Public Health Division
Medical Marijuana Program

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To: Medical Marijuana Dispensaries, Processors, and Interested Parties

From: Oregon Medical Marijuana Program

Subject: Upcoming October 1, 2016 Compliance Deadline

The Oregon Medical Marijuana Program (OMMP) is approaching a compliance deadline of October 1, 2016, for transferring, labeling, setting concentration limits, packaging and testing of marijuana and marijuana products. The October 1st compliance date applies to all registered dispensaries, processors, *and* growers, patients or caregivers, who transfer marijuana and marijuana products intended for ultimate sale to a consumer.

The next 60 days serves as a transition period to allow registrants to move into compliance with new rules. **All rules related to medical marijuana may be found on the OMMP's rule page at:** www.healthoregon.org/ommprules

The following is an outline of the upcoming compliance changes. **All sections outlined below are required to be met by the October 1, 2016 compliance deadline.**

Transferring Cannabinoid Products, Concentrates and Extracts

Beginning October 1, 2016, dispensaries may only accept transfers of cannabinoid products, concentrates and extracts from a registered processing site. OAR 333-008-1230(2)

What does this mean?
For Processors:
A registered processing site means that the processor has submitted a complete application and received approval to operate from the OMMP. If a processor has not received approval to operate, they **may not** transfer products, concentrates and extracts on and after October 1, 2016. A list of approved processors will be kept on the OMMP processor web page. http://public.health.oregon.gov/DiseasesConditions/ChronicDisease/MedicalMarijuanaProgram/Pages/processors.aspx

For Dispensaries:
On or after October 1, 2016, dispensaries may continue to sell already stocked cannabinoid products, concentrates and extracts that were transferred from unregistered processors to the

dispensary prior to October 1, 2016, but the products, concentrates and extracts must meet labeling, concentration limits, packaging and testing rules found in division 7 as outlined below.

Testing

Starting October 1, 2016, all marijuana items must be sampled and tested according to OAR 333-007-0300 to 333-007-0490 and OAR 333-064-0100 to 333-064-0110.

What does this mean?
For Dispensaries, Processors and Growers:
On and after October 1, 2016, any laboratory that tests marijuana items must be accredited by ORELAP and licensed by OLCC. Only accredited and licensed laboratories may sample and test marijuana items. A list of accredited and licensed laboratories will be made available on the OMMP laboratories web page.
http://public.health.oregon.gov/DiseasesConditions/ChronicDisease/MedicalMarijuanaProgram/Pages/laboratories.aspx

For Dispensaries:
On or after October 1, 2016, a dispensary may continue to sell marijuana items that were not sampled and tested by an accredited and licensed laboratory if:

- The items are transferred to the dispensary before October 1, 2016;
- The items comply with the concentration limits, labeling and packaging rules found in division 7 of the rules; and
- The items are labeled with a label that reads "**DOES NOT MEET NEW TESTING REQUIREMENTS**" in 12 point font, and in bold, capital letters.

A dispensary will only be allowed to transfer these products to patients, caregivers and consumers until January 1, 2017.

Concentration Limits

Beginning October 1, 2016, all cannabinoid products, cannabinoid concentrates or extracts must meet the concentration limits as outlined in OAR 333-007-0200 and 333-007-0220. Low-dose cannabinoid edibles sold to retail customers from medical dispensaries during the early start period must continue to meet the definition found in OAR 333-008-1500(1)(k).

What does this mean?
For Processors:
The next 60 days should be a transition period for medical processors to bring their products into compliance with the medical concentration and serving size limits found in Table 2 of OAR 333-007-0220. Products being made to be sold to adult consumers as a part of early retail sales must come from an OHA approved processor and meet the limits outlined in OAR 333-008-1500.

For Dispensaries:
Medical marijuana items sold from a dispensary to patients and caregivers, such as edibles, topicals, tinctures, capsules, suppositories, transdermal patches, concentrates, extracts and other cannabinoid products must meet the concentration and serving size limits outlined in Table 2 of OAR 333-007-0220 beginning October 1, 2016.

