

CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE
TITLE 3 of the California Code of Regulations

NOTICE OF A PROPOSED EMERGENCY ACTION

April 15, 2022

The California Department of Food and Agriculture (Department) proposes to adopt Title 3 California Code of Regulations (CCR) Sections 4890, 4900, 4901, 4902, 4930, 4934, 4935, 4936, 4940, 4941, 4942, 4943, 4944, 4946, 4950, 4950.1, 4951, and 4952, in order to comply with the California State Regulatory Plan for Hemp Production approved by USDA.

Authority

Food and Agricultural Code (FAC) sections 407, 81005 (a), and Reference: FAC401.5 and Division 24.

Sections Affected: Sections 4890, 4900, 4901, 4902, 4930, 4934, 4935, 4936, 4940, 4941, 4942, 4943, 4944, 4945, 4946, 4950, 4950.1, 4951, and 4952 of Title 3, Division 4, Chapter 3, Subchapter 5, Article 2 of the California Code of Regulations.

Five Working Day Notice of OAL Comment Period: Government Code section 11346.1(a)(2) requires that, at least five working days prior to submission of the proposed emergency action to the Office of Administrative Law, the adopting agency provide a notice of the proposed emergency action to every person who has filed a request for notice of regulation action with the agency. After submission of the proposed emergency to the Office of Administrative Law (OAL), the Office of Administrative Law shall allow interested persons five calendar days to submit comments on the proposed emergency regulations as set forth in Government Code section 11349.6. For further information on the emergency rulemaking process, please access the OAL website at https://oal.ca.gov/emergency_regulations/, or contact the OAL reference attorney at (916) 323-6815 or e-mail: staff@oal.ca.gov.

Upon filing, OAL will have ten (10) calendar days within which to review and make a decision on the proposed emergency rule. If approved, OAL will file the regulations with the Secretary of State, and the emergency regulations will become effective for ninety (90) days. Within the 90-day effective period, the Department will proceed with a regular rulemaking action, including a public comment period. The emergency regulations will remain in effect during this rulemaking action.

Attached to this notice is the specific regulatory language of the proposed emergency action and Finding of Emergency.

Website Access: Materials regarding this proposal can be found by accessing the following Internet address: <https://www.cdfa.ca.gov/plant/Regulations.html>.