present (so few you can easily count them), 5 randomly selected plants per 1,000 square feet will be sampled, with a minimum sample size of 5 plants.

5. **Sample Handling and Identification Procedures:**

- a. Samples will be placed in a brown paper bag and sealed with chain of custody tape on the top and on the bottom of the bag.
- b. Keep bags out of the sun and as cool as possible during transport. (place in a cooler)

- c. Identification:
 - i. Samples will be labeled using the following format:
“ddmmyy.applicantlicensenumbr.licensedgrowingareanumber:
 Example: 091917.20181969.01
 - ii. Inspectors will also note the GPS coordinates of each sample on the inspection form.
 - d. Inspectors will fill out a WDA inspection and sampling report form for each licensed area sampled.
 - e. Each sample is recorded on a chain of custody form which is submitted along with the samples.
 - f. Samples will be transported and hand delivered by the inspector to the Wyoming Department of Agriculture Analytical Services Laboratory in Laramie for testing.
 - g. If the analysis results are found to be above 0.3% tetrahydrocannabinol, it is a failed test.
 - h. If at any time during or after the growing season, sampling and testing reveal that any plants within the licensed area contained more than 0.3% THC then all plants, or plant parts thereof, in, or originating from this licensed area shall be subject to disposal. Disposal of the crop will occur under direction and on site observance by the Department and all costs for disposal in the responsibility of the license holder.
6. **Inspection and Sampling Fees.** The fees for inspection and sampling will be reviewed and approved by the Wyoming Board of Agriculture.
 7. **Wyoming Department of Agriculture Analytical Services- Laboratory and Analysis Fees.** The fees for laboratory and analysis will be reviewed and approved by the Wyoming Board of Agriculture.
 8. **Pesticide Use in Hemp Production:** Should off label pesticide use be suspected as a result of the inspection and sampling activities, the inspector shall notify the Technical Services Manager and Pesticide Inspector in the area. If off label pesticide use is proven through testing, the lot will be considered quarantined, and shall be subject to a corrective action plan. The license holder is subject to possible further investigation for misuse of pesticides. This may be conducted at Department discretion.

WYOMING DEPARTMENT OF AGRICULTURE

RECORDS RETENTION SCHEDULE



Agriculture**Technical Services (Agriculture)****Financial and Accounting (FIN)****Accounting Management (ACC)**

Reports - Accounting	FIN-ACC-10	FYE	5	Retain 5 years after the fiscal year end then destroy	No
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*Superseded Schedules***06-078** *State Allocation Committee Fiscal File***Governance and Compliance (GAC)****Governance (GOV)**

Minutes, Resolutions, and Ordinances	GAC-GOV-03	PERM		Retain permanently	No
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*Superseded Schedules***06-074** *Intermountain Noxious Weed Advisory Council Minutes***06-079** *State Allocation Committee Minutes (Weed and Pest Districts)***Inspections and Monitoring (ISP)**

Equipment and Vehicles	GAC-ISP-06	CP	5	Retain 5 years after completion then destroy	No
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*Superseded Schedules***06-046** *Device Inspection Reports*

General	GAC-ISP-08	CP	5	Retain 5 years after completion then destroy	No
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*Superseded Schedules***06-062** *Inspection Reports / Certificate File***96-084** *Official Inspection Log***96-086** *Inspection Sample Seed Analysis Report (WDA-131)***96-089** *General Inspection Report (Form WDA-100)***96-093** *Agriculture Sampling System Log*

Herbicide, Pesticide and Chemicals	GAC-ISP-11	CP	5	Retain 5 years after completion then destroy	No
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*Superseded Schedules***06-050** *Pesticide & Predator Applicator Files***06-057** *Pesticide Applicator Inspection / Violation Reports***06-058** *Pesticide Inspection file***06-061** *Registrations (Soil Conditioners, Fertilizers, Pesticides, and Soil Amendments)***06-069** *Letter Advising Dealer of a Registered Pesticide***06-083** *USGS Herbicide Monitoring Program Files*

Agriculture**Technical Services (Agriculture)****Governance and Compliance (GAC)****Inspections and Monitoring (ISP)**

Herbicide, Pesticide and Chemicals	GAC-ISP-11	CP	5	Retain 5 years after completion then destroy	No
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*Superseded Schedules***6014** Letter Advising Dealer of a Registered Pesticide (Form letter-duplicate copy)

Investigations	GAC-ISP-12	CP	5	Retain 5 years after completion then destroy	No
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*Superseded Schedules***06-070** Notice of Alleged Violation**06-071** Re-Inspection of Alleged Violation**96-071** Notice of Alleged Violation**96-075** Reinspection of Alleged Violation**Permit Management (PMT)**

Special or Temporary	GAC-PMT-06	EXP	5	Retain 5 years after expiration then destroy	No
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*Superseded Schedules***06-067** Predator Permit and Report Files**96-266** Predator Fees Listing**Policy and Standards Management (PSM)**

Policies, Procedures and Manuals	GAC-PSM-02	SUP	5	Retain 5 years after superseded then destroy	Yes
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*Superseded Schedules***06-089** Quality Assurance Manual

Standards	GAC-PSM-03	SUP	3	Destroy when superseded	Yes
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*Superseded Schedules***06-076** Plastic Agriculture Pesticides Containers Operation / Inspection Standards**96-263** Code Books**Legal and Judiciary (LGL)****Contract Management (CTR)**