Dispensaries participating in early retail sales may only sell limited marijuana retail products as outlined in OAR 333-008-1500 to adults 21 years of age or older. The only types of edibles that may be sold during early retail start are low-dose edibles that contain no more than 15 milligrams of THC in a unit.

Dispensaries that currently have in-stock marijuana items that do not meet the concentration and serving size limits must sell those products prior to October 1st. Any products remaining in-stock on or after October 1st, that do not meet the concentration and serving size limits must be returned to the processor or disposed of properly. The dispensary must document any returns or disposal of products.

The retail concentration and serving size limits outlined in Table 1 of OAR 333-007-0210 apply to OLCC licensed processors and retail shops only.

Labeling

Starting October 1, 2016, all cannabinoid products, concentrates and extracts must be compliant with labeling rules found in OAR 333-007-0010 to 333-007-0100, see also 333-008-1200(8) and 333-008-1740(10).

What does this mean?
For Dispensaries, Processors and Growers:
On and after October 1, 2016, all marijuana items for sale to a consumer, patient or designated primary caregiver must meet the labeling requirements found in division 7. Compliance with the division 7 labeling rules means going through the OLCC labeling pre-approval process. The label pre-approval process must be completed for all marijuana items. A guide is available on the OLCC website that explains the labeling rules in more detail. The OLCC opened the label pre-approval process on August 2, 2016. Please visit the OLCC website for more information: http://www.oregon.gov/olcc/marijuana/Pages/PackagingLabelingPreApproval.aspx

For Dispensaries:
Any marijuana items in a dispensary that do not meet the new division 7 labeling requirements on October 1st must be returned to whoever transferred them or the dispensary must dispose of the products. The dispensary must document any returns or disposal of products.

Packaging

Starting October 1, 2016, all marijuana items, except immature plants and seeds, must be packaged per OLCC packaging rules found in OAR 845-025-7000 to 845-025-7060. Also see OAR 333-008-1200(8) and 333-008-1740(10).

What does this mean?

A dispensary or processor who packages marijuana items for ultimate sale to a consumer, patient, or caregiver must transfer all marijuana items in OLCC approved child-resistant packaging starting October 1, 2016. This includes flower and all other marijuana products but excludes immature plants and seeds. A dispensary may use child-resistant exit packaging to comply with the rules. It is a business decision between the processor and the dispensary regarding who should provide the child-resistant packaging.

A guide is available on the OLCC website that explains the packaging rules in more detail and reviews the pre-approval process. The OLCC opened the packaging pre-approval process on August 2, 2016. Please visit the OLCC website for more information:
http://www.oregon.gov/olcc/marijuana/Pages/PackagingLabelingPreApproval.aspx

Early Retail Sales

A dispensary may only participate in early retail sales until December 31, 2016. OAR 333-008-1500(5)(6)

What does this mean?

Starting January 1, 2017, an OHA registered medical marijuana dispensary can only sell marijuana items to OMMP patients and caregivers. Sales made to anyone other than registered patients and caregivers will result in enforcement action against the dispensary.

After December 31, 2017, if a dispensary wishes to continue selling marijuana items to adults 21 years of age and older and also to medical marijuana patients and caregivers at the same location, they must be licensed by OLCC. Please visit the OLCC website for information.
www.marijuana.oregon.gov

Dispensaries and Food Safety

On and after October 1, 2016, all dispensaries that sell edibles must obtain a food safety license from the Oregon Department of Agriculture (ODA). OAR 333-008-1200(9)

What does this mean?

In order for a dispensary to apply with ODA, every edible item the dispensary sells must have been made in an ODA approved kitchen. For more information, please contact ODA at 503-986-4565 or visit the ODA cannabis website:
https://www.oregon.gov/ODA/agriculture/Pages/Cannabis.aspx

Violations and Enforcement

Any registered dispensary, processor, grower, patient or caregiver that is found to be violating any of the rules may be subject to civil penalties and/or have their registration suspended or revoked. OAR 333-008-2180 through 333-008-2200.

All rules related to medical marijuana may be found on the OMMP's rule page at:
www.healthoregon.org/ommprules