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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 845
OREGON LIQUOR AND CANNABIS COMMISSION

FILED
04/28/2025 3:20 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Registry for hemp products that contain cannabinoids, labeling requirements, embargo provision

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 05/30/2025 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.

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HEARING(S)

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

DATE: 05/20/2025
TIME: 9:00 AM - 10:00 AM
OFFICER: Nicole Blossé

REMOTE HEARING DETAILS
MEETING URL: Click here to join the meeting
PHONE NUMBER: 503-446-4951
CONFERENCE ID: 596214568
SPECIAL INSTRUCTIONS:
Please visit https://www.oregon.gov/olcc/Pages/public_meetings.aspx for detailed hearing information.

NEED FOR THE RULE(S)

The Oregon Legislature passed House Bill 4121 during the 2024 Oregon legislative session which, among other things, directs the Oregon Liquor and Cannabis Commission (OLCC) to establish a registry for hemp products for sale to consumers in Oregon. This requires OLCC to adopt new rules in Division 26 related to:

- Definitions for the registry
- Labeling requirements by product type
- Registration requirements, including fees and annual renewal
- Civil penalties for violations of the law and rules
- Embargo, seizure, and disposal of hemp items

To accommodate the hemp product registry in Division 26, OLCC is renaming Division 26 to “Cannabis Concentration Limits & Hemp Product Registry.”

OLCC is proposing to adopt the following rules:

1. OAR 845-026-6000 establishes the definitions necessary for the hemp product registry rules.

2. OAR 845-026-6010 establishes the fees required by the hemp product registry.

3. OAR 845-026-6020 establishes the scope and effective date of the hemp product registry, including but not limited to whom the requirements apply to and the circumstances under which the requirements apply.

4. OAR 845-026-6030 establishes general labeling requirements for hemp items. This includes but is not limited to establishing requirements for displaying certain information on the label, prohibiting untruthful and misleading claims, small container labeling requirements, requiring labels to contain a hemp symbol, and requiring vaporizing devices to be labeled with a hemp symbol.

5. OAR 845-026-6040 establishes labeling requirements for usable hemp, including hemp pre-rolls. This includes but is not limited to warnings and other information required to be displayed on the label.

6. OAR 845-026-6050 establishes labeling requirements for hemp edibles. This includes but is not limited to warnings and statements required to be displayed on the label and the display of nutrition information, including allergens.

7. OAR 845-026-6060 establishes labeling requirements for hemp concentrates and extracts. This includes but is not limited to warnings, statements, and other information required to be displayed on the label.

8. OAR 845-026-6070 establishes labeling requirements for hemp tinctures and capsules. This includes but is not limited to warnings, statements, and other information required to be displayed on the label.

9. OAR 845-026-6080 establishes labeling requirements for hemp cannabinoid products other than hemp edibles, tinctures, or capsules. This includes but is not limited to warnings, statements, and other information required to be displayed on the label. In part, this labeling rule applies to hemp concentrate or extract combined with a non-cannabis additive (e.g. non-cannabis terpenes or flavorings) or usable hemp combined with hemp concentrate and/or extract (an “infused pre-roll”).

10. OAR 845-026-6090 establishes labeling requirements for hemp items that contain artificially derived cannabinoids. This includes product identity requirements, compliance with OAR 845-026- 0415, and specific ingredient listing requirements.

11. OAR 845-026-6100 establishes registration requirements. This includes but is not limited to required application documents, documents required for products with non-cannabis additives and artificially derived cannabinoids, review of applications, criteria for refusal to register, and annual renewal requirements.

12. OAR 845-026-6200 identifies violations and describes civil penalties for violations of the proposed rules and House Bill 4121. This includes but is not limited to clarification of how civil penalties will be assessed by the Commission.

13. OAR 845-026-6300 establishes embargo and seizure for hemp items that violate House Bill 4121, the proposed rules, or are adulterated. This includes but is not limited to orders the Commission may issue, hearings rights, and obligations of parties subject to orders issued by the Commission.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Oregon House Bill 4121
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. OLCC does not have information related to the racial makeup of persons subject to these rules or the consumers of hemp products.

FISCAL AND ECONOMIC IMPACT:

This statement takes into account the fiscal impact on (a) Hemp product manufacturers, distributors, packagers, and retailers; (b) Local Government; (c) State Agencies; and (d) the Public.

(a) Hemp product manufacturers, distributors, packagers, and retailers: The Commission expects the proposed rules to have a fiscal impact on hemp product manufacturers, distributors, packagers, and retailers because they will need to comply with the registry's requirements, including labeling and registration fees. Prior to the adoption of House Bill 4121 and these proposed rules, there were no registration or labeling requirements applicable to hemp products sold to Oregon consumers. Because of this, businesses subject to the registry's requirements may incur additional costs related to compliance.

Depending on the size of the business and number of products offered, the registration fees could have a negative fiscal impact on businesses. OLCC has attempted to mitigate this by placing in rule an allowance that multiple variants of the same product may be submitted in one registration. Overall, the potential magnitude of these costs cannot be quantified at this time because OLCC does not have precise data on the number of businesses impacted by the proposed rules and whether existing products comply with the proposed rules.

(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 minimal impact for the agency.

(d) The Public: The Commission does not anticipate the proposed rules will have a substantial fiscal impact on the public. However, it is possible that due to higher compliance and registration costs by hemp product manufacturers, distributors, packagers, and retailers, the costs of hemp products subject to the rule requirements may increase.

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: The Commission anticipates the proposed rules will impact manufacturers, distributors, packagers, and retailers of hemp

products. The Commission estimates that the proposed rules will impact roughly 4,000 small businesses. However, it is difficult to accurately ascertain the full scope of small businesses impacted because the hemp registry's requirements apply to out-of-state businesses as well and there are no national registration or licensing requirements for businesses that sell hemp products.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services.: The Commission anticipates that the proposed rules will have a fiscal impact related to recordkeeping, professional services, and business practices to comply with the proposed rules. Businesses subject to the proposed rules will have to understand the proposed rules and ensure compliance with them. Because no national standards exist for labeling hemp products, businesses may incur costs to comply with Oregon-specific rules. However, the proposed rules cannot be drafted to allow for co-compliance with every other jurisdiction's requirements. Businesses will also potentially have to hire graphic designers to develop labels to comply with the proposed rules. The potential magnitude of these costs cannot be quantified at this time because OLCC does not have precise data on the number of businesses impacted by the proposed rules and whether or to what extent their existing products comply with the proposed rules.

c. Equipment, supplies, labor and increased administration required for compliance: The Commission anticipates an increase in costs for equipment, supplies, labor and administration to comply with the proposed rules. However, the potential magnitude of these costs cannot be quantified at this time because OLCC does not have precise data on the number of businesses impacted by the proposed rules and whether or to what extent their existing products comply with the proposed rules.

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

The OLCC held a Rules Advisory Committee meeting to assist in the development of these proposed rules and invited representatives of small businesses impacted by these rules, including hemp product manufacturers, distributors, packagers, and retailers.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

RULES PROPOSED:
845-026-6000, 845-026-6010, 845-026-6020, 845-026-6030, 845-026-6040, 845-026-6050, 845-026-6060, 845-026-6070, 845-026-6080, 845-026-6090, 845-026-6100, 845-026-6110, 845-026-6120

ADOPT: 845-026-6000

RULE SUMMARY: This rule sets definitions for the purposes of registration and labeling of industrial hemp products that contain cannabinoids and are intended for human or animal consumption or use.

CHANGES TO RULE:

845-026-6000
Hemp Registry Definitions
For the purposes of OAR 845-026-6000 to 845-026-6120, unless otherwise specified: ¶
(1) "Activation time" means the amount of time it is likely to take for an individual to begin to feel the effects of ingesting or inhaling a hemp item. ¶
(2) "Added substance" means any component or ingredient added to a hemp item during or after processing that is present in the final hemp cannabinoid product, including but not limited to flavors, non-cannabis additives, and any substances used to change the viscosity or consistency of the hemp cannabinoid product. ¶
(3) "Address of a publicly accessible website" means the uniform resource locator (URL) that provides a specific location for a particular resource on the internet that is publicly accessible. This can include a quick response or

