



PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (August 2017)
(Implements RCW 34.05.310)**

Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: November 17, 2025

TIME: 2:28 PM

WSR 25-23-059

Agency: Dept. of Agriculture

Subject of possible rule making: Chapter 16-306 WAC, Hemp Program. The Department is considering rulemaking to increase clarity between Hemp Program rules and operations, increase program efficiency, and reduce the cost variability for licensees. It will also remove unnecessary portions of the chapter.

Statutes authorizing the agency to adopt rules on this subject: RCW 15.140.030, RCW 15.140.060

Reasons why rules on this subject may be needed and what they might accomplish:

This rule implements the Department's USDA approved hemp plan, in accordance with the federal laws that allow states to administer a program for licensed farmers to produce hemp. The program is 7 years into establishment and the Department has determined that the rule needs to be updated to reduce or remove multiple inconsistencies and inefficiencies in order to save time and increase clarity for both farmers and administrative staff of the hemp program, including, but not limited to: eliminating time and mileage fees that lead to inconsistent inspection charges from year to year and replacing it as well as the harvest inspection fee with a new "harvest certification fee" that encompasses the cost of entire administrative process from scheduling the inspection to certifying the crop; aligning our definition of THC testing with the USDA definition of Total THC for clarity; and removing references to testing that are not utilized by the program or marketplace in order to reduce confusion.

The Department will also consider other changes to the rule that help to streamline and clarify processes established by the Hemp Program including, but not limited to, background checks for hemp producer applicants.

If the rule is not changed, the program will continue to lose money by administering our fee system, and farmers will continue to express frustration about our inability to accept credit card payments and the variability in their fees from year to year.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The Department will notify the United States Department of Agriculture of the rule update.

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.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

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(If necessary)
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Web site:

Other:

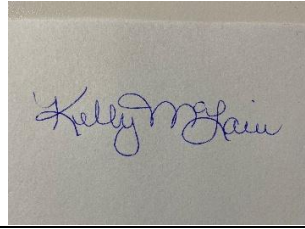
Other:

Additional comments:

Date: November 17, 2025

Signature:

Name: Kelly McLain

A photograph of a handwritten signature in blue ink on a white piece of paper. The signature reads "Kelly McLain" in a cursive script.

Title: Assistant Director