

For your information

The Oregon Liquor Control Commission has:

☐ Amended
☒ Adopted
☐ Repealed

OAR 845-025-1335 **TEMPORARY RULE**

Effective Dates: July 1, 2017 through December 27, 2017

Note: **Bold and underlined** = new text; *~~strikethrough and italics~~* = deleted text

845-025-1335

Marijuana Promotional Events

Oregon House Bill 1057 (2017), section 17 allows businesses licensed by the Oregon Liquor Control Commission (OLCC) under ORS 475B.010 to 475B.395 to transport marijuana items to and exhibit marijuana items at a trade show or similar event. This rule sets the qualifications and requirements for promotional events.

(1) Definitions.

(a) "Event organizer" means a person licensed under ORS 475B.010 to 475B.395 who submits a promotional event application and serves as the primary contact with the Commission.

(b) "Participating licensee" means a person licensed under ORS 475B.010 to 475B.395 who has been named as a participant in a promotional event application.

(c) "Promotional event" means an event at which marijuana items are displayed pursuant to the requirements of this rule.

(2) Eligibility. Only the holder of a license issued under ORS 475B.010 to 475B.395 may display marijuana items at a promotional event.

(3) Event organizer's responsibilities.

(a) One participating licensee listed on the application must be identified as the event organizer. Participating licensees and the event organizer may be charged with any violations of this rule.

(b) Event Organizers must:

(a) Receive approval from the Commission prior to the event date that specifies all approved participating licensees;

(b) Update and maintain the application;

(c) Verify that all participating licensees' manifests and accurately reflect the marijuana items that are transported to the promotional event;

(d) Maintain a log of participating licensees' attendance;

(e) Keep copy of the approved application at the event; and

(f) Must be present during the event at all times.

- (4) Promotional events may not be held:
- (a) At a location licensed under ORS 475B.010 to 475B.395 or 475B.560; or
 - (b) In a city or county that has adopted an ordinance to prohibit recreational marijuana businesses.
- (5) Promotional events may be held at a location that holds a license under ORS 471, as long as no consumption of alcohol occurs within the area(s) approved to hold the marijuana promotional event.
- (6) Approved promotional events allow participating licensees to display:
- (a) Whole living marijuana plants from the inventory of the participating licensee; and
 - (b) Marijuana items from the inventory of the participating licensee.
- (7) An event organizer or participating licensee may not:
- (a) Display any marijuana items not in the participating licensee's inventory;
 - (b) Display any industrial hemp or products derived from industrial hemp, as defined by ORS 571.300;
 - (c) Sell, transfer or distribute any marijuana items at the promotional event;
 - (d) Distribute any samples of marijuana items; or
 - (e) Allow consumption or use of alcohol or marijuana items of any kind.
- (8) Transportation and Possession.
- (a) Participating licensees may not transport nor possess more than the following amounts to or at the promotional event:
- (A) 8 ounces of usable marijuana;
 - (B) 4 mature whole living marijuana plants;
 - (C) 10 immature plants;
 - (D) 500 seeds, tracked by count in CTS;
 - (E) 16 ounces of cannabinoid products in solid form; or
 - (F) 72 ounces of cannabinoid products in liquid form.
- (b) All participating licensees must immediately return all marijuana items to their licensed premises after the conclusion of the event.
- (9) Promotional event CTS requirements.
- (a) All marijuana items must be tracked and tagged pursuant to CTS rule requirements.
 - (b) Each marijuana item is required to have the item's associated UID tag affixed to the item or package;
 - (c) All participating licensees must generate a printed transport manifest in CTS that accompanies all marijuana items for the duration of the promotional event that contains the following information:
 - (A) The name, contact information of a licensee representative, licensed premises address and license number of the licensee transporting the marijuana items;
 - (B) Product name and quantities (by weight or unit) of each marijuana item contained in each transport, along with the UIDs for every item;
 - (C) The date of transport and approximate time of departure;
 - (D) Date and estimated time when the marijuana items will return to the licensed premises at the conclusion of the promotional event; and
 - (E) Delivery vehicle make and model and license plate number.

(d) Failure to properly track marijuana items as required in this subsection is a Category III violation. An intentional violation of this rule is a Category I violation and may result in license revocation.

(10) The Commission may limit approval of any application to a single day or to any consecutive number of days, not to exceed sixteen days.

(11) Application Requirements.

(a) The Commission may refuse to process any application that is not made in writing at least 28 days before the date of the event in a form and manner prescribed by the Commission.

(b) The Commission may only accept one application per promotional event.

(c) The Commission may require additional forms, documents, or information as part of the application.

(d) The Commission may refuse to process any application not complete, not accompanied by the documents or disclosures required by the form or the Commission, or that does not allow the Commission sufficient time to investigate and process the application.

(12) The application for a promotional event under this rule shall include:

(a) The names of all participating licensees;

(b) A description of the amount and types of marijuana items proposed to be transported and displayed at the promotional event;

(c) A written control plan that the Commission determines:

(A) Adequately manages the event to prevent unlawful activity and violations; and

(B) Prevents any person under 21 years to be admitted to the areas where marijuana or marijuana items are present at the event.

(d) The names of the individuals to be employed by the licensee to manage events on the promotional event premises and their worker permit numbers issued under OAR 845-025-5500;

(e) Identification of the premises or area proposed for the promotional event;

(f) Statement of the type of event to be licensed, type and extent of entertainment to be offered, expected patronage overall, minor control plan and proposed hours of operation; and

(g) A statement signed by every participating licensee indicating that the licensee has read and agrees to follow the final approved control plan.

(13) The Commission may deny any application for a promotional event that does not meet the requirements of this rule.

(14) The Commission may deny, cancel or restrict an application for a promotional event for any reason for which the Commission may deny, cancel or restrict a regular license or if the Commission, in its discretion, determines that promotional event presents a risk to public health and safety.

(15) The Commission may deny or restrict an application for a promotional event if any participating licensee has been found to have violated ORS 475B.010 to 475B.395 or any rules adopted there under in the past 24 months.

(16) When the Commission approves a written control plan required under this rule, the licensee(s) must follow that written plan. Failure to follow that written plan is a Category III violation. An intentional violation of this rule is a Category I violation and may result in license revocation.

(17) The Commission may immediately revoke authority of any participating licensee to participate in the promotional event if the Commission has reasonable grounds to believe continued operation of the event presents a risk to public health and safety.

Stat. Auth.: ORS 475B.025 & 2017 Senate Bill 1057, Sections 17 &18
Stats. Implemented: 2017 Senate Bill 1057, Sections 17 &18

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