QR code. ¶
(4) "Adult use cannabis item" has the meaning given that term in OAR 845-026-0100. ¶
(5) "Adulterated" means: ¶
(a) Bears or contains any poisonous or deleterious substance in a quantity rendering the item injurious in a manner that may pose a risk to human health or that exceeds any established safe tolerance, including but is not limited to: ¶
(A) An inhalable cannabinoid product with non-cannabis additives containing any amount of: ¶
(i) Squalene; ¶
(ii) Squalane; ¶
(iii) Vitamin E acetate; ¶
(iv) Triglycerides, including but not limited to medium-chain triglyceride (MCT) oil; or ¶
(v) Propylene glycol. ¶
(B) An inhalable cannabinoid product with non-cannabis additives without documentation from the manufacturer it is for use in an item intended for human inhalation. ¶
(C) Any added substance that would increase potency, toxicity, or addictive potential, or that would create an unsafe combination with other psychoactive substances, including but not limited to nicotine, tobacco, caffeine, polyethylene glycol, or any chemicals that increase carcinogenicity or cardiac effects. ¶
(b) Consists in whole or in part of any filthy, putrid, or decomposed substance or is otherwise unfit for human or animal consumption or use; ¶
(c) Is processed, prepared, packaged, or held under improper or insanitary conditions or under conditions that increase the probability of contamination with excessive microorganisms or physical contamination or of cross-contamination; ¶
(d) Is held or packaged in containers composed, in whole or in part, of any poisonous or deleterious substance that renders the contents potentially injurious to health; ¶
(e) Includes any substitute substance; ¶
(f) Is damaged or inferior; ¶
(g) Includes any substance intended to increase the bulk or weight of the hemp item, reduce the quality or strength of the hemp item, or make the hemp item appear better or of greater value. ¶
(6)(a) "Artificially derived cannabinoid" means a chemical substance that is created by a chemical reaction that changes the molecular structure of any chemical substance derived from the plant Cannabis family Cannabaceae. ¶
(b) "Artificially derived cannabinoid" does not include: ¶
(A) A naturally occurring chemical substance that is separated from the plant Cannabis family Cannabaceae by a chemical or mechanical extraction process; ¶
(B) Cannabinoids that are produced by decarboxylation from a naturally occurring cannabinoid acid without the use of a chemical catalyst; or ¶
(C) Any other chemical substance identified by the Commission, in consultation with the Oregon Health Authority and ODA, by rule. ¶
(7) "Batch" means a specific quantity of a hemp item that is intended to have uniform character and quality, within specified limits, and is produced according to a single manufacturing order during the same cycle of manufacture. ¶
(8) "Batch number" means any distinctive combination of letters, numbers, or symbols, or any combination of them, from which the complete history of the manufacture, processing, packing, labeling, holding, and distribution of a batch or lot of a hemp item can be determined. ¶
(9) "Cannabinoid" means any of the chemical compounds that are the active constituents derived from industrial hemp. ¶
(10) "CBD" means cannabidiol, Chemical Abstracts Service Number 13956-29-1. ¶
(11) "CBDA" means cannabidiolic acid, Chemical Abstracts Service Number 1244-58-2. ¶
(12)(a) "Consumer" means a person who purchases, acquires, owns, holds, or uses hemp items that contain cannabinoids intended for human or animal consumption or use other than for the purpose of resale. ¶
(b) "Consumer" does not include a person who purchases, acquires, owns, holds, or uses hemp items from a person licensed under ORS 475C.097. ¶
(13) "Container" ¶
(a) Means a sealed, hard or soft-bodied receptacle in which a hemp item is placed and any outer receptacle intended to display a hemp item for sale to a consumer. ¶
(b) Does not mean: ¶
(A) Inner wrapping or lining; or ¶
(B) A shipping vessel used to transfer hemp items in bulk. ¶
(14) "Date of harvest" means the day the last mature industrial hemp plant in the harvest lot was harvested. ¶

(15) "Delta-9-tetrahydrocannabinol" or "delta-9-THC" means (6aR,10aR)-6,6,9-trimethyl-3-pentyl-6a,7,8,10a-tetrahydro-6H-benzo[c]chromen-1-ol, Chemical Abstracts Service Number 1972-08-3. ¶
(16) "Delta-9-tetrahydrocannabinolic acid" or "delta-9-THCA" means (6aR,10aR)-1-hydroxy-6,6,9-trimethyl-3-pentyl-6a,7,8,10a-tetrahydro-6H-benzo[c]chromene-2-carboxylic acid, Chemical Abstracts Service Number 23978-85-0. ¶
(17) "Food" means a raw, cooked, or processed edible substance or ingredient used or intended for use or for sale in whole or in part for human consumption or animal consumption, or chewing gum and includes beverages. ¶
(18) "Harvest lot" has the meaning given that term in OAR 603-048-0010. ¶
(19) "Health claim" means any claim made on the label that expressly states or implies a relationship between a substance and a disease or health-related condition. ¶
(20) "Hemp" has the same meaning as "industrial hemp." ¶
(21) "Hemp cannabinoid product" ¶
(a) Means a hemp edible or any other industrial hemp commodity or product intended for human consumption or use or animal consumption or use that contains cannabinoids from industrial hemp or the dried leaves or flowers of hemp. ¶
(b) Includes: ¶
(A) Usable hemp, industrial hemp extracts, or industrial hemp concentrates that have been combined with an added substance; or ¶
(B) Any combination of usable hemp, industrial hemp extracts, or industrial hemp concentrates. ¶
(c) Does not include: ¶
(A) Usable hemp by itself; ¶
(B) Hemp stalk by itself; ¶
(C) A hemp concentrate or extract by itself; ¶
(D) Hemp seed incapable of germination by itself; ¶
(E) Other products derived only from hemp seeds incapable of germination that may include other non-hemp ingredients; or ¶
(F) A cannabinoid product as that is defined in OAR 845-025-1015. ¶
(22) "Hemp capsule" means a small, soluble pill, tablet, or container that contains liquid or powdered hemp cannabinoid product, industrial hemp concentrate, or industrial hemp extract and is intended for human ingestion or animal ingestion. ¶
(23) "Hemp concentrate or extract" means an industrial hemp concentrate or industrial hemp extract. ¶
(24) "Hemp edible" ¶
(a) Means a food or potable liquid into which industrial hemp, an industrial hemp concentrate, an industrial hemp extract, or the dried leaves or flowers of hemp have been incorporated. ¶
(b) Does not mean hemp seed incapable of germination by itself or other products derived only from hemp seeds incapable of germination that may include other non-cannabis ingredients. ¶
(c) For purposes of labeling, includes any usable hemp, hemp concentrate, hemp extract, or hemp cannabinoid product that is intended for human consumption or animal consumption or marketed in a manner that implies the item is for human or animal consumption. ¶
(d) For purposes of labeling, "hemp edible" does not include a hemp tincture or hemp capsule. ¶
(25) "Hemp item" ¶
(a) Means any of the following that contain cannabinoids: ¶
(A) Usable hemp; ¶
(B) Hemp stalk as defined in OAR 603-048-2310; ¶
(C) A hemp cannabinoid product; or ¶
(D) A hemp concentrate or extract as defined in OAR 603-048-2310. ¶
(b) Does not mean: ¶
(A) Industrial hemp processed through retting or other processing such that it is suitable fiber for textiles, rope, paper, hempcrete, or other building or fiber materials; ¶
(B) Industrial hemp seed processed such that it is incapable of germination and processed such that is suitable for human consumption; or ¶
(C) Industrial hemp seed pressed or otherwise processed into oil. ¶
(26) "Hemp symbol" means the symbol required by OAR 845-026-6030(9). ¶
(a) The American Society for Testing and Materials International Intoxicating Cannabis Product Symbol (D8441/D8441M); or ¶
(b) The blue hemp symbol, established by the Commission and made available on the Commission's website, indicating the item is a hemp item. ¶
(27) "Hemp tincture" means a liquid hemp cannabinoid product packaged in a container of four fluid ounces or less that consists of either: ¶

(a) A non-potable solution of at least 25 percent non-denatured alcohol, in addition to an industrial hemp concentrate, industrial hemp extract, or usable hemp and perhaps other ingredients intended for human or animal consumption or ingestion that is exempt from the Liquor Control Act under ORS 471.035; or ¶
(b) A non-potable solution comprised of glycerin or plant-based oil; industrial hemp concentrate, industrial hemp extract, or usable hemp; and perhaps other ingredients, that does not contain any added sweeteners and is intended for human or animal consumption or ingestion. ¶
(28) "Industrial hemp" has the meaning given that term in ORS 571.269. ¶
(29) "Industrial hemp commodity or product" has the meaning given that term in OAR 603-048-0010. ¶
(30) "Industrial hemp concentrate" has the meaning given that term in ORS 571.269. ¶
(31) "Industrial hemp extract" has the meaning given that term in ORS 571.269. ¶
(32) "Industrial hemp products that contain cannabinoids" mean hemp items as defined in this rule. ¶
(33) "Inhalable hemp cannabinoid product" means a hemp cannabinoid product that is intended for human inhalation. ¶
(34) "Intended for animal consumption" means intended for an animal to eat, drink, or otherwise put in the mouth but does not mean intended for human consumption or intended for human use. ¶
(35) "Intended for animal use" means intended to be used by animal inhalation or otherwise consuming the product except through the mouth. ¶
(36) "Intended for human consumption" means intended for a human to eat, drink, or otherwise put in the mouth but does not mean intended for human use. ¶
(37) "Intended for human use" means intended to be used by inhalation or otherwise consuming the hemp item except through the mouth. ¶
(38) "Label" means any display of written, printed, or graphic matter printed on or affixed to any container, wrapper, liner, or insert accompanying the hemp item. ¶
(39) "Limit of quantification" or "LOQ" means the minimum levels, concentrations, or quantities of a target variable, for example, an analyte that can be reported by a laboratory with a specified degree of confidence. ¶
(40) "Major food allergen" means an ingredient that contains any of the foods or food groups listed in subsections (a) to (i) of this section or an ingredient that contains protein derived from one of the foods listed in subsections (a) to (i) of this section: ¶
(a) Milk. ¶
(b) Egg. ¶
(c) Fish. ¶
(d) Crustacean shellfish. ¶
(e) Tree nuts. ¶
(f) Wheat. ¶
(g) Peanuts. ¶
(h) Soybeans. ¶
(i) Sesame. ¶
(41) "Manufacturer" means a person who is responsible for making a hemp item in its final form for sale, transfer, or delivery to a consumer. ¶
(42) "Net quantity of contents" means a statement on the principal display panel of the net weight or net volume of the hemp item expressed in the terms of weight, measure, or numerical count. ¶
(43) "Net volume" means the fluid measure of a liquid hemp item expressed as milliliters and fluid ounces. ¶
(44) "Net weight" ¶
(a) Means the gross weight minus the tare weight of the container expressed as ounces and grams or milligrams. ¶
(b) Includes, as applied to pre-rolled usable hemp, the dried hemp leaves and flowers, the rolling paper, and the filter or tip. ¶
(c) Does not include, for hemp items labeled according to OAR 845-026-6080, the weight of the filter or tip. ¶
(45) "Non-cannabis additive" means a substance or group of substances that are derived from a source other than industrial hemp. ¶
(a) "Non-cannabis additive" includes but is not limited to purified compounds, essential oils, oleoresins, essences or extractives, protein hydrolysates, distillates, or isolates. ¶
(b) "Non-cannabis additive" does not include plant material that is in the whole, broken, or ground form. ¶
(46) "ODA" means the Oregon Department of Agriculture. ¶
(47) "Person" has the meaning given that term in ORS 174.100. ¶
(48) "Place of address" means the physical address, city, state, and zip code. ¶
(49) "Principal display panel" means the part of a label on a container that is most likely to be displayed, presented, shown, or seen under customary conditions of display for sale or transfer. ¶
(50) "Product identity" means a truthful or common name of the hemp item that is contained in the container. ¶
(51) "Responsible party" means any person within or outside this state that is responsible for the manufacturing,

