

HEMP & ALCOHOL: ALCOHOL MANUFACTURERS

Alcohol manufacturers include licensees that hold the following licenses: brewery, brewery-public house, winery, grower sales privilege, and distillery.

ALCOHOLIC BEVERAGES

Alcohol manufacturers are prohibited by law from manufacturing alcoholic beverages that contain CBD or THC. This means that an alcoholic beverage manufacturer cannot add any substance containing CBD or THC to the alcoholic beverage before the product is packaged or bottled. This prohibition includes CBD or THC from any source, **including hemp**.

TTB FORMULA APPROVAL

Alcohol manufacturers must obtain formula approval from the Alcohol and Tobacco Tax and Trade Bureau (TTB) prior to producing specific alcoholic beverages. The TTB considers a "formula" to be a complete list of all the ingredients used to make the beverage and a step-by-step description of how it is made.

Specific ingredients not traditionally found in alcoholic beverages, such as CBD or other cannabis derivatives, trigger a federal requirement to obtain formula approval from TTB **prior to manufacturing** an alcoholic beverage that contains non-traditional ingredients.

Currently the TTB is not approving any formulas that contain CBD or THC, the psychoactive ingredient in cannabis. [Read the TTB guidance here.](#)

Contact the TTB's Alcohol Labeling and Formulation Division at 202-453-2250 for more information or visit the [TTB website](#).

OLCC RULES

The OLCC prohibits alcohol manufacturers from producing an alcoholic beverage that contains any hemp or hemp-derived ingredient (such as CBD or THC) or other cannabinoids from any source without TTB approval.

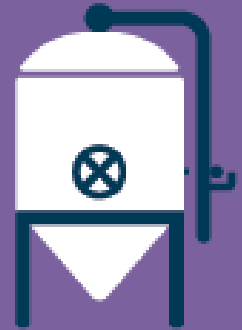
Some hemp ingredients that do not contain cannabinoids might be allowed in alcoholic beverages, subject to TTB approval. Manufacturers must receive formula approval from the TTB **prior to producing** an alcoholic beverage that contains a hemp ingredient.

MANUFACTURING NON-ALCOHOLIC HEMP BEVERAGES

OLCC rules do not prohibit an alcohol manufacturer from also manufacturing non-alcoholic beverages containing hemp-derived ingredients, including hemp beverages that contain THC or CBD.

Additionally, there may be other federal or state agencies regulating these types of products. Licensees may want to contact the FDA before introducing hemp beverages into interstate commerce.

The following page summarizes the major regulations that apply in Oregon.



For more information contact:

The **OLCC** for questions about alcohol compliance: olcc.alcohol@olcc.oregon.gov

The **OLCC** for questions about THC and cannabinoid limits in hemp products: olcc.hemp@olcc.oregon.gov

The **OLCC** for questions regarding hemp registration and labeling: marijuana.packaging@olcc.oregon.gov

The **Oregon Department of Agriculture** for other questions about hemp or hemp testing: hemp@oda.oregon.gov; <https://oda.direct/hemp>



ODA HEMP LICENSE REQUIRED

Manufacturing hemp items in Oregon requires a Hemp Handler license from the Oregon Department of Agriculture (ODA). For details, see the ODA Hemp Program website: <https://oda.direct/hemp>

ODA hemp licensees are required to follow ODA's rules and regulations for the manufacture of hemp products, including recordkeeping and testing requirements. See OAR [Chapter 603 Division 48](#) for details.

Similarly, an ODA Hemp Vendor license is typically required for businesses selling cannabinoid hemp items at retail, as well as businesses that store or distribute these items.

COMPLIANCE TESTING REQUIREMENTS

Any hemp beverage sold to consumers in Oregon must undergo compliance testing before being sold, and the retailer selling the item must have a copy of these compliance test results. If the retailer does not have a copy of the test results, the item cannot be sold.

Testing a single sample, or self-selecting samples for testing, does not meet Oregon's compliance testing requirements. "Quality control" or "R&D" testing are distinct from compliance testing and do not satisfy the compliance testing requirement.

See this Hemp Testing and Potency Quick Reference Guide that ODA and OLCC put together: <https://www.oregon.gov/olcc/marijuana/Documents/Hemp/Hemp-Testing-and-Potency-Guide.pdf>

PRODUCT REGISTRATION AND LABELING

Cannabinoid hemp products must be registered with OLCC in order to be sold to consumers in Oregon. The registration includes labeling the product in compliance with OLCC rules. For details, see our [Hemp Registry Guide](#).

AGE RESTRICTIONS

Certain cannabinoid hemp products cannot be sold to a minor under 21 years of age. A product can only be sold to a minor if:

- It contains less than 0.5 mg total THC in the entire unit of sale;
- The compliance testing was sensitive enough to demonstrate that the product contains less than 0.5 mg total THC; and
- The product doesn't contain any artificially derived cannabinoids (like delta-8-THC made synthetically from CBD)

If a product contains more than 0.5 mg THC or other intoxicating cannabinoids, or if the testing was not sensitive enough to show that it does not exceed 0.5 mg of THC, or the product contains any artificially derived cannabinoids, it cannot be sold to minors. See OAR [845-026-0300](#) for details.

LIMITS ON THC AND OTHER CANNABINOIDS

There are also limits on the amount of THC that can be present in cannabinoid products sold to adults. In addition to the 0.3% limit on total THC:

- Hemp edibles, including beverages, are limited to 2 mg total THC per serving and 20 mg total THC per "container" (generally equivalent to a unit of sale).
- A full list of THC limits can be found in [Table 3](#) of OAR [845-026-0400](#) and [845-026-0410](#) or in our [Hemp Testing and Potency Quick Reference Guide](#).

Products that exceed these limits by more than 10% cannot be sold to Oregon consumers.

Products are generally prohibited from containing any artificially derived cannabinoids. At this time, none have received approval under OAR [845-026-0415](#). THC created by chemical conversion from CBD is prohibited for use in products sold to Oregon consumers. Manufacturers need to understand where their ingredients come from and the processes used to create them in order to ensure compliance.

BOTTLE BILL

Canned or bottle hemp beverages in Oregon must comply with Oregon bottle bill requirements.