



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

Memorandum

To: Joint Agriculture, State and Public Lands & Water Resources Committee

From: Wyoming Department of Agriculture

Date: September 30, 2019

Re: Wyoming Hemp Regulatory Program Update

In accordance with HEA 110, the Wyoming Department of Agriculture (WDA) is providing this report regarding hemp regulation, production and processing. After passage of this legislation, WDA worked collaboratively with the Attorney General's Office and the Governor to complete and submit a State Hemp Regulatory Plan. This plan was submitted to the United States Department of Agriculture (USDA) in April 2019. This plan addresses requirements in Wyoming law and is designed to meet all requirements of the 2018 Farm Bill regulations. Topics in the plan address: proposed rules, application forms, sampling procedures, record retention schedules and a fee schedule. Please see Attachment A for the full plan.

USDA anticipates that federal regulations on hemp will be released in the fall of 2019 and be finalized in time for the 2020 growing season. We await their release. After finalization of the federal regulations, USDA has sixty (60) days to review WDA's proposed regulatory plan and accept or reject it. It is our understanding that there will be an opportunity to amend our plan if necessary. Upon approval of delegated authority by the USDA, WDA plans to move forward with emergency rulemaking procedures in order to establish our program as quickly as possible, to ensure producers have as much time as they can in preparation for the 2020 growing season. Simultaneously, WDA will move forward with the regular rule making process to ensure that there is ample opportunity for citizen engagement and feedback in the rulemaking process.

In the interim, WDA has been preparing the infrastructure necessary to carry out the hemp regulatory program. The Gas Chromatograph Mass Spectrometer has been purchased, installed and is being standardized and training completed in the coming weeks. In addition, the necessary ventilation structures are nearing completion of their installation and supplies for the Analytical Services Lab have been procured. The laboratory is performing their verification for potency of hemp and so far has had very good results. They are working to acquire Hemp Certified Reference material, which is hemp flower with known quantities of THC to ensure our testing method is working to the standard of quality in which we expect it to. We are also enrolled in Proficiency Testing program through the Kentucky Department of Agriculture, which should also give us more confidence in our method. Additionally, WDA staff has worked collaboratively with Colorado Department of Agriculture staff to review regulations, discuss laboratory procedures and participate in a field inspection.

With further questions please contact Stacia Berry at the Wyoming Department of Agriculture 307-777-6569.

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