packaging, or distribution of a hemp item that is sold, transferred, or delivered to a consumer or retailer in this state. ¶
(52)(a) "Retailer" means a person, that engages, or purports to engage, in the offer or sale of hemp items to a consumer in this state, including but not limited to exchanging hemp items and distribution for low or no cost. ¶
(b) "Retailer" does not include a person licensed under ORS 475C.097. ¶
(53) "Serving" or "serving size" means an amount of hemp item that is suggested for use by a consumer trying the item for the first time. ¶
(54) "These rules" means OAR 845-026-6000 to 845-026-6120. ¶
(55) "Topical" means applied to skin or hair. ¶
(56) "Total CBD" means the sum of the concentration or mass of CBDA multiplied by 0.877 plus the concentration or mass of CBD. ¶
(57) "Total THC" means total delta-9-tetrahydrocannabinol, calculated as the sum of the concentration or mass of delta-9-THCA multiplied by 0.877 plus the concentration or mass of delta-9-THC. ¶
(58) "Unit of sale" means an amount of a hemp item commonly packaged for transfer or sale to a consumer or capable of being packaged for transfer or sale to a consumer. ¶
(59) "Usable hemp" ¶
(a) Means the flowers and leaves of industrial hemp intended for human or animal consumption or use that does not fall within the meaning of industrial hemp concentrate, industrial hemp extract, hemp edible, or hemp cannabinoid product. ¶
(b) Includes, for purposes of these rules, pre-rolled hemp as long as the pre-roll consists of only dried hemp leaves and flowers, an unflavored rolling paper, and a filter or tip.
Statutory/Other Authority: 2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 12, 2024 OL Ch. 16 Sec. 14a, ORS 571.269
Statutes/Other Implemented: 2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 12

ADOPT: 845-026-6010

RULE SUMMARY: This rule sets fees for the registration of industrial hemp products that contain cannabinoids and are intended for human or animal consumption or use.

CHANGES TO RULE:

845-026-6010
Fees
The Commission shall charge the following fees: ¶
(1) Hemp item registration: $420. ¶
(2) Hemp item registration renewal: $420.
Statutory/Other Authority: 2024 OL Ch. 16 Sec. 11
Statutes/Other Implemented: 2024 OL Ch. 16 Sec. 11

ADOPT: 845-026-6020

RULE SUMMARY: This rule sets the scope and effective date for the registration and labeling requirements that apply to industrial hemp products that contain cannabinoids and are intended for human or animal consumption or use.

CHANGES TO RULE:

845-026-6020
Scope and Effective Date
(1) These rules do not apply to hemp items that: ¶
(a) Do not contain cannabinoids; ¶
(b) Are intended only for topical use; ¶
(c) Are an industrial hemp grain or fiber product that does not contain added cannabinoids; ¶
(d) Are a commercial feed product for animals registered under ORS 633.006 to 633.089; or ¶
(e) Are transported through this state en route to a final destination in another state. ¶
(2) These rules become effective on January 1, 2026. ¶
(a) On and after January 1, 2026, a person may not sell, transfer, or deliver to a consumer in this state a hemp item that is not registered or labeled in accordance with these rules. ¶
(b) On and after January 1, 2026, a person may not sell, transfer, or deliver to a retailer in this state a hemp item that is not registered or labeled in accordance with these rules. ¶
(3) Registration applications may be submitted on and after January 1, 2026.
Statutory/Other Authority: 2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 14a
Statutes/Other Implemented: 2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 12

ADOPT: 845-026-6030

RULE SUMMARY: This rule details requirements for labeling industrial hemp products that contain cannabinoids and are intended for human or animal consumption or use.

CHANGES TO RULE:

845-026-6030
Labeling for Sale to Consumer
(1) A person responsible for manufacturing, packaging, or distributing a hemp item is responsible for ensuring that it has a label that complies with the requirements in this rule before selling, transferring, or delivering the hemp item directly to a consumer in this state or to a retailer in this state for the purpose of sale to a consumer in this state. ¶
(2) The Commission may refuse to register a hemp item if it does not comply with the labeling requirements in this rule. ¶
(3) A label on a hemp item must: ¶
(a) Be printed on or affixed to the container holding the hemp item and printed on or affixed to any outer container that is used to display the hemp item for sale or transfer to a consumer; ¶
(b) Comply with the National Institute of Standards and Technology (NIST) Handbook 130 (2025), Uniform Packaging and Labeling Regulation, incorporated by reference; ¶
(c) Contain all required information in any typed, legible font that is easy to read and contrasts sufficiently with the background and is at least one-sixteenth of an inch in height based on the uppercase "K"; ¶
(d) Include all required information in English, but may additionally provide the same information in other languages; and ¶
(e) Be unobstructed and conspicuous. ¶
(4) A label on hemp item may not contain any untruthful or misleading statements including, but not limited to, a health claim that is not supported by the consensus of publicly available scientific evidence, including evidence from well-designed studies conducted in a manner that is consistent with generally recognized scientific procedures and principles, and for which there is significant scientific agreement, among experts qualified by scientific training and experience to evaluate such claims. ¶
(5) Principal Display Panel. ¶
(a) Every container that holds a hemp item must have a principal display panel. ¶
(b) If a container holding the hemp item is placed within another container for sale or transfer to a consumer, both containers must have a principal display panel as that term is defined in OAR 845-026-6000 in addition to the other labeling requirements provided in these rules. ¶
(c) The principal display panel must include the product identity, net quantity of contents, and hemp symbol. ¶
(d) If the package or container is a jar and is 1.75 inches or less in height and has a lid with a width of two inches or less, then the principal display panel must be on the top of the lid. ¶
(6) Product Identity. ¶
(a) The product identity must be in bold type, in a size reasonably related to the most prominent printed matter on the principal display panel, and shall be parallel to the base on which the container rests as it is designed and displayed. ¶
(b) The product identity must clearly identify that the item is derived from hemp. ¶
(c) The product identity for hemp extracts and concentrates must correctly identify whether the product is an extract or a concentrate. ¶
(7) Net Quantity Declaration. ¶
(a) The net quantity of contents provided on the principal display panel must be the average net quantity of contents of all of the containers in the batch. ¶
(b) The net quantity declaration shall be in terms of fluid measure if the item is liquid, or in terms of weight if the item is solid, semi-solid, or viscous. ¶
(c) The net quantity declaration shall be a distinct item separated from other printed label information on all sides by at least a space equal to the height of the lettering used in the declaration. The declaration shall be presented in bold type in the bottom 30 percent of the principal display panel and in lines generally parallel with the base of the container. ¶
(8) Potency Labeling. The total THC and total CBD amounts required to be on a label must be the value calculated by the laboratory that tested the batch in accordance with ORS 571.339. ¶
(a) A label may not have a total THC value that exceeds the applicable maximum concentration limit by over 10 percent as specified in OAR 845-026-0410. ¶
(b) If the potency value for total THC or total CBD is reported by the laboratory as less than the limit of quantification, the value on the label must be listed as "<LOQ." ¶

