

Date: March 15, 2017

TO: Interested Parties

FROM: André Ourso, Manager
Oregon Medical Marijuana Program
Public Health Division, Oregon Health Authority

RE: Notice of rulemakings related to the Oregon Medical Marijuana Program

PROPOSED PERMANENT ACTIONS:

The Oregon Health Authority (OHA), Public Health Division is proposing to permanently adopt and amend rules in chapter 333, divisions 7 and 64 related to marijuana labeling, and marijuana laboratory sampling and testing; and permanently adopt, amend and repeal rules in chapter 333, division 8 pertaining to medical marijuana growers, processors, dispensaries and patient cards.

ORS 475B.555 directs the Oregon Health Authority (OHA), in consultation with the Oregon Liquor Control Commission (OLCC) and the Oregon Department of Agriculture (ODA), to protect public safety by establishing rules on marijuana laboratory sampling and testing, and marijuana labeling. In order to protect public health and safety, these rules propose to adopt additional requirements for ordered tests, amend certain standards for the sampling and testing of marijuana items, including testing for pesticides, propose changes to how control studies are conducted, propose to allow for remediation of marijuana items under certain circumstances, propose to permit OHA or OLCC to request that marijuana items be tested for heavy metals, and propose to specifically allow for quality control or research and development testing. In addition, the rules amend the sampling procedures for testing marijuana items and the reporting of test results. These rules also allow for THC and CBD labeling to be expressed as a range or as an average of the values calculated.

Changes to chapter 333, division 8 of the Oregon Administrative Rules are necessary to implement SB 1511 (Oregon Laws 2016, chapter 83); and certain housekeeping measures are necessary for rules governing growers, dispensaries and processors. Please see the Notice of Proposed Rulemaking Hearing and Statement of Need and Fiscal Impact for further information.

You are being invited to review and comment on the proposed PERMANENT rules.

You may file written comments before 5:00 p.m. on April 30, 2017 by submitting them to the Public Health Division Rules Coordinator at the following address:

OHA, Public Health Division
Attn: Administrative Rules Coordinator
800 NE Oregon Street, Suite 930
Portland, Oregon 97232

E-mail comments to: publichealth.rules@state.or.us
You may also send comments by fax to (971) 673-1299.

If you wish to present oral testimony, the following public hearings will be held:

April 27, 2017 starting at 11:00 am
Planning and Development Department Atrium Building
99 W 10th Ave.
Sloat Room
Eugene, OR 97401

April 28, 2017 starting at 10:00 am
Portland State Office Building
800 NE Oregon Street
Room 1A
Portland, OR 97232

Final rules will be filed after consideration of all comments.

For more details, please see the full text of the rules and corresponding rulemaking documents at the following website:
<http://public.health.oregon.gov/DiseasesConditions/ChronicDisease/MedicalMarijuanaProgram/Pages/legal.aspx#rulehearing>

If you have any questions or would prefer a hardcopy be sent, please contact
PublicHealth.Rules@state.or.us