

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 80 Department or Agency Department of Agriculture and Industries  
Rule No.: 80-10-21-.23  
Rule Title: Required Reports

         New   X   Amend          Repeal          Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? N/A

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

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Does the proposed rule have any economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection(f) of Section 41-22-23, Code of Alabama 1975.

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Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer 

Date: 9-15-21

REC'D & FILED

SEP 16 2021

LEGISLATIVE SVC AGENCY

APA-2

ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES  
Plant Protection

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Agriculture and Industries

RULE NO. & TITLE: 80-10-21-.23 Required Reports

INTENDED ACTION: To amend rule.

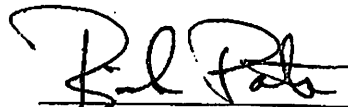
SUBSTANCE OF PROPOSED ACTION: To comply with the United States Department of Agriculture (USDA) 2018 Farm bill Requirements.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Views may be presented in writing to the contact person below or in person on Tuesday, November 9, 2021, at 10:00 a.m., in the auditorium of the Richard Beard Building, 1445 Federal Drive, Montgomery, Alabama, 36117.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: November 9, 2021.

CONTACT PERSON AT AGENCY: Norman Gunter Guy, Jr., General Counsel, Department of Agriculture and Industries, 1445 Federal Drive, Montgomery, Alabama 36107-1123, Telephone No. (334) 240-7117.

9-15-21  
Date

  
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Rick Pate  
Commissioner of Agriculture  
and Industries

**80-10-21-.23 Required Reports.**

(1) A licensed processor or handler shall submit a completed Production Report annually, any report required by this regulation, and any report required by USDA or FSA, in the manner and form stated.

(2) For at least three (3) years, license holders shall maintain and make available for inspection by the department during reasonable business hours:

- (a) Records regarding acquisition of hemp plants;
- (b) Records regarding production and handling of hemp plants;
- (c) Records regarding storage of hemp plants; and
- (d) Records regarding disposal of all cannabis plants that do not meet the definition of hemp.

(3) A licensed processor or handler's failure to submit an accurate and complete report that is required by these administrative regulations on or before the deadline established by the department shall constitute grounds for the department to terminate the processor or handler licensing agreement and deny future applications for licensure.

**Author:** N. Gunter Guy, Jr.

**Statutory Authority:** Code of Ala. 1975, §2-8-383

**History:** New Rule Filed: August 19, 2020, Effective: November 1, 2020. Filed: