



NOTICE OF PROPOSED RULEMAKING INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 845

OREGON LIQUOR AND CANNABIS COMMISSION

FILED

09/25/2025 11:11 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Amend marijuana rules to implement 2025 legislation and make technical updates.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 10/31/2025 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: 10/21/2025

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: 900781754

SPECIAL INSTRUCTIONS:

Hearing details and Login information can be found here: <https://www.oregon.gov/olcc/Pages/rulemaking.aspx>

and here: https://www.oregon.gov/olcc/Pages/public_meetings.aspx

Please email OLCC.Rulemaking@olcc.oregon.gov for any questions about this rule package or to sign up to submit testimony.

NEED FOR THE RULE(S)

The Oregon Legislature passed legislation during the 2025 Oregon legislative session that requires agency rulemaking to implement:

- Senate Bill 162: Changes denial criteria related to proximity of retailers to schools by restoring the previous standard, which did not include pre-kindergarten and kindergarten-only locations. Implementation requires amendments to OARs 845-025-1115, 845-025-1180, 845-025-1230, and 845-025-2840.
- Senate Bill 558: Expands license privileges at trade shows, changes trade sample privileges, and expands producer transfer privileges. Implementation requires amendments to OARs 845-025-1330, 845-025-1335, 845-025-2020, 845-025-3215, and 845-025-7700 and repeal of OAR 845-025-1360

- Senate Bill 907: Requires notarized consent from the property owner where any producer or processor license is located at initial licensure and annually at renewal. Implementation requires amendments to OARs 845-025-1030, 845-025-1090, 845-025-1115, 845-025-1180, and 845-025-1190.

Additionally, OLCC is proposing to amend rules in OAR Chapter 845, division 25 to address technical issues, including:

- Clarifying how the OLCC and applicants and licensees communicate. This requires amendments to OARs 845-025-1135, 845-025-1145, and 845-025-8520.
- Removing the prohibition on multiple producer licenses under common ownership located on the same tax lot. This requires amendments to OARs 845-025-1115 and 845-025-1230.
- Revising timelines for applicants to complete the application process. This requires amendments to OAR 845-025-1135.
- Resolving sections with different penalties for the same violation. This requires amendments to OARs 845-025-1175 and 845-025-1300.
- Revising rules related to certificates of authority for trustees, receivers, personal representatives, or persons holding a security interest, including extending timelines for a personal representative of a deceased licensee operating a license. This requires amendments to OAR 845-025-1260.
- Allowing motion-activated camera systems. This requires amendments to OAR 845-025-1450.
- Clarifying what constitutes misleading potency on a label and formalizing requirements around listing a “target potency” on a label. This requires amendments to OARs 845-025-7000 and 845-025-7030.
- Removing the requirement to include address on label for certain products. This requires amendments to OAR 845-025-7120.
- Clarifying requirements for new transfer manifests that are split from a circular manifest. This requires amendments to OAR 845-025-7700.
- Extending the timeframe allowed for transporting marijuana. This requires amendments to OAR 845-025-7700.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

2025 Oregon Senate Bill 162 (2025 Oregon Laws Chapter 285)

2025 Oregon Senate Bill 558 (2025 Oregon Laws Chapter 225)

2025 Oregon Senate Bill 907 (2025 Oregon Laws Chapter 236)

OLCC rulemaking files (available upon request from the OLCC)

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

At this time, the Commission has no data to suggest that this rule will impact racial equity in the state. The rules predominantly focus on providing greater flexibility and privileges to licensees and applicants. While the changes apply to all licensees and applicants, some of these measures could be especially impactful for economically disadvantaged communities.

FISCAL AND ECONOMIC IMPACT:

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

(a) Marijuana licensees and applicants:

Overall, the Commission expects the proposed rule changes to generally have a small positive fiscal impact on marijuana licensees and applicants. Specifically, the following changes are expected to have a positive fiscal impact:

- The changes related to Senate Bill 162 allow retailers greater clarity and flexibility around where to locate a premises.
- The changes related to Senate Bill 558 expand license privileges and create additional opportunities for licensees to distribute products and educate retailer employees about their products.
- The changes removing the prohibition on producers under common ownership on the same tax lot allow producers the opportunity to increase efficiencies and potentially reduce labor and overhead costs.
- The changes allowing motion-activated camera systems allow licensees the possibility to save costs on data storage.
- The changes extend the timeframe allowed for licensees transporting marijuana.

Other changes are expected to have no fiscal impact or a negligible fiscal impact, including:

- Clarifying how licensees and applicants communicate with the Commission.
- Clarifying and resolving discrepancies in violation categories for certain activities.
- Clarifying certificates of authority and allowing additional time for a personal representative to operate a business on behalf of a deceased licensee.
- Clarifications related to labeling, including target potency on labels and place of address on labels for other cannabinoid products.
- Clarifying tracking requirements for manifests that are spun off from a circular manifest.

Only two changes have significant potential to have a negative fiscal impact on applicants and licensees:

- The changes related to Senate Bill 907 require producers and processors to have notarized consent from the property owner to produce or process marijuana before OLCC can issue or renew a license. If a producer or processor licensee is unable to obtain the required documentation, they will be unable to renew their license. This could ultimately lead to a business either ceasing operations or finding a new location.
- Revising timelines to complete the application process. If the applicant is unable to complete the application process in the specified timeframe but still intends to move forward with an application, they will need to pay a new application fee. This is a relatively small impact and only affects applicants that are unable to complete the application process in a timely manner.

(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. Considering the increased flexibility for licensees and distribution channels, these rules could result in some retailers carrying a greater variety of products.

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: As of September 18, 2025, there are approximately 2,670 active recreational marijuana licenses (producer, processor, wholesaler, laboratory, or retailer). The Commission estimates that 85% of these would qualify as small businesses.

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 negligible cost of compliance related to recordkeeping, professional services, and business practices to comply with the proposed rules. There are very minor proposed changes to recordkeeping requirements. Some changes reduce the recorded information, such as removing the requirement to record the name of the person who receives each trade sample. Other changes increase the recorded information, such as requiring some transfer manifests to include the manifest number of a related manifest from which they were created.

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

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 representatives of wholesaler, retailer, and producer licensees.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

RULES PROPOSED:

845-025-1030, 845-025-1090, 845-025-1115, 845-025-1135, 845-025-1145, 845-025-1175, 845-025-1180, 845-025-1190, 845-025-1230, 845-025-1260, 845-025-1300, 845-025-1330, 845-025-1335, 845-025-1360, 845-025-1450, 845-025-2020, 845-025-2800, 845-025-2840, 845-025-3215, 845-025-7000, 845-025-7030, 845-025-7120, 845-025-7700, 845-025-8520

AMEND: 845-025-1030

RULE SUMMARY: This rule describes the process and requirements for applying for a recreational marijuana license. The proposed amendments implement 2025 SB 907 by requiring notarized consent from the owner of the property where any producer or processor license is located.

CHANGES TO RULE:

845-025-1030

Application Process ¶¶

(1) A person may submit an application to the Commission, on a form prescribed by the Commission, for a marijuana producer, processor, wholesaler, retail, or laboratory license.¶¶

(2) An application for a license and all documentation required in the application instructions and any requirements of this rule must be submitted in a manner specified by the Commission. The application fee

specified in OAR 845-025-1060 must also be paid in a manner specified by the Commission.¶

(3) An application must include the following:¶

(a) The names and other required information for all individuals and legal entities who are applicants as described in OAR 845-025-1045.¶

(b) Any forms required by the Commission and any information identified in the form that is required to be submitted.¶

(c) A map or sketch of the premises proposed for licensure, including the defined boundaries of the premises, the location of any primary residence located on the same tax lot as the licensed premises, and a scaled floor or plot plan sketch of all enclosed areas with clear identification of walls, all areas of ingress and egress, and all limited access areas.¶

(d) An operating plan in a form prescribed by the Commission that demonstrates at a minimum, how the applicant's proposed premises and business will comply with the applicable laws and rules regarding:¶

(A) Security;¶

(B) Employee qualifications and training;¶

(C) Transportation of product;¶

(D) Preventing minors from entering the licensed premises; and¶

(E) Preventing minors from obtaining or attempting to obtain marijuana items.¶

(e) For producers:¶

(A) The proposed production tier and producer type as described in OAR 845-025-2040.¶

(B) A report describing the applicant's electricity and water usage, on a form prescribed by the Commission.¶

(i) For initial licensure, the report must describe the estimated electricity and water usage, taking into account all portions of the premises and expected requirements of the operation for the next twelve months.¶

(ii) For renewal, the report must describe the actual electricity and water usage for the previous year, taking into account all portions of the premises.¶

(C) An Oregon Water Resources Department (OWRD) Marijuana Producer Water Use Form showing the applicant has a legal source of water.¶

~~(D) If the applicant is not the owner of the premises proposed to be licensed~~For processors, on a form prescribed by the Commission, the proposed endorsements as described in OAR 845-025-3210.¶

~~(g) For producers or processors, documentation demonstrating that the owner of the premises consents to the use of the premises for producing or processing marijuana, including:¶~~

~~(A) A statement accurately identifying the legal address and owner of the proposed licensed premises.¶~~

~~(B) If the applicant is not the owner of the proposed licensed premises, a form, prescribed by the Commission, signed by bearing the owner of the premises that states the owner consents to the production of marijuana's written signature, witnessed by a notary public, confirming ownership of the property and consenting to the use of the premises.¶~~

~~(f) For processors, on a form for the purposes of producing or processing marijuana. In consenting to the use of the premises, the property owner may specify the number of annual license terms for which the consent remains valid.¶~~

~~(gh) For retailers, a certificate of tax compliance for each applicant as described in OAR 845-025-1045 that has been issued no earlier than 90 calendar days prior to the date the initial application is submitted.¶~~

(4) In addition to submitting the application form and the items described in section (3) of this rule, the Commission may require the following to be submitted:¶

(a) For applicants:¶

(A) Information or fingerprints in order to perform a criminal background check in accordance with OAR 845-025-1080.¶

(B) Any forms required by the Commission and any information identified in the form that is required to be submitted.¶

(b) The names and other required information for all individuals and legal entities with a financial interest in the business.¶

(c) For an individual identified as a person with a financial interest:¶

(A) Information or fingerprints for a criminal background check in accordance with OAR 845-025-1080; and¶

(B) Any forms required by the Commission and any information identified in the form that is required to be submitted.¶

(d) For a legal entity that is identified as having a financial interest:¶

(A) Information or fingerprints for any individual within the legal entity for a criminal background check in accordance with OAR 845-025-1080; and¶

(B) Any forms required by the Commission and any information identified in the form that is required to be submitted.¶

(e) Proof of the right to occupy the premises proposed for licensure.¶

(f) For producers:¶

(A) A designation of the proposed canopy area within the licensed premises.¶

(B) Proof that the applicant has a legal source of water as evidenced by documentation from the Oregon Water Resources Department (OWRD) that the source of water described on the completed OWRD Marijuana Producer Water Use Form does or does not require a water use permit or certificate from the OWRD and is intended for use in the cultivation of marijuana for commercial purposes.¶

(g) Any additional information if there is a reason to believe that the information is needed to determine the merits of the license application.¶

(5) Per Capita Criteria to Accept Marijuana License Applications.¶

(a) Beginning January 1, 2025, the Commission may only accept applications for a marijuana producer, processor, wholesaler, or retailer license if the conditions in subsection (b) of this section are met, based upon the ratio of active licenses for each license type to the population of Oregon residents 21 years of age or older. The Commission will request the population data source from the Oregon Population Forecast Program run by Population Research Center at Portland State University (Annual Population Report or APR) in April each year. ¶

(b) The Commission shall accept applications if the following conditions are met:¶

(A) For a production license under ORS 475C.065, there is not more than one active license per 7,500 Oregon residents who are 21 years of age or older.¶

(B) For a processor license under ORS 475C.085, there is not more than one active license per 12,500 Oregon residents who are 21 years of age or older.¶

(C) For a wholesale license under ORS 475C.093, there is not more than one active license per 12,500 Oregon residents who are 21 years of age or older.¶

(D) For a retail license under ORS 475C.097, there is not more than one active license per 7,500 Oregon residents who are 21 years of age or older.¶