(c) For hemp edibles, hemp tinctures, and hemp capsules, if the delta-9-THC is less than 90% of the total THC, the label must separately identify the quantity of delta-9-THC and THCA. ¶
(d) In addition to total THC and total CBD, the label shall list the cannabinoid contents of the hemp item as reported by the laboratory that tested the batch. ¶
(9) Hemp symbol. ¶
(a) Where these rules require a hemp symbol, the following must be used: ¶
(A) For a hemp item that is an adult use cannabis item, the American Society for Testing and Materials International Intoxicating Cannabis Product Symbol (D8441/D8441M). The hemp symbol must be at least 0.5 inches wide by 0.5 high. ¶
(B) For a hemp item that is not an adult use cannabis item, the blue hemp symbol established by the Commission and made available on the Commission's website, indicating the item is a hemp item. The hemp symbol must be at least 0.48 inches wide by 0.35 high. ¶
(b) The hemp symbol may not be modified, including but not limited to, color and shape, except that the hemp symbol may be larger than the minimum size. ¶
(10) A hemp item may have one or more label panels printed on or affixed to the container. ¶
(11) Small Container Label. A hemp item that is in a container that because of its size does not have sufficient space for a label that contains all the information required for compliance with these rules: ¶
(a) May, in lieu of a label that has all the information required in OAR 845-026-6030 to 845-026-6090, have a label printed on or affixed to the container holding the hemp item that includes at least the following: ¶
(A) A principal display panel containing the net weight or volume, product identity, and hemp symbol; ¶
(B) Manufacturer business or trade name, and if produced by an ODA hemp handler or grower, their license number; ¶
(C) Batch number; ¶
(D) Concentration or amount of total THC and total CBD in the container as required by (8) of this rule; and ¶
(E) Required warnings. ¶
(i) For a hemp item that is an adult use cannabis item, the following warning is required on the label: "For use only by adults 21 and older. Keep out of reach of children and pets." ¶
(ii) For a hemp item that is not an adult use cannabis item, the following warning is required to be on the label: "This product contains cannabinoids. Keep out of reach of children and pets." ¶
(b) Must include all required label information on an outer container or other required label information not listed in subsection (a) of this section on a hangtag attached to the hemp item. ¶
(c) May use a peel-back or accordion label with the information required in subsection (b) of this section on the inside of the peel-back or accordion label, if the peel-back or accordion label can be easily identified by a consumer as containing important information. ¶
(12) The outer container used to display the hemp item for sale or transfer to a consumer must comply with the labeling requirements in sections (1) to (9) and (13) to (18) of this rule, even if an inner container qualifies for the exception under section (11) of this rule. ¶
(13) A hemp item that simultaneously falls within more than one category must comply with the labeling requirements that apply to each category, with the exception of the "DO NOT EAT" warning if the hemp item is intended for human consumption or the "BE CAUTIOUS" warning if the effects of the hemp item are customarily felt immediately. For example, a hemp concentrate that is intended for human consumption or animal consumption must comply with the labeling requirements that apply to both hemp concentrates and hemp edibles. ¶
(14) Ingredient listing. ¶
(a) A hemp item that contains an ingredient consisting of two or more sub-ingredients must on the label either: ¶
(A) Use the common name of the ingredient followed by a parenthetical listing of all sub-ingredients in a descending order of predominance; or ¶
(B) List all sub-ingredients as individual ingredients in descending order of predominance. ¶
(b) The list of ingredients must include any substance used in processing, preparing, manufacturing, packaging, or holding the hemp item that is present in the final hemp item, including any cooking or release spray. ¶
(c) The list of ingredients must correctly identify the type of hemp item used to make the hemp item. ¶
(15) A hemp edible that contains only a single serving may omit the servings per container declaration if the label clearly states that the container contains a single serving. ¶
(16) A hemp edible shall use one of the nutrition information formats listed in Table 1, incorporated herein by reference. ¶
(17) A cartridge or vaporizing device containing a hemp concentrate, hemp extract, or hemp cannabinoid product intended for use with an inhalant delivery system as that is defined in ORS 431A.175 is not required to be labeled in accordance with these rules except that the cartridge or device must have a label with the hemp symbol. All the remaining label requirements must be included on the container as required by these rules. ¶

(18) Once a hemp item is registered with the Commission, the label identification number provided by the Commission must be: ¶
(a) Prominently displayed on the label of the outermost container using the format "Label ID:" followed by the label identification number; or ¶
(b) Made available on the address of a publicly accessible website displayed on the outermost container, enabling a reasonable person to reliably locate the label identification number for the specific hemp item in the container.
Statutory/Other Authority: 2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 12, 2024 OL Ch. 16 Sec. 14a
Statutes/Other Implemented: 2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 12

RULE ATTACHMENTS MAY NOT SHOW CHANGES. PLEASE CONTACT AGENCY REGARDING CHANGES.

OAR 845-026-6030
Table 1

Nutrition Facts Panel Templates

The following templates must be used to display the nutrition information, serving size, number of servings per container, list of ingredients, and allergen information.

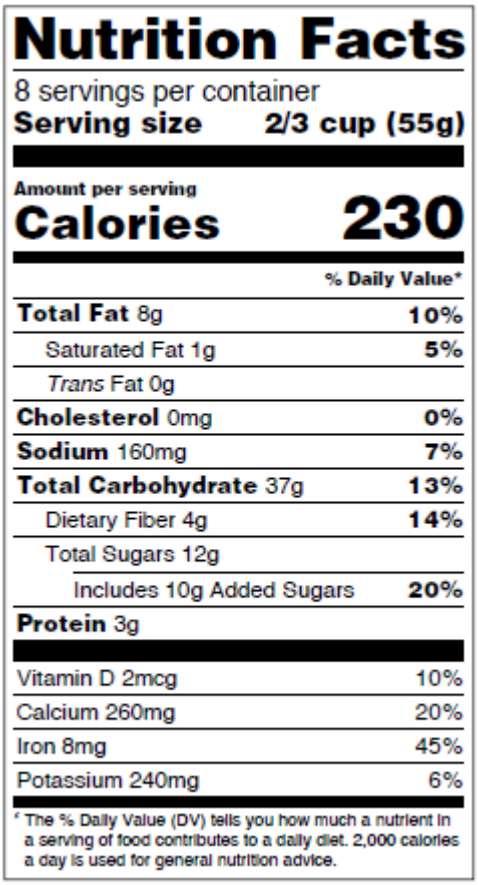
Vertical Display: the vertical display should be used on most labels that do not qualify as a small or tiny container.

Linear Display for Small Packages: the linear display can be used on small containers that do not have enough space to fit a full label.

Tabular Display for Small Packages: the tabular display can be used on small containers that do not have enough space to fit a full label.

Standard Vertical

21 CFR 101.9(d)(12)



Nutrition Facts

8 servings per container

Serving size **2/3 cup (55g)**

Amount per serving

Calories **230**

	% Daily Value*
Total Fat 8g	**10%**
Saturated Fat 1g	**5%**
Trans Fat 0g	
Cholesterol 0mg	**0%**
Sodium 160mg	**7%**
Total Carbohydrate 37g	**13%**
Dietary Fiber 4g	**14%**
Total Sugars 12g	
Includes 10g Added Sugars	**20%**
Protein 3g	
Vitamin D 2mcg	10%
Calcium 260mg	20%
Iron 8mg	45%
Potassium 240mg	6%

* The % Daily Value (DV) tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.

Vertical Display with Micronutrients Listed Side-by-Side

21 CFR 101.9(d)(12)

Nutrition Facts

8 servings per container

Serving size **2/3 cup (55g)**

Amount per serving

Calories **230**

	% Daily Value*
Total Fat 8g	**10%**
Saturated Fat 1g	**5%**
Trans Fat 0g	
Cholesterol 0mg	**0%**
Sodium 160mg	**7%**
Total Carbohydrate 37g	**13%**
Dietary Fiber 4g	**14%**
Total Sugars 12g	
Includes 10g Added Sugars	**20%**
Protein 3g	

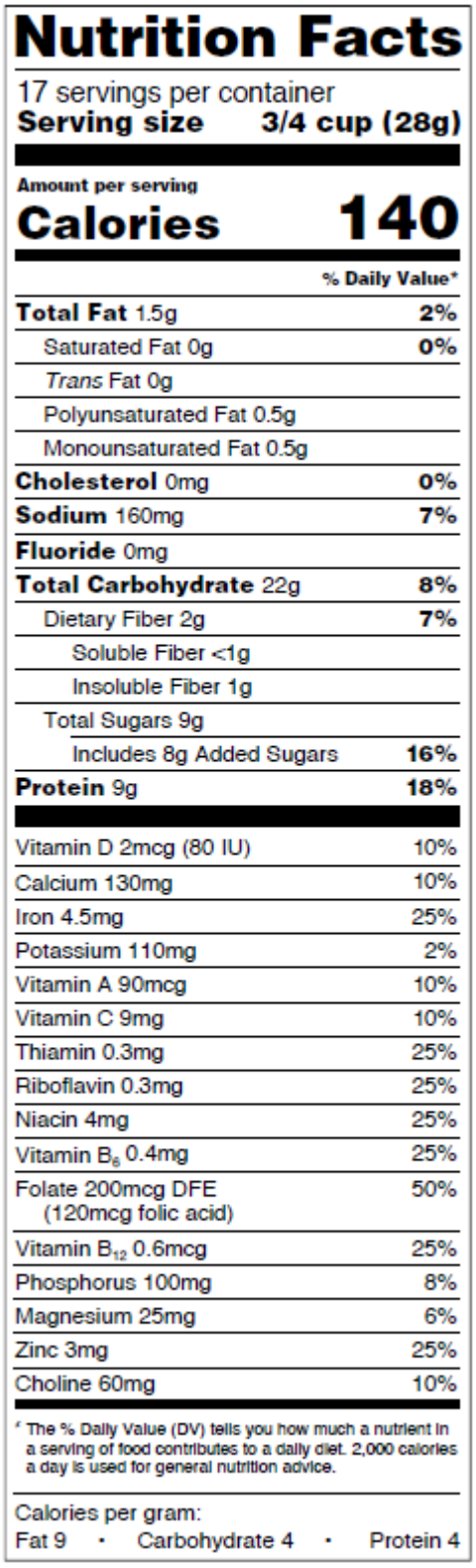
Vit. D 2mcg 10% • Calcium 260mg 20%

Iron 8mg 45% • Potas. 240mg 6%

* The % Daily Value (DV) tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.

Vertical Display Including Some Voluntary Nutrients

21 CFR 101.9(d)(12)



Nutrition Facts

17 servings per container

Serving size **3/4 cup (28g)**

Amount per serving

Calories **140**

	% Daily Value*
Total Fat 1.5g	**2%**
Saturated Fat 0g	**0%**
Trans Fat 0g	
Polyunsaturated Fat 0.5g	
Monounsaturated Fat 0.5g	
Cholesterol 0mg	**0%**
Sodium 160mg	**7%**
Fluoride 0mg	
Total Carbohydrate 22g	**8%**
Dietary Fiber 2g	**7%**
Soluble Fiber <1g	
Insoluble Fiber 1g	
Total Sugars 9g	
Includes 8g Added Sugars	**16%**
Protein 9g	**18%**
Vitamin D 2mcg (80 IU)	10%
Calcium 130mg	10%
Iron 4.5mg	25%
Potassium 110mg	2%
Vitamin A 90mcg	10%
Vitamin C 9mg	10%
Thiamin 0.3mg	25%
Riboflavin 0.3mg	25%
Niacin 4mg	25%
Vitamin B_6 0.4mg	25%
Folate 200mcg DFE (120mcg folic acid)	50%
Vitamin B_{12} 0.6mcg	25%
Phosphorus 100mg	8%
Magnesium 25mg	6%
Zinc 3mg	25%
Choline 60mg	10%

* The % Daily Value (DV) tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.

