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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

## NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE

AGENCY: Agriculture

RULE TYPE: Legislative

TITLE SERIES: 61 C.S.R. 30

RULE NAME: Select Plant-Based Derivatives and Select Plant-Based Derivative Products-Hemp and Kratom.

STATUTORY AUTHORITY: §19-12E-7; §9-12E-12; §9-12F-5

DATE FILED AS AN EMERGENCY RULE: June 10, 2025

Following review under W. Va. Code §29A-3-15a, which requires the Secretary of State to determine that the agency filing such emergency rule: 1) has not exceeded the scope of law authorizing or directing the promulgation thereof; 2) has shown that an emergency exists justifying the promulgation of an emergency rule; and 3) filed the emergency rule in compliance with W. Va. Code §29A-3-15, it is the decision of the Secretary of State that the above emergency rule is approved.

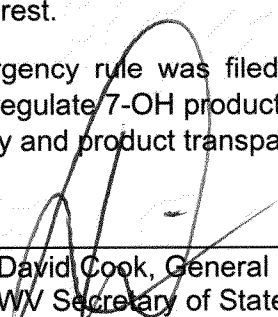
It is the determination of the Secretary of State that this proposal qualifies under the definition of an emergency as defined in §29A-3-15(f):

(1) For the immediate preservation of the public peace, health, safety and welfare;

(2) to comply with a time limitation established by the W. Va. Code or by a federal statute or regulation; or

(3) to prevent substantial harm to the public interest.

Additional notes or comments (if any): This emergency rule was filed to clarify permissible sampling of non-intoxicating hemp products and to regulate 7-OH products currently available in stores. The rule addresses concerns for public safety and product transparency.

  
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David Cook, General Counsel  
WV Secretary of State's Office