(c) Within 15 days after receiving the APR, the Commission will determine if any of the per capita criteria described in subsection (b) of this section are met. The number of licenses will be determined using OLCC licensing data of the number of active marijuana licenses for each license type as of 12:01am Pacific Time on April 15 of that year.¶

(d) If the Commission finds the number of active licenses for any license type does not exceed the per capita criteria, the Commission will notify the public of:¶

(A) The type of marijuana license applications that will be accepted;¶

(B) The date the Commission will be accepting applications; and¶

(C) The form and manner to apply for a license.¶

(e) The Commission will notify the public when the agency is no longer accepting a type of license application because the applicable per capita criterion has been met.¶

(f) Exceptions. Applications for a laboratory license under ORS 475C.548 or a research certificate under ORS 475C.289 are not subject to the per capita criteria described in this section.¶

(g) For the purposes of this section, "active marijuana license" means an active license, a suspended license, or an expired license that is eligible to submit a renewal application under OAR 845-025-1190.¶

(6) The Commission must review an application to determine if it is complete. An application may be considered incomplete if an application form is not complete, the full application and license fee has not been paid, or some or all of the additional information required under these rules is not submitted.¶

(7) A producer or processor application may be considered incomplete if valid documentation is not submitted as described in subsection (3)(g) of this rule and in accordance with OAR 845-025-1135. ¶

(8) A retailer application may be considered incomplete if all certificates of tax compliance are not submitted as described in subsection (3)(gh) of this rule and in accordance with OAR 845-025-1135. ¶

(89) 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 to the applicant. The Commission shall give the applicants the opportunity to be heard if an application is rejected. A hearing under this section is not subject to the requirements for contested case proceedings under ORS 183.310 to 183.550.

Statutory/Other Authority: ORS 475C.017, ORS 475C.033, 2024 OL Ch. 16 Sec. 19, 2024 OL Ch. 16 Sec. 20, 2024 OL Ch. 16 Sec. 21, 2024 OL Ch. 16 Sec. 23, 2025 OL Ch. 236 Sec. 6

Statutes/Other Implemented: ORS 475C.033, 475C.037, 475C.049, 475C.065, 475C.085, 475C.093, 475C.097, 475C.548, 2024 OL Ch. 16 Sec. 19, 2024 OL Ch. 16 Sec. 20, 2024 OL Ch. 16 Sec. 21, 2025 OL Ch. 236 Sec. 6

RULE SUMMARY: This rule describes the application review process. The proposed amendments implement 2025 SB 907 by specifying that OLCC must independently verify the ownership of the real property where a producer or processor is located.

CHANGES TO RULE:

845-025-1090

Application Review ¶

(1) Once the Commission has determined that an application is complete it must review the application to determine compliance with ORS Chapter 475C and these rules. ¶

(2) The Commission: ¶

(a) Must receive a land use compatibility statement from the city or county that authorizes land use in the city or county in which the applicant's proposed premises is located prior to acting on an application for a new license, a change to a larger producer canopy designation, a change to producer cultivation method designation or change in processor endorsement type. ¶

(b) May, in its discretion, prior to acting on an application: ¶

(A) Contact any applicant or individual with a financial interest and request additional documentation or information; and ¶

(B) Verify any information submitted by the applicant. ¶

(c) Must, for a producer or processor application, independently verify the ownership of the real property for any premises licensed or proposed to be licensed as a marijuana producer or marijuana processor in accordance with OAR 845-025-1030(3)(g) or 845-025-1190(10). ¶

(3) The requirements of section (2)(a) of this rule do not apply to applicants for a producer license if the applicant demonstrates in a form and manner specified by the Commission that: ¶

(a) The applicant is applying for a license at an address where a marijuana grow site registered under ORS 475C.792 is located; ¶

(b) The address is outside of city limits; ¶

(c) At least one person responsible for a marijuana grow site located at the address first registered with the Authority under ORS 475C.792 before January 1, 2015, and was registered with the Authority under ORS 475C.792 on the date on which the applicant submitted the application for a producer license; ¶

(d) Each person responsible for a marijuana grow site located at the address first registered with the Authority under ORS 475C.792 before February 1, 2016 and was registered with the Authority under ORS 475C.792 on the date on which the applicant submitted the application for a producer license; and ¶

(e) The applicant is applying for a mature marijuana plant grow canopy of: ¶

(A) 5,000 square feet or less, if the marijuana is produced outdoors; or ¶

(B) 1,250 square feet or less, if the marijuana is produced indoors. ¶

(4) For purposes of section (3) of this rule an applicant for a license under ORS 475C.065 is not required to demonstrate that: ¶

(a) At least one person responsible for a marijuana grow site located at the address for which the applicant is applying for a license was continuously registered with the Authority under ORS 475C.792 between January 1, 2015, and the date on which the applicant applies for a producer license; or ¶

(b) Each person responsible for a marijuana grow site located at the address for which the applicant is applying for a license has been continuously registered with the Authority under ORS 475C.792 between February 1, 2016, and the date on which the applicant applies for a producer license. ¶

(5) The Commission may require an inspection of the proposed premises prior to issuing a license. ¶

(6) If during an inspection as described in (5) of this rule, the Commission determines the applicant is not in compliance with these rules, the applicant will be provided with a notice of the failed inspection and the requirements that have not been met." ¶

(a) An applicant that fails an inspection will have 30 calendar days from the date the notice was sent to submit a written response that demonstrates the deficiencies have been corrected. ¶

(b) An applicant may request in writing one extension of the 30-day time limit in subsection (a) of this section, not to exceed 45 days. ¶

(7) If an applicant does not submit a timely plan of correction or if the plan of correction does not correct the deficiencies in a manner that would bring the applicant into compliance, the Commission may deny the application. ¶

(8) If the plan of correction appears, on its face, to correct the deficiencies, the Commission will schedule another

inspection.¶

(9) If an applicant fails a second inspection, the Commission may deny the application unless the applicant shows good cause for the Commission to perform additional inspections.

Statutory/Other Authority: ORS 475C.017, 475C.033

Statutes/Other Implemented: ORS 475C.037, 475C.049, 475C.053, 475C.069, 2025 OL Ch. 236 Sec. 6

AMEND: 845-025-1115

RULE SUMMARY: This rule describes the application denial process. The proposed amendments implement 2025 SB 162 by amending denial criteria related to schools, implement 2025 SB 907 by amending and establishing denial criteria related to property owner consent, and remove the denial criteria for producers under common ownership located on the same tax lot.