Calories per gram:

Fat 9 • Carbohydrate 4 • Protein 4

Tabular Format

21 CFR 101.9(d)(11)(iii)

Nutrition Facts

10 servings per container
Serving size
2 slices (56g)

Calories per serving **170**

Amount/serving	% Daily Value*
Total Fat 1.5g	**2%**
Saturated Fat 0.5g	**3%**
Trans Fat 0.5g	
Cholesterol 0mg	**0%**
Sodium 280mg	**12%**

Amount/serving	% Daily Value*
Total Carbohydrate 36g	**13%**
Dietary Fiber 2g	**7%**
Total Sugars 1g	
Includes 1g Added Sugars	**2%**
Protein 4g	

Vitamin D 0mcg 0% • Calcium 80mg 6% • Iron 1mg 6% • Potassium 470mg 10%
Thiamin 15% • Riboflavin 8% • Niacin 10%

*The % Daily Value (DV) tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.

Aggregate Display

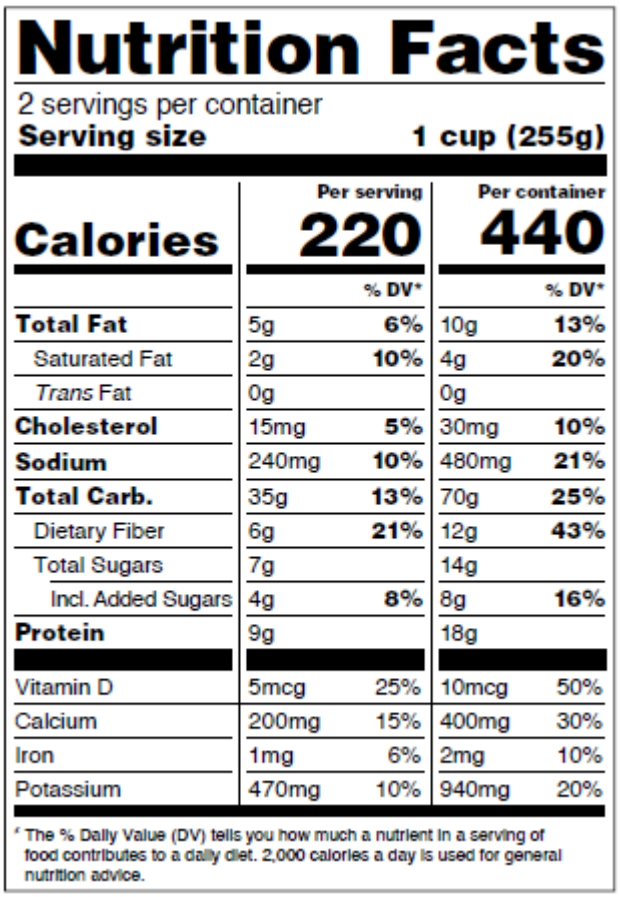
21 CFR 101.9(d)(13)(ii)

Nutrition Facts	Wheat Squares Sweetened	Corn Flakes Not Sweetened	Mixed Grain Flakes Sweetened
1 serving per container			
Serving size **1 box**	(35g)	(19g)	(27g)
Amount per serving **Calories**	**130**	**70**	**100**
	% Daily Value*	**% Daily Value***	**% Daily Value***
Total Fat	0g **0%**	0g **0%**	0g **0%**
Saturated Fat	0g **0%**	0g **0%**	0g **0%**
Trans Fat	0g	0g	0g
Cholesterol	0mg **0%**	0mg **0%**	0mg **0%**
Sodium	0mg **0%**	200mg **9%**	120mg **5%**
Total Carbohydrate	29g **11%**	17g **6%**	24g **9%**
Dietary Fiber	3g **11%**	1g **4%**	1g **4%**
Total Sugars	8g	6g	13g
Includes Added Sugars	8g **16%**	5g **10%**	13g **26%**
Protein	4g	1g	1g
Vitamin D	2mcg 10%	2mcg 10%	0mcg 0%
Calcium	0mg 0%	0mg 0%	0mg 0%
Iron	2mg 10%	1mg 6%	4mg 20%
Potassium	120mg 2%	80mg 2%	30mg 0%
Vitamin A	0%	10%	10%
Vitamin C	0%	15%	90%
Thiamin	35%	15%	25%
Riboflavin	30%	10%	25%
Niacin	30%	10%	20%
Vitamin B_6	30%	20%	20%

* The % Daily Value (DV) tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.

Dual Column Display, Per Serving and Per Container

21 CFR 101.9(e)(6)(i)



Nutrition Facts

2 servings per container

Serving size **1 cup (255g)**

	Per serving		Per container	
Calories	**220**		**440**	
		% DV*		% DV*
Total Fat	5g	**6%**	10g	**13%**
Saturated Fat	2g	**10%**	4g	**20%**
Trans Fat	0g		0g	
Cholesterol	15mg	**5%**	30mg	**10%**
Sodium	240mg	**10%**	480mg	**21%**
Total Carb.	35g	**13%**	70g	**25%**
Dietary Fiber	6g	**21%**	12g	**43%**
Total Sugars	7g		14g	
Incl. Added Sugars	4g	**8%**	8g	**16%**
Protein	9g		18g	
Vitamin D	5mcg	25%	10mcg	50%
Calcium	200mg	15%	400mg	30%
Iron	1mg	6%	2mg	10%
Potassium	470mg	10%	940mg	20%

* The % Daily Value (DV) tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.

Tabular Dual Column Display

21 CFR 101.9(e)(6)(ii)

Nutrition Facts

2 servings per container
Serving size
1 cup (255g)

Calories
220 per serving | **440** per container

	Per serving	% DV*	Per container	% DV*
Total Fat	5g	**6%**	10g	**13%**
Saturated Fat	2g	**10%**	4g	**20%**
Trans Fat	0g		0g	
Cholesterol	15mg	**5%**	30mg	**10%**
Sodium	240mg	**10%**	480mg	**21%**
Vitamin D	5mcg	25%	10mcg	50%
Calcium	200mg	15%	400mg	30%

	Per serving	% DV*	Per container	% DV*
Total Carb.	35g	**13%**	70g	**25%**
Dietary Fiber	6g	**21%**	12g	**43%**
Total Sugars	7g		14g	
Incl. Added Sugars	4g	**8%**	8g	**16%**
Protein	9g		18g	
Iron	1mg	6%	2mg	10%
Potassium	470mg	10%	940mg	20%

*The % Daily Value (DV) tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.

Tabular Display for Small or Intermediate-Sized Packages

21 CFR 101.9(j)(13)(ii)(A)(1)

Nutrition Facts

about 3 servings per container
Serving size
1/3 cup (56g)

Calories per serving 90

Amount/serving	% DV	Amount/serving	% DV
Total Fat 2g	**3%**	**Total Carb.** 15g	**5%**
Sat. Fat 1g	**5%**	Fiber 0g	**0%**
Trans Fat 0.5g		Total Sugars 14g	
Cholesterol 10mg	**3%**	Incl. 13g Added Sugars	**26%**
Sodium 200mg	**9%**	**Protein** 3g	

Vitamin D 0% • Calcium 6% • Iron 6% • Potassium 10%

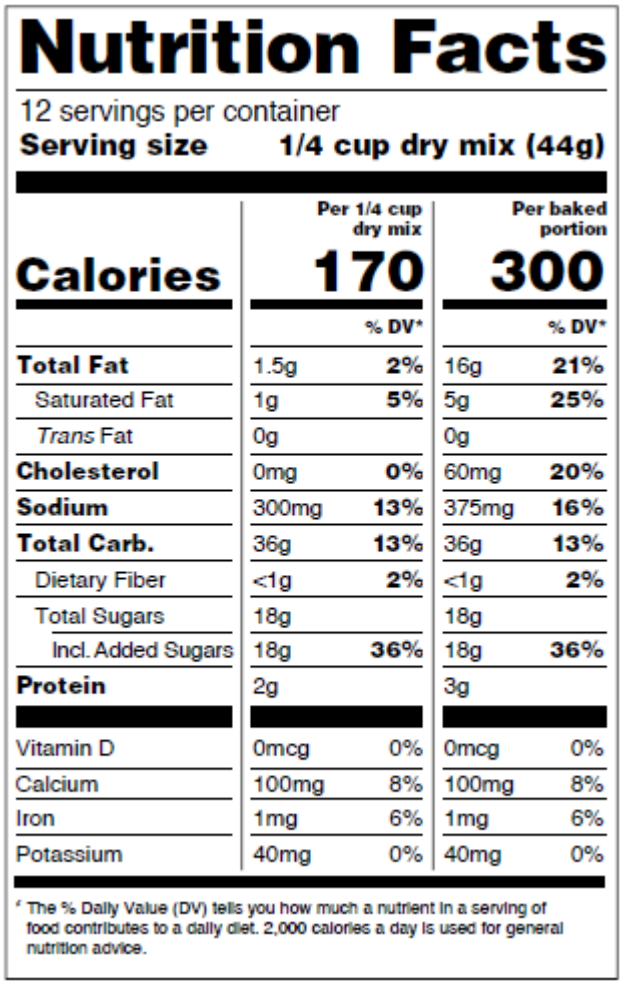
Linear Display for Small or Intermediate-Sized Packages

21 CFR 101.9(j)(13)(ii)(A)(2)

Nutrition Facts Servings: 12, **Serv. size: 1 mint (2g),**
Amount per serving: **Calories 5,** **Total Fat** 0g (0% DV), Sat. Fat 0g (0% DV), *Trans* Fat 0g, **Cholest.** 0mg (0% DV), **Sodium** 0mg (0% DV), **Total Carb.** 2g (1% DV), Fiber 0g (0% DV), Total Sugars 2g (Incl. 2g Added Sugars, 4% DV), **Protein** 0g, Vit. D (0% DV), Calcium (0% DV), Iron (0% DV), Potas. (6% DV).

Dual Columns, Two Forms of the Same Food

21 CFR 101.9(e)(5)



Nutrition Facts

12 servings per container

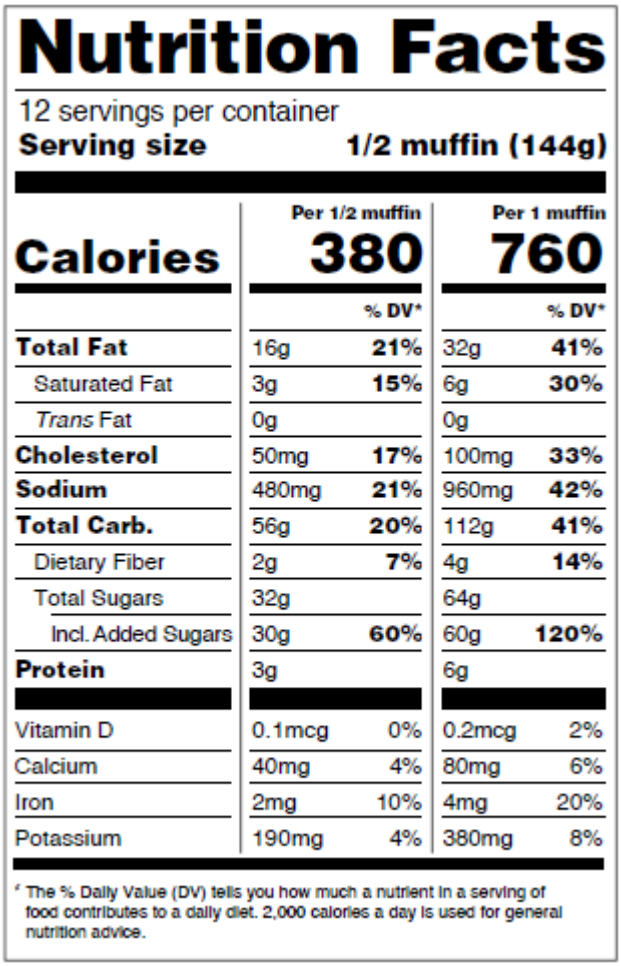
Serving size **1/4 cup dry mix (44g)**

	Per 1/4 cup dry mix		Per baked portion	
Calories	**170**		**300**	
		% DV*		% DV*
Total Fat	1.5g	**2%**	16g	**21%**
Saturated Fat	1g	**5%**	5g	**25%**
Trans Fat	0g		0g	
Cholesterol	0mg	**0%**	60mg	**20%**
Sodium	300mg	**13%**	375mg	**16%**
Total Carb.	36g	**13%**	36g	**13%**
Dietary Fiber	<1g	**2%**	<1g	**2%**
Total Sugars	18g		18g	
Incl. Added Sugars	18g	**36%**	18g	**36%**
Protein	2g		3g	
Vitamin D	0mcg	0%	0mcg	0%
Calcium	100mg	8%	100mg	8%
Iron	1mg	6%	1mg	6%
Potassium	40mg	0%	40mg	0%

* The % Daily Value (DV) tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.

Dual Column Display, Per Serving and Per Unit

21 CFR 101.9(e)(6)(i)



Nutrition Facts

12 servings per container

Serving size **1/2 muffin (144g)**

	Per 1/2 muffin		Per 1 muffin	
Calories	**380**		**760**	
		% DV*		% DV*
Total Fat	16g	**21%**	32g	**41%**
Saturated Fat	3g	**15%**	6g	**30%**
Trans Fat	0g		0g	
Cholesterol	50mg	**17%**	100mg	**33%**
Sodium	480mg	**21%**	960mg	**42%**
Total Carb.	56g	**20%**	112g	**41%**
Dietary Fiber	2g	**7%**	4g	**14%**
Total Sugars	32g		64g	
Incl. Added Sugars	30g	**60%**	60g	**120%**
Protein	3g		6g	
Vitamin D	0.1mcg	0%	0.2mcg	2%
Calcium	40mg	4%	80mg	6%
Iron	2mg	10%	4mg	20%
Potassium	190mg	4%	380mg	8%

* The % Daily Value (DV) tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.

ADOPT: 845-026-6040

RULE SUMMARY: This rule details requirements for labeling usable hemp.

CHANGES TO RULE:

845-026-6040
Usable Hemp Labeling Requirements
Prior to selling, transferring, or delivering usable hemp to a consumer or retailer, the responsible party must label the container holding the usable hemp with following information: ¶
(1) Manufacturer's business or trade name and, if applicable, ODA hemp grower license number. ¶
(2) Business or trade name of the person that packaged the hemp item, if different from the manufacturer. ¶
(3) Batch number. ¶
(4) Date of harvest. ¶
(5) Name of strain. ¶
(6) Net weight in grams and ounces. ¶
(7) For pre-rolled usable hemp, weight of usable hemp used in the product in grams, excluding the weight of the rolling paper and the filter or tip. ¶
(8) Concentration of total THC and total CBD expressed as a percentage on a dry weight basis as reported by the laboratory that tested the batch. ¶
(9) If other cannabinoids are present, cannabinoids expressed as a percentage on a dry weight basis as reported by the laboratory that tested the batch. ¶
(10) Name of the laboratory that performed any test and any test analysis date. ¶
(11) Hemp symbol. ¶
(12) Product identity. ¶
(13) The address of a publicly accessible website that would enable a reasonable person to reliably locate the certificate of analysis for the specific batch of the hemp item in the container. ¶
(14) For usable hemp that is an adult use cannabis item: ¶
(a) A warning that states: "For use only by adults 21 and older. Keep out of reach of children." ¶
(b) Warnings that state the following or provide similar wording that expresses the same facts: ¶
(A) "This product may impair the ability to drive or operate heavy machinery." ¶
(B) "This product is derived from hemp and may contain THC." ¶
(C) "Do not consume during pregnancy or while breastfeeding." ¶
(D) "Keep out of reach of pets." ¶
(15) For usable hemp that is not an adult use cannabis item, a statement that reads: "Children or those who are pregnant or breastfeeding should avoid using the product prior to consulting with a health care professional about its safety." ¶
(16) For usable hemp that is not an adult use cannabis item, a warning that states: "This product contains cannabinoids. Keep out of reach of children and pets."
Statutory/Other Authority: 2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 12, 2024 OL Ch. 16 Sec. 14a
Statutes/Other Implemented: 2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 12

ADOPT: 845-026-6050

RULE SUMMARY: This rule details requirements for labeling hemp edibles.

CHANGES TO RULE:

845-026-6050
Hemp Edible Labeling Requirements
Prior to selling, transferring, or delivering a hemp edible to a consumer or retailer, the responsible party must label the container holding the edible with the following information: ¶
(1) Manufacturer's business or trade name, place of address, and, if applicable, ODA hemp handler license number. ¶
(2) Business or trade name and place of address of the person that packaged the hemp item, if different from the manufacturer. ¶
(3) Product identity. ¶
(4) Batch number. ¶
(5) Date the edible was made. ¶
(6) Net weight or volume in U.S. customary and metric units. ¶
(7) Serving size and number of servings per container. ¶
(8) Amount, in milligrams, of total THC and total CBD in each serving and in the container as reported by the laboratory that tested the batch. ¶
(9) If other cannabinoids are present, the amount in milligrams of cannabinoids in each serving and in the container as reported by the laboratory that tested the batch. ¶
(10) List of all ingredients in descending order of predominance by weight or volume used to process the hemp edible. ¶
(11) List of potential major food allergens: ¶
(a) Using a "contains" statement list the name of the food source of any major food allergen at the end of or immediately adjacent to the ingredient list; or ¶
(b) Placing the term for the appropriate major food allergen in parenthesis within the ingredient list after the common or usual name of the ingredient derived from that major food allergen. ¶
(12) The amount of calories, sodium, protein, added sugars, cholesterol, total carbohydrates, total fat per serving, nutrient, vitamin, and mineral information, in grams or milligrams as required by 21 CFR 101.9(c) for the labeling of food. Optional nutrient, vitamin, and mineral information as allowed in 21 CFR 101.9(c) may be listed. ¶
(13) If the edible is perishable, a statement that the edible must be refrigerated or kept frozen. ¶
(14) Name of the laboratory that performed any test and any test analysis date. ¶
(15) Activation time, expressed in words or through a pictogram. ¶
(16) Hemp symbol. ¶
(17) The address of a publicly accessible website that would enable a reasonable person to reliably locate the certificate of analysis for the specific batch of the hemp item in the container. ¶
(18) For hemp edibles that are adult use cannabis items, the following statement or similar wording that expresses similar facts: "This product is not approved by the FDA to treat, cure, or prevent any disease." ¶
(19) For hemp edibles that are adult use cannabis items: ¶
(a) A warning that states: "For use only by adults 21 and older. Keep out of reach of children." ¶
(b) Warnings that state the following or provide similar wording that expresses the same facts: ¶
(A) "This product may impair the ability to drive or operate heavy machinery." ¶
(B) "This product is derived from hemp and may contain THC." ¶
(C) "Do not consume during pregnancy or while breastfeeding." ¶
(D) "Keep out of reach of pets." ¶
(E) "BE CAUTIOUS" in bold, capital letters, followed by "Hemp edibles can take up to 2 hours or more to take effect." ¶
(20) For hemp edibles that are not adult use cannabis items, the following statements or similar wording that expresses similar facts: ¶
(a) "This product is not approved by the FDA to treat, cure, or prevent any disease." ¶
(b) "Children or those who are pregnant or breastfeeding should avoid using the product prior to consulting with a health care professional about its safety." ¶
(21) For hemp edibles that are not adult use cannabis items, the following warning or similar wording that expresses similar facts: "This product contains cannabinoids. Keep out of reach of children and pets." ¶
(22) For all beverage containers that require a refund value under ORS 459A.702, the label must include "OR 10□."
Statutory/Other Authority: 2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 12, 2024 OL Ch. 16 Sec. 14a

Statutes/Other Implemented: 2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 12

ADOPT: 845-026-6060

RULE SUMMARY: This rule details requirements for labeling hemp concentrates and extracts.

