

Declaration of Emergency

Department of Agriculture and Forestry Office of Agro-Consumer Services Division of Weights and Measures

Suspension of Standard Fuel Specifications for Gasoline and Gasoline – Oxygenate Blends (LAC 7:XXXV.303)

In accordance with the emergency provisions of the Administrative Procedure Act, R.S. 49:962, and under the authority of R.S. 3:4608 and 4680, the Commissioner of Agriculture and Forestry declares an emergency to exist and adopts by emergency process the attached regulations for the suspension of rules governing the sale of gasoline with ethanol blending limits and Reid vapor pressure (RVP).

On August 20, 2026, the Environmental Protection Agency (EPA) renewed a nationwide temporary waiver under the Clean Air Act (CAA) section 211(c)(4)(C)(ii)(I) to address extreme and unusual fuel supply circumstances caused by, among other things, global issues in the Middle East that are affecting all parts of the United States. The waiver extends the ethanol blending limit in gasoline from 10 percent to 15 percent, waives Federal low volatility gasoline standards, and pulls forward the wintertime volatility limits. The Commissioner of Agriculture and Forestry is granting a temporary emergency waiver so that gasoline with 9 to 15 percent ethanol content at wintertime volatility limits may be used in Louisiana. The commissioner of Agriculture and Forestry intends to extend the waiver in Louisiana as long as the EPA extends the nationwide waiver.

At the expiration of this waiver, gasoline that does not meet the requirements for Louisiana may not be introduced into terminal storage tanks from which gasoline has dispensed into trucks for distribution to retail outlets in Louisiana. However, any gasoline meeting the conditions for this waiver that had already been placed in the terminal storage tanks for distribution to retail and wholesale purchasers – consumers before the expiration date of this waiver may be distributed until the supply is depleted. Likewise, retailers and wholesaler purchasers-consumers in Louisiana may continue to sell or dispense gasoline after the above expiration date until their supplies are depleted.

The Department of Agriculture and Forestry has adopted rules and regulations concerning the ASTM International Standards for gasoline Reid vapor pressure and ethanol blending limits. A temporary suspension of these rules and regulations during this emergency is necessary to provide for an adequate supply of gasoline. Failure to suspend these rules and regulations creates an imminent peril to the public health, safety, and welfare of the citizens of this state.

Procedural Note: This emergency rule supersedes and replaces a prior version of this emergency rule issued on April 17, 2026.

This Emergency Rule shall become effective on September 1, 2026, and shall remain in effect for a period of 180 days unless renewed or rescinded.

Title 7

AGRICULTURE AND ANIMALS

Part XXXV. Agro-Consumer Services

Chapter 3. Petroleum Products and Motor Fuels

Subchapter A. Standards

§303. Standard Fuel Specifications for Gasoline and Gasoline-Oxygenate Blends

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9. The ASTM D4814, "Standard Specifications for Automotive Spark -- Ignition Fuel" Seasonal volatility standards for all parishes in the state of Louisiana are hereby suspended to allow the statewide use of gasoline with an RVP of 13.5 psi.

10. The ASTM D4814, "Standard Specifications for Automotive Spark -- Ignition Fuel" base gasoline and blending requirements are hereby suspended for all parishes in the state of Louisiana to immediately allow the statewide use of gasoline with an ethanol blending limit of 15 percent.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4671, 4673, 4680, and 4681.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Division of Weights and Measures, LR 31:29 (January 2005), amended by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, LR 34:2549 (December 2008), LR 52:

Signed and attested to this 28 day of August, 2026.

A handwritten signature in black ink, appearing to read "Mike Strain", is written over a horizontal line.

MIKE STRAIN, DVM
COMMISSIONER OF AGRICULTURE AND FORESTRY