CHANGES TO RULE:

845-025-1115

Denial of Application ¶

(1) The Commission must deny an initial or renewal application if: ¶

(a) An applicant is under the age of 21. ¶

(b) The applicant's land use compatibility statement shows that the proposed land use is prohibited in the applicable zone, if a land use compatibility statement is required. ¶

(c) The proposed licensed premises is located: ¶

(A) Outside of the State of Oregon. ¶

(B) On federal property. ¶

(C) On reservation or tribal trust land of a federally recognized Indian tribe unless that tribe has entered into an agreement with the State of Oregon which allows licensing of recreational marijuana businesses. ¶

(d) The proposed licensed premises of a processor who has applied for an endorsement to process extracts is located in an area that is zoned exclusively for residential use. ¶

(e) The proposed licensed premises of a retail applicant is located: ¶

(A) Except as provided in ORS 475C.101, within 1,000 feet of: ¶

(i) A public elementary or secondary school for which attendance is compulsory under ORS 339.020; or ¶

(ii) A private or parochial elementary or secondary school, teaching children as described in ORS 339.030; or ¶

~~(iii) A building where a public prekindergarten or kindergarten program is provided by a school district or an education service district.~~ (1)(a). ¶

(B) In an area that is zoned exclusively for residential use. ¶

(f) The proposed licensed premises of a wholesaler applicant is in an area zoned exclusively for residential use. ¶

(g) A city or county has prohibited the license type for which the applicant is applying, in accordance with ORS 475C.950. ¶

(h) For a producer or processor application: ¶

(A) The Commission is not able to verify ownership of the proposed licensed premises; or ¶

(B) The documentation submitted by the applicant does not demonstrate that the owner of the premises consents to the use of the premises for producing or processing marijuana as required by OAR 845-025-1030(3)(g). ¶

(2) The Commission may deny an initial or renewal application, unless the applicant shows good cause to overcome the denial criteria, if the Commission has reasonable cause to believe that: ¶

(a) The applicant: ¶

(A) Is in the habit of using alcoholic beverages, habit-forming drugs, marijuana, or controlled substances to excess. ¶

(B) Has made false statements to the Commission. ¶

(C) Is incompetent or physically unable to carry on the management of the establishment proposed to be licensed. ¶

(D) Is not of good repute and moral character. ¶

(E) Does not have a good record of compliance with ORS 475C.005 to 475C.525 or these rules, prior to or after licensure, including but not limited to: ¶

(i) The giving away of marijuana items as a prize, premium or consideration for a lottery, contest, game of chance or skill, or competition of any kind, in violation of ORS 475C.333; ¶

(ii) Providing marijuana items to an individual without checking that the individual is 21 years of age or older; ¶

(iii) Unlicensed transfer of marijuana items for financial consideration; or ¶

(iv) Violations of local ordinances adopted under ORS 475C.449, pending or adjudicated by the local government that adopted the ordinance. ¶

(F) Does not have a good record of compliance with ORS chapter 471 or any rules adopted thereunder. ¶

(G) Is not possessed of or has not demonstrated financial responsibility sufficient to adequately meet the requirements of the business proposed to be licensed. ¶

(H) Is unable to understand the laws of this state related to marijuana or these rules. This may be demonstrated by violations documented by the Oregon Health Authority. ¶

- (I) For license renewal, has not submitted all fees, forms, documents, and information required to act on the renewal application within the time period prescribed by the Commission.¶
- (J) Has, or previously had, an unapproved ownership interest in a license issued by the Commission other than as provided in OAR 845-025-1165.¶
- (K) Has diverted marijuana to the interstate market or an illicit market or has diverted resources to a criminal enterprise.¶
- (L) Has introduced into the marijuana industry regulated under ORS 475C.005 to 475C.525 cannabinoids or marijuana not produced or processed by a licensee and not tracked in the system developed and maintained under ORS 475C.177.¶
- (M) Has operated as a hemp grower registered or licensed under ORS 571.281 and grown cannabis that was found to be presumptively marijuana under OAR 845-026-4100 or OAR 845-026-4110.¶
- (b) Any individual listed on the application has been convicted of violating a general or local law of this state or another state, or of violating a federal law, if the conviction is substantially related to the fitness and ability of the applicant to lawfully carry out activities under the license, except as specified in ORS 475C.037(3). The Commission may consider factors set forth in section (8) of this rule to determine if this refusal basis is supported or overcome.¶
- (c) Any applicant is not the legitimate owner of the business proposed to be licensed, or other persons have an ownership interest in the business have not been disclosed to the Commission.¶
- (d) Any portion of the premises of the business proposed to be licensed overlaps or would overlap with a portion of:¶
 - (A) An area licensed under ORS chapter 471 or a portion of any area operated or controlled by a retail liquor agent appointed by the Commission;¶
 - (B) The premises of any other producer, retailer, processor, wholesaler, or laboratory license, unless the licenses are of different types and all of the licenses at the location are held or sought by identical applicants; or¶
 - (C) An area licensed under ORS 475A.290 as a psilocybin manufacturer or an area licensed under 475A.305 as a psilocybin service center.¶
- (e) The location proposed to be licensed is prohibited under OAR 845-025-1230.¶¶
- ~~(f) The proposed licensed premises of a producer applicant is on the same tax lot as another producer licensee under common ownership.¶~~
- ~~(g)~~ (f) The proposed licensed premises of a producer is located on the same tax lot as a site registered with Oregon Department of Agriculture for the production of industrial hemp, unless the applicant submits and the Commission approves a control plan describing how the registered site shall be separated from the premises proposed to be licensed and how the applicant shall prevent transfer of industrial hemp to the licensed premises.¶
- ~~(h)~~ (g) The applicant does not have access to the proposed or licensed premises. The Commission may consider it good cause for a renewal application when the licensee loses access to the licensed premises 90 days prior to expiration.¶
- ~~(i)~~ (h) The proposed licensed premises of the producer applicant is on the same tax lot as another producer licensee and the presence of multiple producers on the same tax lot creates a risk of non-compliance with any of these rules.¶
- (j) The applicant is a business entity that is required to be registered with the Oregon Secretary of State but has failed to register.¶
- (3) The Commission may refuse to issue a license to any license applicant or refuse to renew the license of any licensee or laboratory licensee when conditions exist in relation to any person having a financial interest in the business or in the place of business which would constitute grounds for refusing to issue a license or for revocation or suspension of a license if such person were the license applicant, licensee, or laboratory licensee.¶
- (4)(a) The Commission may deny any initial or renewal application and may revoke any license if medical marijuana items are produced, processed, stored, sold, or transported, to or from the same location or address of the licensed business or business proposed to be licensed.¶
- (b) The Commission will not deny an initial application under this section if:¶
 - (A) The applicant surrenders any registration issued by the Authority for the address or location of the business proposed to be licensed;¶
 - (B) If applicable, the applicant notifies all other growers registered by the Authority at the location or address proposed to be licensed, in a form and manner prescribed by the Commission, that the grower is no longer permitted to produce medical marijuana at the location or address proposed to be licensed, and must surrender their registration at that location or address; and¶
 - (C) All medical marijuana activity at the location or address proposed to be licensed ceases prior to being issued an OLCC license.¶
- (5) If the Commission denies an application because an applicant submitted false or misleading information to the

