

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 80 Department or Agency Department of Agriculture and Industries  
Rule No.: 80-10-21-.54  
Rule Title: Incorporation by Reference

         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

\*\*\*\*\*  
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.

\*\*\*\*\*  
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 [Handwritten Signature]

Date: 9-15-21

REC'D & FILED  
SEP 16 2021

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-.54 Incorporation by Reference

INTENDED ACTION: To amend rule.

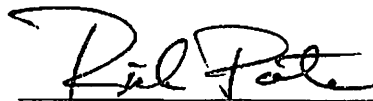
SUBSTANCE OF PROPOSED ACTION: To comply with the United States Department of Agriculture (USDA) 2018 Farm bill Requirements.

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

  
\_\_\_\_\_  
Rick Pate  
Commissioner of Agriculture  
and Industries

**80-10-21-.54 Incorporation by Reference.**

(1) The following forms and materials are incorporated by reference:

- (a) Grower Application
- (b) Grower License Agreement
- (c) Hemp Grow Plan (Indoor and Outdoor)
- (d) Harvest/Destruction Report
- (e) Grower Add Site form
- (f) Grower Amend Site Form
- (g) Grower Property Owner Affirmation
- (h) Harvest Destruction Form
- (i) Release/Movement Form
- (j) Secondary Sample(s) Invoice
- (k) Grower Post-Harvest Report Form
- (l) Marketing Plan
- (m) Material Transfer Form
- (n) Processor/Handler Application
- (o) Processor/Handler Licensing Agreement
- (p) Processor Add Site Form
- (q) Processor Amend Site Form
- (r) Processor Year-End Report
- (s) University/Research Application
- (t) University Add Site Form
- (u) University Amend Site Form
- (v) University Year End Research Report Form
- ~~(\*)~~ (w) Seed or Propagule Acquisition Form
- (x) Production Report

(2) These materials may be inspected, copied, or obtained, subject to applicable copyright law, and upon advanced request, at the Alabama Department of Agriculture and Industries, ~~Plant Division Office,~~ 1445 Federal Drive, Montgomery, Alabama 36107, Monday through Friday, 8:00 a.m. to 4:30 p.m.

**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: