



NOTICE OF PROPOSED RULEMAKING

INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 845

OREGON LIQUOR AND CANNABIS COMMISSION

FILED: 09/29/2026 8:08 AM

ARCHIVES DIVISION SECRETARY OF STATE

FILING CAPTION: Revise hemp registry application process to better accommodate resubmissions.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 10/30/2026 12:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

CONTACT:

Nicole Blossé

971-420-4763

OLCC.Rulemaking@olcc.oregon.gov

9079 SE McLoughlin Avenue

Portland, OR 97222

Filed By:

Nicole Blossé

Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 10/21/2026

TIME: 9:00 AM - 10:00 AM

OFFICER: Nicole Blossé

REMOTE HEARING DETAILS

PHONE NUMBER: 503-446-4951

CONFERENCE ID: 567132324

SPECIAL INSTRUCTIONS:

Please e-mail OLCC.Rulemaking@olcc.oregon.gov if you would like to provide testimony.

Microsoft Teams: <https://teams.microsoft.com/meet/265939674664574?p=bD2EQDqghRUHLq88Fa>

NEED FOR THE RULE(S):

The amendments to OAR 845-026-6100 are needed to allow greater flexibility in allowing applicants to remedy deficiencies in a registration application. Without these amendments, the rules require OLCC to deny a registration application if the applicant fails to correct every deficiency on their first resubmission attempt.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Temporary Administrative Order OLCC 2-2026. Filed May 21, 2026.

<https://secure.sos.state.or.us/oard/viewReceiptTRIM.action?ptId=16126042>

Notice of Proposed Rulemaking: Registry for hemp products that contain cannabinoids, labeling requirements, embargo provision. Filed September 25, 2025.

<https://records.sos.state.or.us/ORSOSCMSearch/Search/RecordViewer.aspx?uri=12413299>

Hemp Registry Product Search: <https://camp.olcc.online/prod/webui/#/search/2244211>

OLCC rulemaking files (available upon request from the OLCC)

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE:

At this time, the Commission has no data to suggest that this rule will impact racial equity in the state. The proposed rules allow for greater flexibility in handling resubmission requests from hemp item registration applicants.

FISCAL AND ECONOMIC IMPACT:

This statement takes into account the fiscal impact on (a) Registrants and applicants; (b) Local government; (c) State agencies; and (d) the Public.

(a) Registrants and applicants: The Commission expects the proposed rule changes to have a small positive fiscal impact on applicants for hemp item registration. Under the previous rules, the Commission was required to deny a registration application if the applicant failed to resolve all deficiencies before resubmitting the application. As a result, applicants must pay additional application fees to complete the process of registering a hemp item if they do not resolve all deficiencies upon resubmission. The proposed changes allow the Commission to continue to work with applicants and provide flexibility to accept multiple resubmission attempts as appropriate without collecting additional application fees.

(b) Local Government: The Commission expects the proposed rules to have no impact upon local governments, as the proposed rules do not apply to them.

(c) State Agencies: The Commission expects the proposed rules to have no impact upon other state agencies, as the proposed rules do not apply to them. The OLCC forecasts a slight positive impact for the agency. Allowing more resubmissions may have a slight negative fiscal impact on the agency. However, allowing more resubmissions reduces the amount of OLCC staff resources needed to prepare notices of denial.

(d) The Public: The Commission does not anticipate the proposed rules will have a substantial fiscal impact on the public.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)): The Commission anticipates no new costs to comply with the proposed rules for state agencies, local government, or the public.

2. Cost of compliance on small business (ORS 183.336):

a. Estimate the number of small businesses and types of business and industries subject to the proposed rules: In 2025, OLCC estimated that approximately 4,500 hemp items would require registration. Of the registration applications approved in 2026, each applicant has an average of 2.7 approved registrations. Based on the 2025 estimate, this could impact around 1,600 businesses. The Commission estimates that the majority of these would qualify as small businesses. As of September 28, 2026, 141 applications have been submitted of which 89 have been approved.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services: The Commission anticipates that the proposed rules will not impact the cost of compliance related to recordkeeping, professional services, and business practices to comply with the proposed rules. The proposed changes simply allow the flexibility to allow multiple resubmission attempts for hemp item registration if the applicant fails to address all deficiencies on their first attempt and does not impose any new reporting, recordkeeping or administrative activities for compliance.

c. Equipment, supplies, labor and increased administration required for compliance: The Commission does not anticipate any increase in costs for equipment, supplies, labor and administration to comply with the proposed rules. The proposed changes do not impose any new obligations for applicants.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

As the OLCC began working with small businesses to process their hemp item registration applications, it became clear to OLCC staff that this change would simplify the application process for the many small businesses that were resubmitting without thoroughly checking whether their application was ready for resubmission.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

OLCC did not hold a rules advisory committee meeting for this rulemaking because there is no negative fiscal impact on businesses affected by this rule. This rule change is a minor technical clarification that allows OLCC to have the flexibility to accept multiple resubmission attempts as appropriate without collecting additional application fees.

AMEND: 845-026-6100

RULE SUMMARY: This rule details the process for registering industrial hemp products that contain cannabinoids and are intended for human or animal consumption or use

CHANGES TO RULE:

845-026-6100

Hemp Item Registration Process

(1) Prior to selling, offering for sale, transferring, or delivering a hemp item to a consumer or retailer in this state, a responsible party must submit a registration application to the Commission, and receive Commission approval. The initial registration application shall be submitted electronically.¶

(2) A registration application must include the following:¶

(a) The fee as specified in OAR 845-026-6010; and¶

(b) Information including but not limited to:¶

(A) The name and type of the hemp item.¶

(B) The name, phone number, email address, physical address, and mailing address of the manufacturer of the hemp item.¶

(C) If different from the manufacturer, the responsible party's name, phone number, email address, physical address, and mailing address.¶

(D) A certificate of analysis for a batch of the hemp item. If the product is intended for human consumption, the certificate of analysis must demonstrate that the batch complies with the testing requirements in ORS 571.339 and passes each required test.¶

(E) A copy of the label for the hemp item.¶

(F) A statement whether the hemp item is an adult use cannabis item.¶

(G) For an application to register inhalable hemp cannabinoid products that contain non-cannabis additives:¶

(i) The non-cannabis additive's list of ingredients from the manufacturer of the non-cannabis additive that:¶

(I) Identifies the name of the non-cannabis additive and the business name of the manufacturer of the non-cannabis additive; and,¶

(II) Includes a statement that the non-cannabis additive is for use in a product intended for human inhalation.¶

(ii) In a form and manner prescribed by the Commission, information regarding the manufacturer of the non-cannabis additive, the additive or additives being used by the manufacturer of the inhalable hemp cannabinoid product, and an attestation by the manufacturer of the inhalable hemp cannabinoid products that the information submitted with the registration application is accurate and truthful.¶

(H) For an application to register hemp items that contain an artificially derived cannabinoid allowed by OAR 845-026-0415:¶

(i) The applicable documentation required by OAR 845-026-0415;¶

(ii) A copy of the food establishment license issued by the ODA to the creator of the artificially derived cannabinoid or other documentation that the manufacturer complies with food safety laws and rules in its jurisdiction that meets requirements substantially similar to requirements established under ORS 616.695 to 616.755; and,¶

(iii) In a form and manner prescribed by the Commission, citations to the peer reviewed studies as required by OAR 845-026-0415, and attestation by the responsible party that the information submitted with the registration application is accurate and truthful.¶

(3) If a responsible party submits a list of ingredients to the Commission to comply with paragraph (2)(b)(G) of this rule and believes the list of ingredients is a trade secret as defined in ORS 192.345, the responsible party must mark the information "confidential - trade secret" in order for the Commission to consider whether the documents would be exempt from disclosure under Oregon's Public Records Act, ORS 192.345.¶

(4) The Commission ~~wishall~~ review a registration application and determine whether it is complete and may request additional information or documentation from the responsible party and may verify the information or accompanying documentation submitted during the application process.¶

(5) The Commission may refuse to register a hemp item if:¶

(a) The registration application or the hemp item does not comply with these rules or ~~2024 Oregon Laws chapter 16, section 11; ORS 571.295;~~¶

(b) The registration application, or any supporting documentation contains untruthful or misleading content;¶