Commission, the Commission may prohibit the applicant from re-applying for five years.¶

(6) The Commission may revoke or refuse to renew a license for any of the reasons that it may deny a license.¶

(7) A notice of denial must be issued in accordance with ORS 183.¶

(8) Factors that may support or overcome license denial pursuant to subsection (2)(b) of this rule. These factors may have occurred before or after the incident or incidents that are relevant to the specific criterion. The factors may be weighed in favor of the applicant, weighed against the applicant, or weighed neither for nor against the applicant.¶

(a) Definitions. For purposes of this section:¶

(A) "Administrative violation" means an administrative agency has taken a final action finding that an individual, or a legal entity that the individual is part of, violated a regulation of that administrative agency.¶

(B) "Compliance risk factors" means factors that show the individual's tendency to disobey laws, rules, and regulations; including but not limited to probation and parole violations, non-relevant convictions, and administrative violations.¶

(C) "Relevant conviction" means a conviction, other than those listed in ORS 475C.037(3), that involved violence or the threat of violence; dishonesty or deception; drugs, alcohol, or other regulated substances; or a conviction as a felon in possession of a weapon.¶

(D) "Successful treatment" means:¶

(i) The Commission receives written confirmation from the individual's licensed treatment provider that the individual completed treatment that is related to a relevant conviction and the Commission has determined that the individual has not had another conviction for a similar incident since the completion of the treatment; or¶

(ii) The individual is still in a treatment program that is related to a relevant conviction; however, the Commission receives written confirmation from the individual's licensed treatment provider that the individual has demonstrated sufficient success towards stopping the behavior that led to the conviction and the Commission has determined that the individual has not had another conviction for a similar incident since the date the provider determined that the individual demonstrated sufficient success towards stopping the behavior that led to the conviction.¶

(b) Upon the Commission's determination that a basis to refuse the application has been established under this criterion, the Commission may consider the following factors and may consider other factors, depending on the facts of the case:¶

(A) Passage of time, whichever date is later:¶

(i) Since the date of the most recent incident that led to a relevant conviction, but not counting time spent incarcerated or other factors the Commission determines affect the passage of time; or¶

(ii) Since the date of the most recent compliance risk factor, but not counting time spent incarcerated or other factors the Commission determines affect the passage of time.¶

(B) Compliance risk factors.¶

(C) Successful treatment.¶

(D) The severity of the individual's relevant conviction record as shown by the number of convictions, whether a conviction was a felony or non-felony, and whether a conviction involved violence or the manufacture or delivery of controlled substances.¶

(E) The individual's record of compliance with the Commission.

Statutory/Other Authority: ORS 475C.017

Statutes/Other Implemented: ORS 475C.033, 475C.037, 475C.053, 475C.065, 475C.085, 475C.093, 475C.097, 475C.189, 475C.548, 475C.950, 2025 OL Ch. 236 Sec. 6

RULE SUMMARY: This rule describes application processing deadlines. The proposed amendments revise the time allowed before an application that has not completed the licensing process is incomplete.

CHANGES TO RULE:

845-025-1135

Application Processing Deadlines

(1) For the purposes of this rule, "complete the application process" means an applicant has submitted all fees, forms, documents, and information required under OAR 845-025-1030 that are necessary to act on an application and the proposed premises meets all of the security requirements described in OAR 845-025-1400 to 845-025-1470. Completing the application process does not include timeframes described in OAR 845-025-1090(56) to correct deficiencies discovered during a pre-licensing inspection.¶

(2) Assigned Applications.¶

(a) For applications submitted on and after October 1, 2025: ¶

(A) An applicant that has an application assigned to a Commission staff member must complete the application process within 60 calendar days of the Commission notifying the applicant that the application has been assigned.¶

(B) If the applicant does not complete the application process within 60 calendar days, the application will be unassigned and placed on hold as described in subsection (3)(a) of this rule.¶

(C) If the Commission discovers a potential basis to deny the license that requires further investigation or otherwise has a basis to delay processing, approving or denying an application pursuant to ORS 475C.049(2), the applicant is not subject to the deadline described in subsection (a) of this section. The Commission will communicate any new deadlines to the applicant.¶

(b) For applications received prior to October 1, 2025: ¶
(A) An applicant that has an application assigned to a Commission staff member must complete the application process within 60 calendar days of the Commission notifying the applicant that the application has been assigned.¶

(B) If the applicant does not complete the application process within 60 calendar days, the application will be unassigned and placed on hold as described in paragraph (D) of this subsection.¶
(C) If the Commission discovers a potential basis to deny the license that requires further investigation, the applicant is not subject to the deadline described in subsection (a) of this section. The Commission will communicate any new deadlines to the applicant in writing.¶

(3D) Applications on Hold.¶
(a) If an applicant is unable to complete the application process in the initial 60 calendar days after the application is assigned as described in subsection paragraph (2)(ab)(A) of this rule, the application will be unassigned and placed on hold.¶