CHANGES TO RULE:

845-026-6060
Hemp Concentrate and Extract Labeling Requirements
Prior to selling, transferring, or delivering a hemp concentrate or extract to a consumer or retailer, the responsible party must label the container holding the concentrate or extract with the following information: ¶
(1) Manufacturer's business or trade name and, if applicable, ODA hemp handler license number. ¶
(2) Business or trade name of the person that packaged the hemp item, if different from the manufacturer. ¶
(3) Batch number. ¶
(4) Product identity that correctly identifies the item as either a concentrate or extract. ¶
(5) Date the concentrate or extract was made. ¶
(6) Net weight or volume in U.S. customary and metric units. ¶
(7) Serving size and number of servings per container. ¶
(8) Amount, in milligrams, of total THC and total CBD in each serving and in the container as reported by the laboratory that tested the batch. ¶
(9) If other cannabinoids are present, the amount in milligrams of cannabinoids in each serving and in the container as reported by the laboratory that tested the batch. ¶
(10) Activation time, expressed in words or through a pictogram. ¶
(11) Name of the laboratory that performed any test and any test analysis date. ¶
(12) Hemp symbol. ¶
(13) The address of a publicly accessible website that would enable a reasonable person to reliably locate the certificate of analysis for the specific batch of the hemp item in the container. ¶
(14) For hemp concentrates and extracts that are adult use cannabis items the following statement or similar wording that expresses similar facts: "This product is not approved by the FDA to treat, cure, or prevent any disease." ¶
(15) For hemp concentrates and extracts that are adult use cannabis items: ¶
(a) A warning that states: "For use only by adults 21 and older. Keep out of reach of children." ¶
(b) Warnings that state the following or provide similar wording that expresses the same facts: ¶
(A) "This product may impair the ability to drive or operate heavy machinery." ¶
(B) "This product is derived from hemp and may contain THC." ¶
(C) "Do not consume during pregnancy or while breastfeeding." ¶
(D) "Keep out of reach of pets." ¶
(16) For hemp concentrates and extracts that are not adult use cannabis items, the following statements or similar wording that expresses similar facts: ¶
(a) "This product is not approved by the FDA to treat, cure, or prevent any disease." ¶
(b) "Children or those who are pregnant or breastfeeding should avoid using the product prior to consulting with a health care professional about its safety." ¶
(17) For hemp concentrates and extracts that are not adult use cannabis items, the following warning or similar wording that expresses similar facts: ¶
(a) "This product contains cannabinoids. Keep out of reach of children and pets." ¶
(b) "DO NOT EAT" in bold, capital letters.
Statutory/Other Authority: 2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 12, 2024 OL Ch. 16 Sec. 14a
Statutes/Other Implemented: 2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 12

ADOPT: 845-026-6070

RULE SUMMARY: This rule details requirements for labeling hemp tinctures and hemp capsules.

CHANGES TO RULE:

845-026-6070
Hemp Tincture and Capsule Labeling Requirements
Prior to selling, transferring, or delivering a hemp tincture or capsule to a consumer or retailer, the responsible party must label the container holding the tincture or capsule with the following information: ¶
(1) Manufacturer's business or trade name, place of address and, if applicable, ODA hemp handler license number. ¶
(2) Business or trade name and place of address of the person that packaged the hemp item, if different from the manufacturer. ¶
(3) Product identity. ¶
(4) Batch number. ¶
(5) Date the product was made. ¶
(6) Net weight or volume in U.S. customary and metric units. ¶
(7) Serving size and number of servings per container. ¶
(8) Amount, in milligrams, of total THC and total CBD in each serving and in the container as reported by the laboratory that tested the batch. ¶
(9) If other cannabinoids are present, the amount in milligrams of cannabinoids in each serving and in the container as reported by the laboratory that tested the batch. ¶
(10) List of all ingredients in descending order of predominance by weight or volume used to process the hemp tincture or capsule. ¶
(11) Name of the laboratory that performed any test and any test analysis date. ¶
(12) Hemp symbol. ¶
(13) Activation time expressed in words or through a pictogram. ¶
(14) The address of a publicly accessible website that would enable a reasonable person to reliably locate the certificate of analysis for the specific batch of the hemp item in the container. ¶
(15) For hemp tinctures and capsules that are adult use cannabis items, the following statement or similar wording that expresses similar facts: "This product is not approved by the FDA to treat, cure, or prevent any disease." ¶
(16) For hemp tinctures and capsules that are adult use cannabis items: ¶
(a) A warning that states: "For use only by adults 21 and older. Keep out of reach of children." ¶
(b) Warnings that state the following or provide similar wording that expresses the same facts: ¶
(A) "This product is derived from hemp and may contain THC." ¶
(B) "This product may impair the ability to drive or operate heavy machinery." ¶
(C) "BE CAUTIOUS" in bold, capital letters, followed by "Hemp cannabinoid products can take up to 2 hours or more to take effect." ¶
(D) "Do not consume during pregnancy or while breastfeeding." ¶
(E) "Keep out of reach of pets." ¶
(17) For hemp tinctures and capsules that are not adult use cannabis items, the following statements or similar wording that expresses similar facts: ¶
(a) "This product is not approved by the FDA to treat, cure, or prevent any disease." ¶
(b) "Children or those who are pregnant or breastfeeding should avoid using the product prior to consulting with a health care professional about its safety." ¶
(18) For hemp tinctures and capsules that are not adult use cannabis items, the following warning or similar wording that expresses similar facts: "This product contains cannabinoids. Keep out of reach of children and pets."
Statutory/Other Authority: 2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 12, 2024 OL Ch. 16 Sec. 14a
Statutes/Other Implemented: 2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 12

ADOPT: 845-026-6080

RULE SUMMARY: This rule details requirements for labeling hemp cannabinoid products other than hemp edibles, hemp tinctures, and hemp capsules.

CHANGES TO RULE:

845-026-6080
Hemp Cannabinoid Products Other than Hemp Edibles, Tinctures or Capsules
Prior to selling, transferring, or delivering hemp cannabinoid product other than a hemp edible, hemp tincture, or hemp capsule to a consumer, the responsible party must label the container holding the hemp item with the following information: ¶
(1) Manufacturer's business or trade name, license number, and, if applicable, ODA hemp handler license number. ¶
(2) Business or trade name of the person that packaged the hemp item, if different from the manufacturer. ¶
(3) Product identity. ¶
(4) Batch number. ¶
(5) Date the product was made. ¶
(6) Net weight or volume in U.S. customary and metric units. ¶
(7) Serving size and number of servings per container. ¶
(8) Amount, in milligrams, of total THC and total CBD in each serving and in the container as reported by the laboratory that tested the batch. ¶
(9) If other cannabinoids are present, the amount in milligrams of cannabinoids in each serving and in the container as reported by the laboratory that tested the batch. ¶
(10) List of all ingredients in descending order of predominance by weight or volume used to process the hemp cannabinoid product. ¶
(11) Name of the laboratory that performed any test and any test analysis date. ¶
(12) Hemp symbol. ¶
(13) Activation time expressed in words or through a pictogram. ¶
(14) The address of a publicly accessible website that would enable a reasonable person to reliably locate the certificate of analysis for the specific batch of the hemp item in the container. ¶
(15) For hemp cannabinoid products that are adult use cannabis items, the following statement or similar wording that expresses similar facts: "This product is not approved by the FDA to treat, cure, or prevent any disease." ¶
(16) For hemp cannabinoid products that are adult use cannabis items: ¶
(a) A warning that states: "For use only by adults 21 and older. Keep out of reach of children." ¶
(b) Warnings that state the following or provide similar wording that expresses the same facts: ¶
(A) "This product is derived from hemp and may contain THC." ¶
(B) "This product may impair the ability to drive or operate heavy machinery." ¶
(C) "DO NOT EAT" in bold, capital letters. ¶
(D) "Do not consume during pregnancy or while breastfeeding." ¶
(E) "Keep out of reach of pets." ¶
(17) For hemp cannabinoid products that are not adult use cannabis items, the following statements or similar wording that expresses similar facts: ¶
(a) "This product is not approved by the FDA to treat, cure, or prevent any disease." ¶
(b) "Children or those who are pregnant or breastfeeding should avoid using the product prior to consulting with a health care professional about its safety." ¶
(18) For hemp cannabinoid products that are not adult use cannabis items, the following warnings or similar wording that expresses similar facts: ¶
(a) "This product contains cannabinoids. Keep out of reach of children and pets." ¶
(b) "DO NOT EAT" in bold, capital letters. ¶
(19) For inhalable hemp cannabinoid products that contain non-cannabis additives: ¶
(a) The product identity must clearly identify that the inhalable hemp cannabinoid product contains non-cannabis additives and, in addition to the requirements of OAR 845-026-6000 through 845-026-6100, must include the words "non-cannabis additive." ¶
(b) In addition to the other ingredients in the inhalable hemp cannabinoid product, for each non-cannabis additive used, the ingredient listing must contain the words "non-cannabis additive" in a manner that clearly distinguishes each additive from any other additives. ¶
(c) All of the ingredients in the non-cannabis additive: ¶
(A) Must be included on the list of ingredients required by OAR 845-026-6100; ¶
(B) Must be listed either alphabetically or in descending order of predominance by weight or volume; and ¶

(C) Must be listed on: ¶
(i) The label's ingredient list as sub-ingredients of the ingredient term "non-cannabis additive"; or ¶
(ii) An insert within the inhalable hemp cannabinoid product's container that clearly indicates that the ingredients listed are contained within the inhalable hemp cannabinoid product.
Statutory/Other Authority: 2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 12, 2024 OL Ch. 16 Sec. 14a
Statutes/Other Implemented: 2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 12

ADOPT: 845-026-6090

RULE SUMMARY: This rule details requirements for labeling hemp items that contain artificially derived cannabinoids.

