For your information

The Oregon Liquor Control Commission has:

- X Amended
- _____ Adopted
- _____ Repealed

OAR 845-025-5700
TEMPORARY RULE

Effective: 3/3/17

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

845-025-5700

Licensee Testing Requirements

(1) Licensees must comply with the Authority’s testing rules in OAR 333-007-0300 to 333-007-0490 and OAR 333, Division 64 prior to the sale or transfer of a marijuana item, as specified in those rules, except as described in subsection (2) of this rule.

(2) **Until March 1, 2017**, if commission staff finds there is insufficient laboratory capacity for the testing of pesticides, staff may issue an order allowing licensed marijuana testing laboratories to test randomly chosen samples from batches of usable marijuana submitted for testing by a licensee, for pesticides, rather than testing every batch of usable marijuana for pesticides.

(a) The number of batches to be tested randomly will be specified in the order and may vary based on the laboratory capacity at the time the order is issued and the size of the harvest lot to be tested. Samples from at least one batch of every harvest lot must be tested for pesticides.

(b) If any one of the randomly chosen samples from a batch of a producer licensee’s harvest lot fails a pesticide test every batch from the harvest lot must be tested for pesticides.

(c) If samples from each randomly chosen batch that are tested for pesticides pass, the entire harvest lot is considered to have passed pesticide testing and may be transferred or sold.

(d) If **prior to March 1, 2017**, Commission staff determines that there is sufficient laboratory capacity to test every batch of usable marijuana for pesticides the staff shall give licensees 10 days’ notice that all batches shall thereafter be required to be tested.
(e) Producer licenses are responsible for testing fee and may choose any laboratory licensee to conduct the test.

(3) A violation of this rule is a Category I violation.

Stat. Auth.: ORS 475B.550 & 475B.555
Stats. Implemented: ORS 475B.550 & 475B.5555