

**PROPOSED REGULATION OF THE
NEVADA DEPARTMENT OF AGRICULTURE**

LCB FILE NO. R065-17I

**The following document is the initial draft regulation proposed
by the agency submitted on 08/17/2017**

NAC 557: Industrial Hemp Research And Development Program Proposed Amendments

Black Text = Current Regulation

~~Red Text~~ = Proposed Removed Language

Blue Text = Proposed New Language

Revised 12/20/2016

Statutory Authority - SB 305

Sec. 8. The Department shall assess the following fees:

1. For the submission of an application pursuant to section 5 of this regulation, a nonrefundable application fee of \$500.
2. *To amend an application previously submitted pursuant to section 5 of this regulation, a nonrefundable amendment fee of \$500. The other fees due pursuant to this section will be adjusted to reflect any changes in the certified and registered site.*
3. For a certified and registered site used for growing and cultivating industrial hemp outdoors, a fee of \$5 per acre or portion thereof.
4. For a certified and registered site used for growing or cultivating industrial hemp indoors, a fee of 33 cents per 1,000 square feet, or portion thereof.
5. For inspecting a site used for growing or cultivating industrial hemp:
 - (a) A fee of not more than \$50 per hour for each hour an inspector spends conducting the inspection, including the time spent traveling to and from the site; and
 - (b) The mileage allowance established by the State Board of Examiners for state officers and employees pursuant to subsection 3 of NRS 281.160 for the inspector's travel to and from the site.
6. For sampling and analyzing industrial hemp pursuant to this chapter, a fee in the amount of the actual costs of the Department for the sampling and analysis, as approximated by the Department.

NAC 557. Pesticides Not Legally Prohibited from Use on Industrial Hemp

1. *The Department of Agriculture will evaluate pesticide active ingredients for possible inclusion on a list of pesticide ingredients that are not legally prohibited from use on industrial hemp. Products using the active ingredients included on the list must be registered for use in Nevada and must be EPA labeled appropriately for outdoor/indoor use.*
2. *The Department will evaluate products recommended by;*
 - a. *The Department staff; or,*
 - b. *The Independent Laboratory Advisory Committee; or,*
 - c. *A pesticide manufacturer; or,*
 - d. *An industrial hemp establishment or a representative thereof.*

3. *The Department will determine if a pesticide can be included on a not legally prohibited use list based on;*
 - a. *The provisions in NRS 586.010 to 586.420; and,*
 - b. *The Environmental Protection Agency approved label on the product.*
4. *Pursuant to the provisions of NRS 561.153, the Department will charge the following fees;*
 - a. *For evaluating a product requested to be added to the list, \$75.00 per hour*
 - b. *For verifying that a product is correctly labeled for use in a facility licensed pursuant to NRS 453A, \$75.00 per hour*
 - c. *To participate in a SLN 24C application, \$300.00*