

**State of California  
Office of Administrative Law**

**In re:**  
**Department of Food and Agriculture**

**Regulatory Action:**

**Title 03, California Code of Regulations**

**Adopt sections: 4900**

**Amend sections:**

**Repeal sections:**

**NOTICE OF APPROVAL OF REGULATORY  
ACTION**

**Government Code Section 11349.3**

**OAL Matter Number: 2019-0415-04**

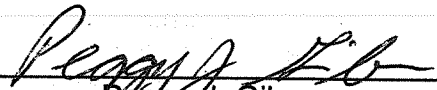
**OAL Matter Type: Regular Resubmittal (SR)**

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The California Department of Food and Agriculture is establishing an annual registration and registration renewal fee for growers of industrial hemp for commercial purposes and seed breeders of hemp. The DFA is also establishing how long a registrant has to renew before the registration is forfeited and the procedure for restoring a forfeited registration.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 4/25/2019.

**Date: April 25, 2019**

  
\_\_\_\_\_  
Peggy J. Gibson  
Senior Attorney

**For: Holly Pearson  
Acting Director**

**Original: Karen Ross, Secretary  
Copy: Rachel Avila**

**NOTICE PUBLICATION/REGULATIONS SUBMISSION**

# RESUBMITTAL

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

|                  |   |   |                  |
|------------------|---|---|------------------|
| OAL FILE NUMBERS | NOTICE FILE NUMBER<br><b>Z-2018-1024-01</b> | REGULATORY ACTION NUMBER<br><b>2019-0415-04SR</b> | EMERGENCY NUMBER |
|------------------|---|---|------------------|

For use by Office of Administrative Law (OAL) only

2019 APR 15 P 2:33  
OFFICE OF ADMINISTRATIVE LAW

**ENDORSED - FILED**  
in the office of the Secretary of State  
of the State of California

APR 25 2019

1:50PM

|        |             |
|--------|-------------|
| NOTICE | REGULATIONS |
|--------|-------------|

AGENCY WITH RULEMAKING AUTHORITY  
Department of Food and Agriculture

AGENCY FILE NUMBER (If any)

**A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)**

|   |                          |                        |                               |
|---|--------------------------|------------------------|-------------------------------|
| 1. SUBJECT OF NOTICE  | TITLE(S)                 | FIRST SECTION AFFECTED | 2. REQUESTED PUBLICATION DATE |
| 3. NOTICE TYPE<br><input type="checkbox"/> Notice re Proposed Regulatory Action<br><input type="checkbox"/> Other   | 4. AGENCY CONTACT PERSON | TELEPHONE NUMBER       | FAX NUMBER (Optional)         |
| <b>OAL USE ONLY</b><br>ACTION ON PROPOSED NOTICE<br><input type="checkbox"/> Approved as Submitted<br><input type="checkbox"/> Approved as Modified<br><input type="checkbox"/> Disapproved/Withdrawn | NOTICE REGISTER NUMBER   | PUBLICATION DATE       |                               |

**B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)**

|   |  |
|---|--|
| 1a. SUBJECT OF REGULATION(S)<br>Industrial Hemp Cultivation Registration Fees | 1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)<br>2019-0219-02 |
|---|--|

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

|  |               |
|--|---------------|
| <b>SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)</b> | ADOPT         |
|  | AMEND<br>4900 |
|  | REPEAL        |

TITLE(S)  
3

3. TYPE OF FILING

|  |   |   |   |
|--|---|---|---|
| <input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)   | <input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. | <input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) | <input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) |
| <input checked="" type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) | <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)   | <input type="checkbox"/> File & Print                               | <input type="checkbox"/> Print Only   |
| <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))  |   | <input type="checkbox"/> Other (Specify) _____                      |   |

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

|   |   |  |  |
|---|---|--|--|
| <input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) | <input checked="" type="checkbox"/> Effective on filing with Secretary of State | <input type="checkbox"/> \$100 Changes Without Regulatory Effect | <input type="checkbox"/> Effective other (Specify) _____ |
|---|---|--|--|

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

|  |  |   |
|--|--|---|
| <input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) | <input type="checkbox"/> Fair Political Practices Commission | <input type="checkbox"/> State Fire Marshal |
| <input type="checkbox"/> Other (Specify) _____                             |  |   |

|                                   |                                  |                       |   |
|-----------------------------------|----------------------------------|-----------------------|---|
| 7. CONTACT PERSON<br>Rachel Avila | TELEPHONE NUMBER<br>916-403-6813 | FAX NUMBER (Optional) | E-MAIL ADDRESS (Optional)<br>Rachel.Avila@cdfa.ca.gov |
|-----------------------------------|----------------------------------|-----------------------|---|

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

|   |                 |
|---|-----------------|
| SIGNATURE OF AGENCY HEAD OR DESIGNEE<br>  | DATE<br>4-15-19 |
| TYPED NAME AND TITLE OF SIGNATORY<br>Nick Condos, Director, Plant Health and Pest Prevention Services |                 |

For use by Office of Administrative Law (OAL) only

**ENDORSED APPROVED**

APR 25 2019

Office of Administrative Law

**In Title 3, California Code of Regulations, Division 4, adopt:**

**Chapter 8. Industrial Hemp Cultivation**

**Article 1. Registration of Industrial Hemp Growers**

**§ 4900. Registration Fees.**

(a) The Secretary establishes the following fees for registration of growers of industrial hemp for commercial purposes and seed breeders to be submitted along with the registration application as authorized in sections 81003 and 81004 of the Food and Agricultural Code:

(1) Prior to cultivation, a fee of nine-hundred dollars (\$900) per applicant shall be submitted with the application to the commissioner.

(2) A separate registration is required for each county in which the applicant intends to grow industrial hemp.

(3) This registration is valid for one year from date of issuance by the commissioner.

(b) The Secretary establishes the following fee for registration renewal of growers of industrial hemp for commercial purposes and seed breeders:

(1) Upon expiration of registration, a fee of nine-hundred dollars (\$900) per registrant shall be due to the commissioner in each county in which the applicant intends to continue to grow industrial hemp.

(2) Renewed registration is valid for one year from date of issuance of renewal by the commissioner.

Note: Authority cited: Sections 407, 483, and 81005, Food and Agricultural Code  
Reference: Sections 81003, 81004, and 81005, Food and Agricultural Code