(b)ii) Applications placed on hold will not be processed until the application is reassigned to a Commission staff member.¶
(c)iii) Once the Commission has reassigned the application to a Commission staff member, the applicant must complete the application process within a final 60-calendar-day period. If the applicant does not complete the application process within 60 calendar days, the application is incomplete as described in section (64) of this rule.¶

(43) Approved Applications. An applicant whose application has been approved by the Commission will have 30 calendar days after the application is approved to complete payment of the license fee described in OAR 845-025-1060. If payment is not received within 30 calendar days of application approval, the application is incomplete as described in section (54) of this rule.¶

(54) Incomplete Applications. The Commission will inactivate an incomplete application by placing the application into a withdrawn status in its licensing system.¶
(a) An applicant will be notified in writing as described in section (76) of this rule that its application is incomplete and has been inactivated by the Commission.¶
(b) 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 calendar days of the date the incomplete notice was sent or transmitted pursuant to section (76) of this rule. The Commission may give the applicant the opportunity to be heard if an application is inactivated. A hearing under this subsection is not subject to the requirements for contested case proceedings under ORS 183.310 to 183.550.¶

(65) The Commission may place an assigned application on hold to balance staff resources. When this occurs, the Commission will notify the applicant of the status change in writing and will provide the application with a new

deadline for completion of the application.¶

~~(76)~~ The Commission will communicate deadlines and changes in application status under this rule by e-mail to the contact e-mail identified on the application, ~~unless an applicant makes a written request that any deadline communications be sent by regular mail. Upon such a request, the Commission will mail communications to an applicant's mailing address identifi~~or through the online platform maintained only by the applicat~~Commission.~~

Statutory/Other Authority: ORS 475C.017

Statutes/Other Implemented: ORS 475C.065, 475C.085, 475C.093, 475C.097

AMEND: 845-025-1145

RULE SUMMARY: This rule describes the form and manner in which OLCC receives communications from an applicant or licensee. The proposed amendments specify that the online platform maintained by OLCC is the primary method for applicants and licensees to submit information.

CHANGES TO RULE:

845-025-1145

Communication ~~W~~with Commission ¶¶

(1) If an applicant or licensee is required to or elects to submit anything in writing to the Commission, unless otherwise prescribed by the Commission, the online platform maintained by the Commission is the primary method for communication. ¶¶

(2) If an applicant or licensee is unable to submit the writing through the online platform maintained by the Commission, the applicant or licensee may submit the writing to the Commission via: ¶¶

(a) E-mail; ¶¶

(b) Mail; or ¶¶

(~~b~~c) In-person delivery; ¶¶

(c) Facsimile; or ¶¶

(d) E-mail. ¶¶

(~~2.~~ ¶¶

(3) If a written notification must be submitted by a particular deadline it must be received, regardless of the method used to submit the writing written notification, by 5:00 p.m. Pacific Time.

Statutory/Other Authority: ORS 475C.017

Statutes/Other Implemented: ORS 475C.017

AMEND: 845-025-1175

RULE SUMMARY: This rule details requirements for making changes to a licensed premises. The proposed amendments clarify that making a change is a Category I violation if the change has been denied by OLCC, or if a change that would result in denial of an initial or renewal application is made without prior approval.

CHANGES TO RULE:

845-025-1175

Changing, Altering, or Modifying Licensed Premises ¶¶

(1) The Commission issues licenses with the expectation that the licensee will operate the business as proposed at the time of licensing. A licensee may not make any physical changes to the licensed premises that materially or substantially alter the licensed premises or the usage of the licensed premises from the plans originally approved by the Commission without the Commission's prior written approval. ¶

(2) A licensee who intends to make any material or substantial changes to the licensed premises must submit a form prescribed by the Commission, and submit any information identified in the form to be submitted, to the Commission, prior to making any such changes. ¶

(3) The Commission must review the form and other information submitted under section (2) of this rule, and will approve the changes if the changes would not result in an initial or renewal application denial under OAR 845-025-1115. ¶

(4) If the Commission denies the change the licensee must not make the proposed changes. ~~If the licensee makes the proposed changes, the licensee must surrender the license or the Commission will propose to suspend or revoke the license.~~ ¶

(5) If the Commission approves the change, the Commission may require a site inspection of the changed area and a modification of the licensee's security plan prior to the licensee exercising any license privileges. ¶

(6) For purposes of this rule a material or substantial change requiring approval includes, but is not limited to: ¶

(a) Any increase or decrease in the total physical size or capacity of the licensed premises; ¶

(b) The sealing off, creation of, or relocation of a common entryway, doorway, passage, or other such means of public ingress or egress, when such common entryway, doorway, or passage alters or changes limited access areas, such as the areas in which cultivation, harvesting, processing, or sale of marijuana items occurs within the licensed premises; ¶

(c) Any physical change that would require the installation of additional video surveillance cameras or a change in the security system; or ¶

(d) Any addition or change of location of a primary residence located on the same tax lot as a licensed premises. ¶

(7) Violations. ¶

(a) A violation of section (4) of this rule is a Category I violation. ¶

(b) A violation of section (1) of this rule is a Category I violation if a licensee makes a material or substantial change as described in section (6) of this rule before seeking or receiving Commission approval and the physical change would result in an initial or renewal application denial under OAR 845-025-1115. ¶

(c) All other violations of this rule are Category III violations.

Statutory/Other Authority: ORS 475C.017

Statutes/Other Implemented: ORS 475C.065, 475C.085, 475C.093, 475C.097, 475C.548

RULE SUMMARY: This rule details requirements for changing the location of a licensed premises. The proposed amendments implement 2025 SB 162 by adjusting language related to schools, implement 2025 SB 907 by including property owner consent requirements for producers and processors, and clarify that exercising license privileges at an unlicensed location is a Category I violation.

