



## DEPARTMENT OF AGRICULTURE

### Submission for OMB Review; Comment Request; Reinstatement

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and reinstatement under the Paperwork Reduction Act of 1995, Public Law 104-13. Comments are requested regarding: whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques and other forms of information technology.

Comments regarding this information collection received by **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]** will be considered.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting "Currently under 30-day Review - Open for Public Comments" or by using the search function.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

## **Agricultural Marketing Service**

*Title:* Information Collection for the Domestic Hemp Production Program

*OMB Control Number:* 0581-0318

*Summary of Collection:* The Agricultural Improvement Act of 2018 (2018 Farm Bill) amended the Agricultural Marketing Agreement of 1946 and was signed into law December 20, 2018, as P.L. 115-334. Sec. 10113 of the 2018 Farm Bill amended the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) by adding Subtitle G—Hemp Production. The law required U.S. Department of Agriculture (USDA) to promulgate regulations and guidelines to develop and oversee a program to produce hemp in the United States. The 2018 Farm Bill directs that this will include state and tribal plans, and a USDA plan for those States, including territories of Indian tribes, that choose not to submit their own plan. The 2018 Farm Bill amended the Agricultural Marketing Act of 1946 (AMA) by adding Subtitle G (sections 297A through 297D of the AMA). Section 297B of the AMA requires the Secretary of Agriculture (Secretary) to evaluate and approve or disapprove State or Tribal plans regulating the production of hemp. Section 297C of the AMA requires the Secretary to establish a Federal plan for producers in States and territories of Indian Tribes not covered by plans approved under section 297B. Lastly, section 297D of the AMA requires the Secretary to promulgate regulations and guidelines relating to the production of hemp, including sections 297B and 297C, in consultation with the U.S. Attorney General.

States or Tribes wanting primary regulatory authority over the production of hemp within their borders may submit plans to USDA for approval. These plans outline how the State or Tribe will monitor and regulate production. As instructed in the Farm Bill, this regulation provides procedures and guidance for state and tribal governments submitting plans to USDA for approval. USDA will approve plans which comply with the Domestic Hemp Production Program regulations.

The interim final rule (IFR) was published on October 31, 2019. A System of Record Notice (SORN) was published on January 16, 2020. The U.S. Domestic Hemp Program (USDA Hemp Program) established a system of records under the Privacy Act (5 U.S.C. 552a) which is required by law. On January 19, 2021, USDA published a final rule (FR) for the USDA Hemp Program which became effective on March 22, 2021. The FR incorporated modifications based on public comments and lessons learned during the 2020 growing season.

*Need and Use of the Information:* The information is being collected to accurately manage the USDA Hemp Program. States and Tribes with USDA approved programs, USDA producers, and laboratories all provide necessary information for the program.

*Description of Respondents:* Hemp producers, States and Tribal governments with approved hemp production plans; Laboratory personnel.

*Number of Respondents:* 21,781

*Frequency of Responses:* Reporting: On occasion; Monthly; Annually

*Total Burden Hours:* 9,826

**Levi S. Harrell,**

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