

West Virginia Department of Agriculture

Kent A. Leonhardt, Commissioner

Amie Minor-Richard, Deputy Commissioner



July 31, 2026

Mr. Fredric Wooton
Commissioner
WV Alcohol Beverage Control Administration
900 Pennsylvania Ave.
Charleston, WV 25302

RE: 61 CSR 30 Select Plant-Based Derivatives and Select Plant-Based Derivative Products - Hemp

Dear Commissioner Wooten,

The West Virginia Department of Agriculture (WVDA) has received and carefully reviewed your comment regarding Legislative Rule 61 CSR 30 Select Plant-Based Derivatives and Select Plant-Based Derivative Products – Hemp. The WVDA is very appreciative of your thoughtful comments and your support for our changes throughout the amended rule. In response to your recommendation, the WVDA will include an amendment to the agency approved rule clarifying that restaurants and other venues holding a West Virginia Alcohol Beverage Control Administration (ABCA) Permit to sell beverages containing hemp must also obtain a Hemp Retailer's Permit from the WVDA.

After careful consideration, the WVDA intends to retain the current language in Section 10.9 of 61 CSR 30, which states:

"The Alcohol Beverage Control Administration shall notify the Department before an enforcement action occurs, when an enforcement action is occurring, and after an enforcement action is completed."

We value the strong partnership among our agencies in addressing the illegal sale of hemp products throughout West Virginia. As the agency responsible for regulating select plant-based derivative products, the WVDA has a duty to ensure that illegal, non-compliant, or unregistered products are identified and removed from commerce during inspections.

When the WVDA is not notified of enforcement actions conducted by another agency, retailers may have the opportunity to relocate illegal products from one location to another before those products can be identified and removed. Timely notification helps prevent this outcome and strengthens our collective enforcement efforts.

The WVDA has no intention of interfering with WVABCA enforcement operations, including underage compliance checks. Rather, we request advance coordination so that WVDA personnel are not present during the enforcement operation itself. We would, however,

appreciate the opportunity to be onsite immediately following the completion of the operation to embargo and confiscate any illegal or non-compliant hemp products that are identified.

Thank you again for your valuable comments and continued collaboration. We appreciate our ongoing partnership and look forward to working together to ensure the effective enforcement of West Virginia's laws governing select plant-based derivatives and hemp products.

Sincerely,

A handwritten signature in black ink, appearing to read "Amie Minor-Richard". The signature is fluid and cursive, with the first name "Amie" and last name "Minor" being more prominent, and "Richard" written in smaller script.

Amie Minor-Richard
Deputy Commissioner

cc: Melissa Taylor, WVDA Assistant Director of Regulatory Affairs
Destiny Helmick, WVDA Hemp Program Manager
Benny Eplin, WVABCA Enforcement Director