CHANGES TO RULE:

845-026-6090
Artificially Derived Cannabinoid Labeling
Prior to selling, transferring, or delivering a hemp item that contains an artificially derived cannabinoid allowed by OAR 845-026-0415, the responsible party must ensure the label complies with these additional requirements: ¶
(1) In addition to the requirements of OAR 845-026-6000 through 845-026-6100, the product identity must clearly identify that the hemp item contains an artificially derived cannabinoid and must include the words "artificially derived cannabinoid." ¶
(2) The ingredient listing must identify any artificially derived cannabinoid by its full name and use the words "artificially derived" in the description of the specific ingredient.
Statutory/Other Authority: 2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 12, 2024 OL Ch. 16 Sec. 14a
Statutes/Other Implemented: 2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 12

ADOPT: 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, physical address, and mailing address of the manufacturer of the hemp item. ¶
(C) If different from the manufacturer, the responsible party's name, physical address, and mailing address. ¶
(D) A certificate of analysis for a batch of the hemp item that complies with the testing requirements in ORS 571.339. ¶
(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 registrations for 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 attestation by the manufacturer of the inhalable hemp cannabinoid products of the accuracy of the information submitted for registration. ¶
(H) For registrations for 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 of the accuracy of the information submitted for registration. ¶
(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 will review the registration application and determine whether it is complete and may request additional information 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; ¶
(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 violates or the information in the application indicates that the hemp item violates 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 or the information in the application indicates that the sale of the hemp item is prohibited by 2024 Oregon Laws Chapter 16, Section 12; or ¶
(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. ¶
(6) If a registration application fails to comply with these rules, the applicant must correct the deficiencies and resubmit the application. ¶
(a) If an application is found deficient for a third time, the application will be denied and the applicant shall be given the right to a hearing under the procedures in ORS Chapter 183. ¶
(b) If the applicant does not resubmit the application or respond to a request from the Commission within ninety days, the application is incomplete and the applicant will be notified that their application is incomplete. For the purposes of this subsection, a complete application contains all the information required by these rules. ¶
(c) 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 if an application is inactivated pursuant to subsection (b) of this section. A hearing under this subsection is not subject to the requirements for contested case proceedings under ORS 183.310 to 183.550. ¶
(7) 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. For the purposes of this rule, an application may not combine hemp items that are adult use cannabis items with hemp items that are not adult use cannabis items. ¶
(8) 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 OLCC 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. ¶
(9) A registration applies only to hemp items that match the information submitted in the approved registration application, except that the information listed in section (8) of this rule may vary. ¶
(10) Annual Registration. ¶
(a) In order to maintain an active registration, a hemp item registered with the Commission must be annually renewed. A registration 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 OLCC 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, 2024 OL Ch. 16 Sec. 14a
Statutes/Other Implemented: 2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 12

ADOPT: 845-026-6110

RULE SUMMARY: This rule details civil penalties for violations related to industrial hemp products that contain cannabinoids and are intended for human or animal consumption or use.

CHANGES TO RULE:

845-026-6110
Hemp Registry Civil Penalties
(1) It is a violation for any person responsible for the manufacture, packaging or distribution of hemp items, or their employees, representatives or agents, to: ¶
(a) Fail to comply with any provision or commit a violation of 2024 Oregon Laws Chapter 16, Sections 11, 12, or 13 or these rules; or ¶
(b) Sell, transfer, or deliver to a consumer in this state a hemp item that is adulterated. ¶
(2) For each violation of a provision of 2024 Oregon Laws Chapter 16, Sections 11, 12, or 13, or these rules, the Commission may impose a civil penalty of up to $10,000 per violation. ¶
(a) Each violation of a provision of 2024 Oregon Laws Chapter 16, Sections 11, 12, or 13, or these rules is a separate violation. ¶
(b) Each unit of sale sold, offered for sale, transferred or delivered in violation of a rule or statute constitutes a separate violation. ¶
(c) Civil penalties are assessed as follows: ¶
(A) Except as provided in paragraphs (B) to (E) of this subsection, violations of OAR 845-026-6000 to 845-026-6120 will be assessed up to $500 per violation with an overall cap of $10,000 for all violations charged concurrently in a single notice. ¶
(B) Violations of OAR 845-026-6030(4) will be assessed up to $1,000 per violation with an overall cap of $50,000 for all violations charged concurrently in a single notice. ¶
(C) Knowing violations of OAR 845-026-6030(4) will be assessed up to $2,000 per violation with an overall cap of $100,000 for all violations charged concurrently in a single notice. ¶
(D) Notwithstanding paragraphs (A) to (C) of this subsection, the following are assessed up to $5,000 per violation with an overall cap of $500,000 for all violations that are charged concurrently in a single notice: ¶
(i) Violations that create a present or substantial likelihood of a threat to public health or safety. ¶
(ii) Violations of OAR 845-026-6120. ¶
(E) If a responsible party has within the previous two years been assessed a civil penalty for any violation of 2024 Oregon Laws Chapter 16, Sections 11, 12, or 13 or these rules, the Commission may assess the maximum of $5,000 per violation with an overall cap of double the overall cap amounts described in paragraphs (A) to (D) of this subsection for all violations charged concurrently in a single notice. ¶
(F) The Commission may consider mitigating or aggravating factors to assess a lesser or greater civil penalty. Mitigating factors may decrease the civil penalty but will not dismiss the violation. The Commission may decrease or increase a civil penalty to prevent inequity or to take account of particular circumstances in the case. ¶
(3) OAR chapter 845, division 3 applies to any contested case conducted relating to a matter under these rules.
Statutory/Other Authority: 2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 12, 2024 OL Ch. 16 Sec. 14a
Statutes/Other Implemented: 2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 12

ADOPT: 845-026-6120

RULE SUMMARY: This rule details embargo, seizure, and disposal of industrial hemp products that contain cannabinoids and are intended for human or animal consumption or use.

CHANGES TO RULE:

845-026-6120
Embargo, Seizure and Disposal
(1) If the Commission has reasonable cause to believe that any quantity or lot of hemp items that are intended for human consumption or use or animal consumption or use is sold, transferred, or delivered in violation of 2024 Oregon Laws Chapter 16, Sections 11 or 12 or these rules or is adulterated, the Commission may issue and enforce an order to immediately prohibit the disposal, distribution, or use in any manner of the quantity or lot. The Commission may require destruction of the hemp items in any manner if the violations are not cured. ¶
(2) The Commission may issue and enforce an order to immediately seize any quantity or lot of hemp items that are intended for human or animal consumption or use that do not comply with 2024 Oregon Laws Chapter 16, Sections 11 or 12, or these rules or is adulterated. The Commission may require destruction of the hemp items in any manner if the violations are not cured. ¶
(3) An order under section (1) or (2) of this rule shall be served on the person in possession or the owner of the quantity or lot. ¶
(4) An order under section (1) of this rule remains in effect until: ¶
(a) The violations contained in the order have been cured as determined by the Commission; ¶
(b) A contested case proceeding overturns the order or requires the withdrawal of the order; or ¶
(c) The hemp items are disposed in the manner provided by the Commission. ¶
(5) A person subject to an order prohibiting disposal, distribution, or use: ¶
(a) Must ensure that, without written permission from the Commission, the items subject to the order are: ¶
(A) Not removed from the location identified in the order; ¶
(B) Segregated and labeled as being subject to the order; and ¶
(C) Not subject to any processing or manufacturing processes. ¶
(b) Must immediately remove from locations readily visible and accessible to the public items subject to the order. ¶
(c) Shall take all reasonable steps to prevent theft or removal of the quantity or lot from the location identified in the notice of the action. ¶
(d) Is strictly liable for any violation of the order. ¶
(e) May submit a written request to move or take other action to preserve quantity or lot pending a contested case or appeal. The person may only take such action upon written permission from the Commission and subject to any requirements or restrictions imposed by the Commission. ¶
(6) Notwithstanding OAR 845-26-6110(2)(b), each unit of sale that does not comply with subsections (5)(a) to (c) of this rule constitutes a separate violation subject to a separate civil penalty.
Statutory/Other Authority: 2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 12, 2024 OL Ch. 16 Sec. 13, 2024 OL Ch. 16 Sec. 14, 2024 OL Ch. 16 Sec. 14a
Statutes/Other Implemented: 2024 OL Ch. 16 Sec. 11, 2024 OL Ch. 16 Sec. 12