



GEORGIA DEPARTMENT OF AGRICULTURE

Tyler Harper, Commissioner

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DATE: October 22, 2024

ACTION: Notice of Intent to Amend and Adopt Hemp Product Rules

TO ALL INTERESTED PERSONS AND PARTIES:

Pursuant to the Official Code of Georgia Annotated, O.C.G.A. § 50-13-4 and O.C.G.A. § 2-23-12, notice is hereby given that the Georgia Department of Agriculture will accept written comments regarding proposed amendments to its existing Hemp Rules, specifically, GA. Comp. R. & Regs. r. 40-32-1-.02, and the proposed adoption of GA. Comp. R. & Regs. r. 40-32-5-.02, 40-32-5-.03, 40-32-5-.04, 40-32-5-.05, and 40-32-5-.06 (collectively, the “Rules”). The Department also intends to rename Chapter 40-32 from “Hemp Growers and Processors” to “Hemp and Hemp Products”. **The Department will accept written comments from Wednesday, October 23, 2024, until the close of business (4:30 p.m. ET) on Thursday, November 21, 2024.**

SYNOPSIS, MAIN FEATURES AND DIFFERENCES:

Synopsis:

The Department seeks to amend and adopt the Rules to reflect the cumulative changes to the Georgia Hemp Farming Act, O.C.G.A. § 2-23-1 et seq., made by Ga. L. 2024, SB 494, as well as public feedback provided on prior, proposed drafts of the Rules.

At the highest level, proposed changes (a) amend general provisions in Subject 40-32-1 [General Provisions], specifically a defined term, to reflect and implement SB 494 and public feedback; and (b) adopt new rules in Subject 40-32-5 [Consumable Hemp Products] to reflect and implement consumable hemp product standards created by SB 494, specifically GA. Comp. R. & Regs. r. 40-32-5-.02, 40-32-5-.03, 40-32-5-.04, 40-32-5-.05, and 40-32-5-.06.

The Department expects the Rules to be effective after adoption and appropriate filing with the Georgia Secretary of State.

Proposed Amendment to Subject 40-32-1 [General Provisions]:

Proposed amendments to Subject 40-32-1 reflect amendments to the Georgia Hemp Farming Act in SB 494 and public feedback.

Proposed changes:

- Amend defined terms to reflect SB 494 defined terms and public feedback. GA. Comp. R. & Regs. r. 40-32-1-.02(12).

Proposed Adoption of GA. Comp. R. & Regs. r. 40-32-5-.02 [Total Delta-9-THC Concentration and Contaminant Limits], 40-32-5-.03 [Labelling of Consumable Hemp

Products], 40-32-5-.04 [Packaging of Consumable Hemp Products], 40-32-5-.05 [Advertising], and 40-32-5-.06 [Serving Sizes and Serving Limits]:

Proposed adoption of Subject 40-32-5 reflects amendments to the Georgia Hemp Farming Act in SB 494.

Proposed changes:

- Set maximum analyte limits for consumable hemp products. GA. Comp. R. & Regs. r. 40-32-5-.02.
- Adopt required labelling standards for consumable hemp products, including for contents, full panel certificates of analysis, and a warning sticker. GA. Comp. R. & Regs. r. 40-32-5-.03.
- Adopt required packaging standards for consumable hemp products. GA. Comp. R. & Regs. r. 40-32-5-.04.
- Adopt limitations on advertising related to consumable hemp products and retailers. GA. Comp. R. & Regs. r. 40-32-5-.05.
- Adopt limitations on quantities of total delta-9-THC in consumable hemp product servings and packages. GA. Comp. R. & Regs. r. 40-32-5-.06.

General Amendments:

The Department proposes to amend the Chapter title to better reflect the expanded scope of the Georgia Hemp Farming Act under SB 494.

COMMENT PERIOD AND ADDITIONAL INFORMATION:

The Department will be accepting written comments from Wednesday, October 23, 2024, until the close of business (4:30 p.m. ET) on Thursday, November 21, 2024. Public comments and the adoption of the amended Rules will be considered at 2 p.m. on Monday, October 28, 2024, in Room 307 at the Coverdell Legislative Office Building, 18 Capitol Sq. SW, Atlanta, Georgia 30334. Please submit written comments to:

Bruce Stanford
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Interested persons may call or submit a written request to obtain a copy of the proposed rule changes. A copy of the synopsis and the proposed rule changes may be downloaded from the Georgia Department of Agriculture website at www.agr.georgia.gov.

This notice is given in compliance with the Georgia Administrative Procedure Act, O.C.G.A. § 50-13-4.