(c) The hemp item is adulterated or the information in the application indicates that the hemp item is adulterated;¶

(d) The hemp item or the information in the application indicates that the hemp item does not comply with the concentration or serving size limits established in OAR 845-026-0300, OAR 845-026-0400, or OAR 845-026-0410;¶

(e) The sale of the hemp item is prohibited by ~~2024 Oregon Laws chapter 16, section 12~~ ORS 571.296 or the information in the application indicates that the sale of the hemp item is prohibited by ~~2024 Oregon Laws chapter 16, section 12;~~ ORS 571.296;¶

(f) The sale of the hemp item is prohibited by Commission rule or the information in the application indicates that the sale of the hemp item is prohibited by Commission rule; or,¶

(g) A label submitted for the hemp item does not comply with the requirements in OAR 845-026-6030 to 845-026-6090.¶

(6) Deficient applications. For a registration application submitted on or after January 1, 2026: ¶

(a) If a registration application fails to comply with these rules, the Commission ~~wishall~~ notify the applicant of the deficiencies, and the applicant must correct the deficiencies and resubmit the application by the deadline established by the Commission in the notification. ¶

(b) If an application is resubmitted and is found deficient or the applicant fails to timely resubmit, the application ~~wishall~~ be denied and the applicant shall be given the right to a hearing under the procedures in ORS chapter 183. ¶

(c) Notwithstanding subsection (b) of this section, upon written request, the Commission in its discretion may in writing authorize additional application resubmissions to correct deficiencies. ¶

(7) Incomplete applications.¶

(a) If the applicant does not respond to a request for additional information or documentation from the Commission within ninety days, or the application otherwise fails to include all documentation or information required by these rules, the application is incomplete and the applicant will be notified that their application is incomplete.¶

(b) Reconsideration. An applicant may submit a written request for reconsideration of a decision that an application is incomplete. Such a request must be received by the Commission within 10 days of the date the incomplete notice was sent. The Commission shall give the applicant the opportunity to be heard. A hearing under this subsection is not subject to the requirements for contested case proceedings under ORS 183.310 to 183.550.¶

(8) A responsible party may submit a registration application with a single application fee for a hemp item with different flavors, colors, cannabinoids, or sizes, if the hemp item is otherwise identical. An application may not combine hemp items that are adult use cannabis items with hemp items that are not adult use cannabis items.¶

(9) A person is not required to submit to the Commission the information described in this rule for a hemp item if another person has submitted the information for the hemp item, the hemp item is on the list of Commission approved registrations, and the hemp item continues to be consistent with the previously submitted information. For the purposes of this section, for a hemp item to be consistent with previously submitted information, the hemp item and label must be consistent with all information submitted with the registration, except that the following information may vary on the label:¶

(a) Harvest or processing date.¶

(b) Strain.¶

(c) Test results.¶

(d) Net weight or volume.¶

(e) Batch number.¶

(f) Manufacturer's or packager's business or trade name or place of address.¶

(g) ODA hemp handler or grower license number.¶

(h) The addition, deletion, or change in the UPC barcodes, QR codes, website address, phone number, or fax number.¶

(10) A registration applies only to hemp items that match the information submitted in the approved registration application, except that the information listed in section (9) of this rule may vary.¶

(11) Annual Registration.¶

(a) In order to maintain an active registration, a hemp item registered with the Commission must be annually renewed. A registration renewal application and fee specified by OAR 845-026-6010 must be received no later than 395 days after the date the registration was previously approved by the Commission to be renewed.¶

(b) A hemp item will be removed from the list of Commission approved registrations if a complete renewal application and fee is not received within 395 days from the date the registration was previously approved by the Commission.¶

(c) All of the requirements, procedures, and review for an initial registration in this rule apply to renewal applications.

Statutory/Other Authority: ~~2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 12, ORS 475C.608, 2024 OL Ch. 16 Sec. 14, ORS 475C.608, ORS 571.295, ORS 571.296, ORS 571.299, ORS 571.330, ORS 571.339, OAR chapter 333, division 7~~

Statutes/Other Implemented: ~~2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 12, ORS 475C.608~~ ORS 475C.608, ORS 571.295, ORS 571.296