Leases	LGL-CTR-08	EXP	10	Retain 10 years after expiration then destroy	No
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*Superseded Schedules***06-080** State Land Leases (Copies)

Agriculture**Technical Services (Agriculture)****Legal and Judiciary (LGL)****Licensing and Registration (LAR)**

Chemicals, Agriculture	LGL-LAR-12	EXP	5	Retain 5 years after expiration then destroy	No
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*Superseded Schedules***96-267** *Pesticide Applicator Files*

Dealers and Agents and Outfitters	LGL-LAR-15	EXP	7	Retain 7 years after expiration then destroy	No
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*Superseded Schedules***06-064** *Dealer Record (Rodent/Predator)***96-090** *Violation Information Form*

Facilities, Establishments and Products	LGL-LAR-18	EXP	5	Retain 5 years after expiration then destroy	Yes
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*Superseded Schedules***06-047** *Establishment Licensing and Permit Files***06-053** *Apiary Certificate of Registration File***06-055** *Grain Dealers and Grain Warehouseman Licenses and Bonds***06-059** *Certificate of Registration (Form No. DP-32)***5594** *Feed Registrations***96-074** *Registrations*

Forage Certification	LGL-LAR-20	PERM		Retain permanently	No
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*Superseded Schedules***06-077** *Regional Forage Certification Program Files*

Weights and Measures	LGL-LAR-45	EXP	3	Retain 3 years after expiration then destroy	No
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*Superseded Schedules***06-090** *Registered Servicemen and Weightmasters Certification File***Natural Resource Management (NRM)****Agriculture Management (AGR)**

Analysis - Seeds	NRM-AGR-01	FYE	5	Retain 5 years after the fiscal year end then destroy	No
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*Superseded Schedules***6021** *Sampling and Analysis Checklist (Form #DP-71)***6024** *Seed Inspector's Report (Form #DP-70)(White copy)***96-076** *Tetrazolium Test Report (Form WDA-142)*

WYOMING DEPARTMENT OF AGRICULTURE

ORDER OF LICENSE SUSPENSION FORM





Wyoming
DEPARTMENT OF Agriculture

ORDER OF LICENSE SUSPENSION AND INTENT TO REVOKE

Date: _____

Be it so ordered on this _____ day of _____, 20____ that the
hemp license held by:

Producer Information:

Crop Information / location.

Suspended for the following reason(s) (cite statute or regulation):

Please note- you have a right to appeal this order of suspension and intent to revoke.

Signed for the Director:

Date:

WYOMING DEPARTMENT OF AGRICULTURE

ORDER OF HEMP PRODUCT DESTRUCTION FORM





ORDER OF DESTRUCTION

Date: _____

Producer Information: _____

Be it so ordered on this _____ day of _____, 20____ that the
hemp crop located at:

Crop Location: _____

Be destroyed for the following reason(s) (cite statute or regulation):

by the following methods:

1. _____
2. _____
3. _____

Signed for the Director:

Date:

WYOMING DEPARTMENT OF AGRICULTURE

PROPOSED FEE STRUCTURE FOR HEMP PROGRAM



WYOMING DEPARTMENT OF AGRICULTURE
HEMP PROGRAM

FEE STRUCTURE

1. **Inspection and Sampling Fees.** The fees for inspection and sampling are as follows:
 - a. \$35.00 per hour while in transit to and from an establishments licensed area.
 - i. Fee includes transit time to and from the employee's base of operations for inspection and sample collection, and to and from the employee's base of operations to and from Laramie, WY for sample delivery to the Wyoming Department of Agriculture Analytical Services Laboratory.
 - ii. When collection for analysis has taken place and the inspection staff have in their possession more than one sample from multiple license holders, the fee assessed for transit to and from Laramie, WY will be divided equally based upon the number of samples, and each license holder billed accordingly based on the number of samples from each license holder.
 - b. \$35.00 per hour at the establishment licensed area.
 - c. Mileage in accordance with Wyo. Stat. § Ann. 9-3-103.
 - d. License holders selected for inspection and sampling shall reimburse the Department for all sampling costs incurred within 60 days of the date of the invoice sent from the Cheyenne office. Payment will be in the form of cash, certified check or money order. The inspector will log all their time and expenses on a form provided by the Department.
2. **Wyoming Department of Agriculture Analytical Services- Laboratory and Analysis Fees.** The fees for laboratory and analysis are as follows:
 - a. \$35.00 per hour for sample preparation and analysis.
 - b. \$125.00 fee for analytical supplies per sample.
 - c. \$35.00 for analytical report preparation and distribution per sample.
 - d. License holders shall reimburse the Department for all laboratory costs incurred within 60 days of the date of invoice.
3. **Pesticide Use in Hemp Production:** Should off label pesticide use be suspected as a result of the inspection and sampling activities, the inspector shall notify the Technical Services Manager and Pesticide Inspector in the area. Samples shall be tested for pesticide residue during laboratory testing.
 - a. Fees for additional laboratory testing shall be \$35 per hour for sample preparation and analysis.
 - b. \$125 fee for analytical supplies per sample.
 - c. \$35 for analytical report preparation and distribution per sample.
 - d. License holders shall reimburse the Department for all laboratory costs incurred within 60 days of the date of the invoice.