CHANGES TO RULE:

845-025-1180

Change of Location

- (1) For the purposes of this rule, "change of location" means a transfer of a license or laboratory license from the premises for which the license or laboratory license is currently issued to another premises that does not include any part of the premises for which the license or laboratory license is currently issued.¶
- (2) To request a change of location, a licensee or laboratory licensee must submit:¶
 - (a) A change of location request form as prescribed by the Commission;¶
 - (b) A Land Use Compatibility Statement for the new proposed location from the city or county that authorizes land use for that location;¶
 - (c) For a producer or processor, documentation demonstrating that the owner of the premises consents to the use of the premises for producing or processing marijuana as described in OAR 845-025-1030(3)(g);¶
 - (d) Any additional forms, documents, and information identified in the form to be submitted to the Commission;¶
 - ~~(de)~~ Additional information requested by the Commission if there is a reason to believe that the information is needed to determine the merits of the change of location request; and¶
 - (ef) The fee specified in OAR 845-025-1060.¶
- (3) A licensee or laboratory licensee who requests a change of location does not need to submit information and fingerprints required for a criminal background check if there are no changes to the individuals listed on the initial application.¶
- (4) If a licensee or laboratory licensee loses access to the licensed premises, the Commission may allow the licensee or laboratory licensee to change location if:¶
 - (a) The licensee or laboratory licensee submits ~~written~~ notice, in a form and manner prescribed by the Commission, at least 15 days in advance of losing access;¶
 - (b) The licensee or laboratory licensee removes all marijuana items from the licensed premises in compliance with ORS chapter 475C and these rules prior to losing access;¶
 - (c) The licensee or laboratory licensee is not under investigation for suspected violations of any provision of ORS chapter 475C or these rules and does not have pending administrative violations;¶
 - (d) The licensee or laboratory licensee supplies documentation showing legal access to a new proposed location within 90 days of losing access to the licensed premises; and¶
 - (e) The licensee or laboratory licensee submits a Land Use Compatibility Statement for the new proposed location from the city or county that authorizes land use for that location and the use is not prohibited.¶
- (5) The licensee or laboratory licensee may not begin engaging in activities that require a license in the new location prior to the Commission approving a change of location request.¶
- (6) The Commission shall review a change of location request to determine if it is complete. A request may be considered incomplete if an application form is not complete, the fee specified in OAR 845-025-1060 has not been paid, or some or all of the additional information required under these rules is not submitted.¶
 - (a) The licensee or laboratory licensee will be notified in writing that its request is incomplete and has been inactivated by the Commission.¶
 - (b) The licensee or laboratory licensee may submit a written request for reconsideration of a decision that a change of location request is incomplete. Such a request must be received by the Commission within 10 calendar days of the date the incomplete notice was sent or transmitted to the licensee or laboratory licensee. The Commission may give the licensee or laboratory licensee the opportunity to be heard if change of location request is inactivated. A hearing under this subsection is not subject to the requirements for contested case proceedings under ORS 183.310 to 183.550.¶
- (7) The Commission may deny a change of location request for any of the reasons that it may deny a license under OAR 845-025-1115. If the Commission denies a change of location request, the licensee or laboratory licensee has a right to a hearing under the procedures of ORS chapter 183.¶
- (8) The Commission will refuse to process a change of location request submitted by:¶
 - (a) A person other than the licensee, laboratory licensee, or licensee representative of the licensed business for which the change of ownership is proposed; or¶
 - (b) A business that is not currently licensed.¶

(9) The Commission may allow a marijuana retailer to change its location if, after issuing the license, the Commission becomes aware that a school ~~or a building where a public prekindergarten or kindergarten program is provided by a school district or an education service district~~ that was established prior to issuance of the license is located within 1,000 feet of the retailer's premises. The retailer must submit a change of location request as described in this rule. ¶

(10) Violations. ¶

(a) A violation of section (5) of this rule is a Category I violation. ¶

(b) All other violations of this rule are Category II violations.

Statutory/Other Authority: ORS 475C.017

Statutes/Other Implemented: ORS 475C.037, 475C.045, 475C.105, 475C.548, 2022~~5~~ OL Ch. ~~117~~236 Sec. ~~36~~

AMEND: 845-025-1190

RULE SUMMARY: This rule details license renewals. The proposed amendments implement 2025 SB 907 by requiring notarized consent from the owner of the property where any producer or processor license is located.

CHANGES TO RULE:

845-025-1190

License Renewal ¶¶

- (1) A licensee must annually submit a renewal application and the applicable fees regardless of whether the Commission has acted on a previous renewal application. A research certificate holder must submit a renewal application and the applicable renewal fees every three years, regardless of whether the Commission has acted on a previous renewal application. ¶¶
- (2) For purposes of this rule "license expiration date" means: ¶¶
 - (a) The date of expiration on a license; or ¶¶
 - (b) If the Commission has not acted on a pending license renewal application, the date the pending license would expire if the application had been approved. ¶¶
- (3) Except as described in sections (9) or (10) of this rule, a licensee who annually and timely submits a renewal application as described in section (8) of this rule on or before the license expiration date may continue to operate, pending a decision by the Commission. ¶¶
- (4) A licensee who fails to annually and timely submit a renewal application as described in section (8) of this rule on or before the license expiration date must stop engaging in any licensed activity when the license expires. ¶¶
- (5) Except as described in section (9) of this rule, if a licensee annually submits a renewal application as described in section (8) of this rule within 30 days after the license expiration date, the licensee may resume operation pending a decision by the Commission on the renewal application. ¶¶
- (6) The Commission will not accept a renewal application that is received more than 30 days after the license expiration date. In this circumstance, a person: ¶¶
 - (a) May submit a new application, including the application fee, license fee, documents, and information required by the Commission; and ¶¶
 - (b) Must not engage in any licensed activity unless and until granted a new license by the Commission. ¶¶
- (7) A person who engages in any activity that would require a license but who is not licensed or who is not otherwise authorized to operate under this rule may be subject to administrative and criminal sanctions. ¶¶
- (8) For purposes of this rule, in order for a renewal application to be considered submitted all of the following must be received by the Commission: ¶¶
 - (a) A fully completed renewal application signed by an applicant; and ¶¶
 - (b) The appropriate renewal application and license and renewal fees described in OAR 845-025-1060 and 845-025-1070. ¶¶
- (9) Certificates of tax compliance. ¶¶
 - (a) A retailer licensee that submits a renewal application must also submit a certificate of tax compliance issued no earlier than 90 calendar days prior to the expiration date listed on the current license certificate for each applicant as that term is described in OAR 845-025-1045. ¶¶
 - (b) Temporary ~~E~~extensions. ¶¶
 - (A) A retailer licensee that has submitted a renewal application but has not submitted all certificates of tax compliance may continue to operate no more than 90 calendar days following the expiration date listed on the current license certificate, pending a decision by the Commission unless the Commission grants additional extensions under ~~subsection (9)(b)(B) of this rule~~ paragraph (B) of this subsection. ¶¶
 - (B) A retailer licensee may request additional time to obtain all required certificates of tax compliance, which the Commission will consider on a case-by-case basis. The request must be made in writing and made at least seven calendar days prior to the expiration of the timeframe set forth in ~~(9)(b) paragraph (A) of this rule~~ subsection (A) of this rule, and must include, at a minimum documentation that: ¶¶
 - (i) Verifies the retailer licensee has corresponded promptly and accurately to all the requests made by the Department of Revenue; ¶¶
 - (ii) Explains the reasons the retailer licensee has not obtained all certificates of compliance prior to expiration of the timeframe set forth in this subsection; and ¶¶
 - (iii) Substantiates that the retail licensee is compliant with all marijuana tax payments due to the Department of Revenue at the time of the request. ¶¶
 - (c) Unless granted an extension under ~~subsection (9)(b)(B) of this rule~~, if a retailer licensee fails to provide all certificates of tax compliance paragraph (9)(b)(B) of this rule, if a retailer licensee fails to provide all certificates of tax compliance as required under this rule within 90 calendar days of the expiration date listed on the current

