



TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION

OLCC 2-2026

CHAPTER 845

OREGON LIQUOR AND CANNABIS COMMISSION

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ARCHIVES DIVISION SECRETARY OF STATE & LEGISLATIVE COUNSEL

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

EFFECTIVE DATE: 05/24/2026 THROUGH 11/19/2026

AGENCY APPROVED DATE: 05/21/2026

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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.

JUSTIFICATION OF TEMPORARY FILING:

1) Describe the specific consequences that result from the failure to immediately adopt, amend or suspend the rule(s): Failure to immediately amend this rule would result in direct and indirect financial costs to businesses applying to register hemp products and would expend state resources on unnecessary administrative processes.

The current rules allow a registration application with identified deficiencies to be resubmitted only once. If an application is resubmitted and any deficiencies remain, OLCC must deny the application and afford the applicant hearings rights under the procedures in ORS chapter 183. Preparing a notice of denial for each deficient resubmission will take substantial OLCC staff resources, including hours of work by the same staff who review new registration applications for approval and Administrative Hearings Division (AHD) staff that would process the denial.

As a result, an applicant who resubmits an application without adequately resolving all deficiencies will be required to pay a new application fee to submit a new application with a new application to continue pursuing the intended registration.

This process also indirectly affects other hemp registration applicants and other stakeholders who interact with OLCC staff who work with the hemp registry, related program areas, or AHD.

2) Who would suffer these consequences:

This will result in serious prejudice to the interests of three groups:

- Hemp registry applicants who need to pay additional fees to submit new applications.
- Other hemp registry applicants and other stakeholders whose applications take more time to process because OLCC staff resources are being used to prepare notices of denial.
- The public, who is best served when OLCC is able to use its resources efficiently and effectively in the interest of the public.

3) Why or how failure to immediately take rulemaking action would cause these consequences:

As of April 22, 2026, only 7.7% of hemp registration applications were complete and compliant with OLCC rules at the time of initial submission. The other 92.3% of applications were found to be deficient and require resubmission to correct the deficiencies. Of the deficient hemp registration applications that have been resubmitted, 54.5% still had identified deficiencies in the resubmission which require the application to be denied under the current rules.

4) How the temporary action will avoid or mitigate those consequences:

These amendments remove the requirement that OLCC deny an application after one unsuccessful resubmission and instead allow OLCC to optimize its use of resources and support stakeholders by continuing to work with applicants to correct any remaining deficiencies in their resubmitted applications if they chose to do so.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

OLCC - Rulemaking file (Available upon request)

AMEND: 845-026-6100

RULE TITLE: Hemp Item Registration Process

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.

RULE TEXT:

- (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 will 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;

(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 or the information in the application indicates that the sale of the hemp item is prohibited by 2024 Oregon Laws chapter 16, section 12;

(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 will notify the applicant of the deficiencies, and the applicant must correct the deficiencies and resubmit the application.

(b) If an application is resubmitted and is found deficient or the applicant fails to timely resubmit, the application will 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 allow

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: 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: ORS 475C.608, ORS 571.295, ORS 571.296