WEST VIRGINIA CODE: §64-9-1

§64-9-1. Department of Agriculture.

(a) The legislative rule filed in the State Register on July 25, 2024, authorized under the authority of §19-7-11 of this code, relating to the Department of Agriculture (state aid for fairs and festivals, 61 CSR 03), is authorized.

(b) The legislative rule filed in the State Register on June 25, 2024, authorized under the authority of §19-2B-3 of this code, relating to the Department of Agriculture (inspection of meat and poultry, 61 CSR 16), is authorized.

(c) The legislative rule filed in the State Register on July 25, 2024, authorized under the authority of §19-1-4b of this code, relating to the Department of Agriculture (licensing and other fees, 61 CSR 18), is authorized.

(d) The legislative rule filed in the State Register on August 2, 2024, authorized under the authority of §19-11E-8 of this code, modified by the Department of Agriculture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 18, 2024, relating to the Department of Agriculture (West Virginia manufacture-grade milk, 61 CSR 19), is authorized.

 (e) The legislative rule filed in the State Register on August 6, 2024, authorized under the authority of §19-1-3b of this code, modified by the Department of Agriculture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 16, 2024, relating to the Department of Agriculture (employment reference and inquiries and background checks, 61 CSR 20), is authorized with amendment set forth below:

On page 5, by striking out all of subsection 9.1. and inserting in lieu thereof a new subsection 9.1. to read as follows:

9.1. The following provisions apply to current employees and individuals seeking employment at the WVDA who have not been previously employed by the Department.;

On page 5, paragraph 9.1.a.4., after the word "his" by inserting the words "or her";

And,

On page 5, subdivision 9.1.b., after the word "or" by inserting the word "an".

(f) The legislative rule filed in the State Register on July 30, 2024, authorized under the authority of §19-29-1 of this code, modified by the Department of Agriculture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 2, 2024, relating to the Department of Agriculture (West Virginia fish

processing, 61 CSR 23A), is authorized with amendment set forth below:

On page 19, by adding a new subsection designated 21.4. to read as follows:

"21.4. Up to 20,000 pounds of fish per calendar year slaughtered and/or processed at an official plant are exempt from the antemortem, postmortem, and processing inspection, provided that the fish are slaughtered and processed at an establishment licensed by the Commissioner of Agriculture and approved for fish slaughter operations."

(g) The legislative rule filed in the State Register on August 15, 2024, authorized under the authority of §19-12E-12 of this code, modified by the Department of Agriculture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 3, 2024, relating to the Department of Agriculture (select plant-based derivatives and select plant-based derivative products, 61 CSR 30), is authorized with the amendment set forth below:

On page 20, subdivision 13.3.c. after the word "hemp" by inserting the words "and kratom".

The legislative rule filed in the State Register on July 29, 2024, authorized under the authority of §19-1-11 of this code, relating to the Department of Agriculture (Rural Rehabilitation Program, 61 CSR 33), is authorized.

(h) The legislative rule filed in the State Register on August 15, 2024, authorized under the authority of §19-1-7 of this code, modified by the Department of Agriculture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 2, 2024, relating to the Department of Agriculture (raw milk, 61 CSR 41), is authorized.