

## **NOTICE OF PUBLIC HEARING FOR ADOPTION OF AMENDMENTS TO RULE 20.10.2 NMAC, HEMP POST-HARVEST PROCESSING**

The Secretary of the New Mexico Environment Department (“NMED”) will hold a public hearing beginning at 9:00 a.m. on December 2, 2025, and continuing thereafter as necessary. The purpose of the hearing is to consider amendments to 20.10.2 NMAC, Hemp Post-Harvest Processing, which provides a regulatory framework for the hemp industry in New Mexico. NMED’s Cannabis and Hemp Bureau (“Bureau”) is the proponent of the proposed new rule.

The hearing will be conducted in a hybrid format to allow for both in-person and virtual participation. The in-person portion of the hearing will be held at the New Mexico State Capitol Building (The Roundhouse), Meeting Room No. 321, 490 Old Pecos Trail, Santa Fe, NM, 87501. The hearing location may change prior to the hearing date, and those interested in attending should visit NMED’s website prior to the hearing. Detailed information concerning the time, location, and instructions on how to join the hearing virtually is available on the NMED events calendar at <https://www.env.nm.gov/events-calendar/>. If you have difficulties joining the meeting, please contact Luis Lopez at (505) 490-0186 or [luis.lopez@env.nm.gov](mailto:luis.lopez@env.nm.gov).

The proposed regulations and related information, including technical information, may be reviewed online at <https://www.env.nm.gov/opf/docketed-matters/>; during regular business hours at 4359 Jager Drive NE, Suite B, Rio Rancho, NM 87144; or by contacting the Bureau Chief, Johanthan Gerhardt, at (505) 222-9502.

Public comments will be received via SmartComment at <https://nmed.commentinput.com?id=CmTtUd75S>, via electronic mail to [luis.lopez@env.nm.gov](mailto:luis.lopez@env.nm.gov); or via physical mail to Luis Lopez, P.O. Box 5469, Santa Fe, NM 87502 until the conclusion of the hearing. Comments received after the conclusion of the hearing will not be viewed.

The purpose of the public hearing is for the NMED Secretary to consider and take possible action on a petition by the Bureau requesting the adoption of proposed regulatory changes to 20.10.2 NMAC. The proposed regulatory changes are attached as Attachment 1 to the Petition for Regulatory Change (“Petition”), docket number CHB 25-53(R), available for viewing online at <https://www.env.nm.gov/opf/docketed-matters/>. If you need assistance obtaining a copy of the proposed amendments, the Petition, or any other documents related to this matter, then please contact: Luis Lopez, Hearing Clerk, P.O. Box 5469, 1190 St. Francis Drive, Suite S-2103, Santa Fe, NM, 87502; [luis.lopez@env.nm.gov](mailto:luis.lopez@env.nm.gov); (505) 490-0186. In your correspondence, please reference docket number CHB 25-53(R).

The proposed regulatory changes requested by the Bureau are necessary to address current and emerging concerns with the production of hemp products, to bolster labeling requirements, and to strengthen finished product testing requirements. The rule includes a ban on using most semi-synthetic and synthetic cannabinoids in hemp products by New Mexico manufacturers that was included in a rule promulgated on an emergency basis on August 1, 2025. The proposed rule change limits the amount of THC allowed in each serving and total amount allowed in each package of hemp finished product and requires new labeling requirements to warn consumers of risks associated with consuming products containing THC. New proposed testing requirements for manufacturers are intended to ensure products are free of harmful pesticides.

The hearing will be conducted in accordance with the Rulemaking Procedures found at 20.1.9 NMAC and other applicable procedures. The NMED Secretary may make a decision on the proposed rule at the conclusion of the hearing.. Alternatively, the NMED Secretary may continue the hearing at a later date, leaving the hearing record open and continuing to receive comments. Notice of continuation will be posted on NMED’s website.

All interested persons will be given reasonable opportunity at the hearing to submit relevant evidence, data, views, and arguments, orally or in writing, to introduce exhibits, and to examine witnesses. Any person who wishes to submit a non-technical written statement for the record in lieu of oral testimony must file such statement prior to the close of the hearing via SmartComment at <https://nmed.commentinput.com?id=CmTtUd75S>; by electronic mail at [luis.lopez@env.nm.gov](mailto:luis.lopez@env.nm.gov); or by physical mail to Luis Lopez, P.O. Box 5469, Santa Fe, NM, 87502. Any statements received after the conclusion of the hearing will not be viewed.

Persons wishing to present technical testimony must file with the hearing clerk a written notice of intent to do so. The requirements for a notice of intent can be found in 20.1.1.302 NMAC. Technical testimony means scientific, engineering, economic, or other specialized testimony, whether oral or written, but does not include legal argument, general comments, or statements of policy concerning matters at issue in the hearing. Notices of intent for the hearing must be received no later than 5:00 p.m. on October 25, 2025, and should reference the name of the regulations, the date of the hearing, and docket number CHB 25-53(R). Notices of intent to present technical testimony shall be submitted to Luis Lopez, Hearing Clerk, P.O. Box 5469, Santa Fe, NM 87502, [luis.lopez@env.nm.gov](mailto:luis.lopez@env.nm.gov).

Persons requiring language interpretation services or having a disability and needing a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing should contact Luis Lopez no later than November 10, 2025, at (505) 490-0186 or [luis.lopez@env.nm.gov](mailto:luis.lopez@env.nm.gov). TDD or TDY users please dial 7-1-1 or 800-659-8331 to access this number via Relay New Mexico.

## **STATEMENT OF NON-DISCRIMINATION**

NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Parts 5 and 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, you may contact: Kate Cardenas, Non-Discrimination Coordinator, New Mexico Environment Department, 1190 St. Francis Dr., Suite N4050, P.O. Box 5469, Santa Fe, NM 87502, (505) 827-2855 [nd.coordinator@env.nm.gov](mailto:nd.coordinator@env.nm.gov).

If you believe that you have been discriminated against with respect to a NMED program or activity, you may contact the Non-Discrimination Coordinator identified above or visit our website at <https://www.env.nm.gov/non-employee-discrimination-complaint-page/> to learn how and where to file a complaint of discrimination.