

**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND
FORESTRY
CHAPTER 30. CONSUMER PROTECTION**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

SUBCHAPTER 13. IMPORTED FIRE ANT QUARANTINE

35:30-13-3. Regulated area [AMENDED]

SUBCHAPTER 17. COMBINED PESTICIDE

PART 1. COMMERCIAL, NON-COMMERCIAL, AND PRIVATE CATEGORIES OF PESTICIDE APPLICATION

35:30-17-1.2. Schedule of combined pesticide program fees [AMENDED]

PART 6. PESTICIDAL PRODUCT PRODUCING ESTABLISHMENTS

35:30-17-13. Incorporation by reference of federal pesticide producing establishment regulations

PART 21. STANDARDS FOR DISPOSAL OF PESTICIDE AND PESTICIDE CONTAINERS

35:30-17-89.1. Incorporation by reference of federal pesticide management and disposal regulations [AMENDED]

SUBCHAPTER 24. OKLAHOMA INDUSTRIAL HEMP PROGRAM

35:30-24-2. Definitions [AMENDED]

35:30-24-3. Application [AMENDED]

35:30-24-4. Grounds for denial of application and revocations [AMENDED]

35:30-24-5.1. Land use restrictions [AMENDED]

35:30-24-6.1. Transportation, importation, and exportation [AMENDED]

35:30-24-7. Fees [AMENDED]

35:30-24-10. Records [AMENDED]

SUBCHAPTER 36. WEED FREE ~~HAY~~COMPOST, FORAGE, GRAVEL AND MULCH CERTIFICATION

35:30-36-1. Purpose [AMENDED]

35:30-36-2. Definitions [AMENDED]

35:30-36-3. Voluntary weed free ~~hay~~ certification [AMENDED]

35:30-36-5. Field certification inspection [AMENDED]

35:30-36-7. Treated facility and field certification inspections [AMENDED]

35:30-36-10. Voluntary posting [AMENDED]

35:30-36-11. Qualified inspector qualifications [AMENDED]

35:30-36-12. Violations [AMENDED]

35:30-36-14. Regional noxious weed free certification [AMENDED]

SUBCHAPTER 37. NURSERY STOCK SALES

35:30-37-6. Shipping, transportation, and ~~inspection of plants~~ stocks, plant products, and other material and inspection fees [AMENDED]

35:30-37-10. Prohibited sales of aquatic plants [AMENDED]

SUMMARY:

The proposed rule amendments adds multiple counties to the regulated area for fire ants and states where IFA is found; updates language to add businesses for licenses and certifications; updates references to federal code; adds a definition for active cultivation tasks and location to hemp; adds additional restrictions for property not wholly owned by hemp operator; adds

additional factors for grounds for denial and revocation for hemp licenses; adds additional land restrictions for hemp licenses; adds phytosanitary certificates for importing and exporting of hemp plants; adds requirement for hemp license fee to be paid by key participant; adds requirement that processors to keep records of products produced and sold; adds compost, forage, gravel and mulch to the voluntary weed free certification program; adds language that allows the Department to certify facilities, fields or products for the weed free certification program; adds inspection requirements for compost, forage, gravel and mulch for the weed free certification program; adds language that plants being shipped into the State comply with OK nursery regulations and be licensed in the state they are coming from; and adds *Marsilea minuta* - Waterclover to the prohibited aquatic plants list.

AUTHORITY:

Okla. Const., Art. 6, § 31; State Board of Agriculture; 2 O.S. § 2-4(A)(2) & (A)(8); 2 O.S. § 3-85; 2 O.S. § 3-404; 2 O.S. § 3-213; and 2 O.S. § 3-32.9.

COMMENT PERIOD:

Persons may submit written comments to Kiersten Wormus at kiersten.wormus@ag.ok.gov, 2800 North Lincoln Boulevard, P.O. Box 528804, Oklahoma City, Oklahoma 73152-8804 during the period beginning October 15, 2026, and ending November 16, 2026.

PUBLIC HEARING:

A public hearing will be held at 9:00 a.m., November 16, 2026, in the ODAFF Board Room, located at the Oklahoma Department of Agriculture, Food, and Forestry, 2800 North Lincoln Boulevard, Oklahoma City, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts, if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Kiersten Wormus at the address listed above during the period beginning October 15, 2026, and ending November 16, 2026.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained by visiting <http://app.ag.ok.gov/proposedrules/default.aspx> or by contacting Kiersten Wormus at the address listed above.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a rule impact statement is available at the address listed above.

CONTACT PERSON:

Kiersten Wormus, (405) 522-5803, e-mail address: at Kiersten.wormus@ag.ok.gov.