license certificate, the Commission shall consider the renewal application to be incomplete and the license to be expired as of the expiration date listed on the current license certificate. The Commission shall notify the applicant in writing that the application is incomplete. ¶

(d) For the purposes of this section, if the Commission has not acted on the retailer licensee's previous renewal application, "the expiration date listed on the current license certificate" means the license expiration date prior to the submission of the most recent renewal application. ¶

(10) Property owner informed consent. ¶

(a) A producer or processor licensee that submits a renewal application must also submit documentation demonstrating that the owner of the premises consents to the use of the premises for producing or processing marijuana as described in OAR 845-025-1030(3)(g). A licensee is exempt from this requirement if: ¶

(A) The property owner previously specified that their consent remained valid for the license term for which the licensee is submitting the renewal application in the manner specified in OAR 845-025-1030(3)(g)(B); and ¶

(B) The ownership of the property has not changed since the consent documentation was verified. ¶

(b) Temporary extensions. ¶

(A) A producer or processor licensee that has submitted a renewal application but has not submitted the property owner consent documentation required by subsection (a) of this section may continue to operate no more than 90 calendar days following the expiration date listed on the current license certificate, pending a decision by the Commission unless the Commission grants additional extensions under paragraph (B) of this subsection. ¶

(B) A producer or processor licensee may request additional time to obtain the property owner consent documentation required by subsection (a) of this section, which the Commission will consider on a case-by-case basis. The request must be made in writing and made at least seven calendar days prior to the expiration of the timeframe set forth in paragraph (A) of this section, and must include, at a minimum documentation that: ¶

(i) Verifies the producer or processor licensee has requested consent from the property owner; and ¶

(ii) Explains the reasons the producer or processor licensee has not obtained the required documentation of property owner consent. ¶

(c) Unless granted an extension under paragraph (10)(b)(B) of this rule, if a producer or processor licensee fails to provide the property owner consent documentation as required under this rule within 90 calendar days of the expiration date listed on the current license certificate, the Commission shall consider the renewal application to be incomplete and the license to be expired as of the expiration date listed on the current license certificate. The Commission shall notify the applicant in writing that the application is incomplete. ¶

(d) For the purposes of this section, if the Commission has not acted on the ~~retailer~~producer or processor licensee's previous renewal application, "the expiration date listed on the current license certificate" means the license expiration date prior to the submission of the most recent renewal application. ¶

(101) The Commission may require a licensee with a pending renewal application to submit forms, documents, and information described in OAR 845-025-1030 in order to complete an investigation of a renewal application. Failure to submit fees, forms, documents or information requested by the Commission under this section within a time period prescribed by the Commission may result in denial of the renewal application. ¶

(142) If the Commission approves a renewal application, the Commission must notify the licensee in writing that the renewal application has been approved and provide the licensee with proof of licensure that includes a unique license number, the effective date of the license, date of expiration, and a description of premises for which the license was issued. The renewed license is effective for a license year beginning the date following the license expiration date for the previous license year. ¶

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

(134) Except as provided in OAR 845-025-1060-(6), the Commission will refund a renewal license fee to an applicant whose application is not timely submitted and whose license expires, within 180 calendar days of when the license renewal fee was paid.

Statutory/Other Authority: ORS 475C.017, 475C.065, 475C.085, 475C.093, 475C.097, 475C.548, 2025 OL Ch. 236 Sec. 6

Statutes/Other Implemented: ORS 475C.033

AMEND: 845-025-1230

RULE SUMMARY: This rule details licensed premises restrictions and requirements. The proposed amendments implement 2025 SB 162 by adjusting language related to schools and remove the prohibition on producers under common ownership being located on the same tax lot.

CHANGES TO RULE:

845-025-1230

Licensed Premises Restrictions and Requirements ¶¶

(1) A licensed premises may not be located: ¶¶

(a) On federal property; or ¶¶

(b) Such that any portion of the premises overlaps or would overlap any of the following: ¶¶

(A) A medical marijuana processing site registered under ORS 475C.815. ¶¶

(B) A medical marijuana dispensary registered under ORS 475C.833. ¶¶

(C) A liquor license licensed under ORS chapter 471. ¶¶

(D) A retail liquor agent appointed by the Commission. ¶¶

(E) A psilocybin manufacturer licensed under ORS 475A.290. ¶¶

(F) A psilocybin service center licensed under ORS 475A.305. ¶¶

(2) The licensed premises of a producer applicant may not be on: ¶¶

(a) Public land; ¶¶

~~(b) The same tax lot as another producer licensee under common ownership; or ¶¶~~

~~(c) The same physical location or address as a medical marijuana grow site registered under ORS 475C.792. ¶¶~~

(3) The licensed premises of a retailer may not be located: ¶¶

(a) Except as provided in ORS 475C.101, within 1,000 feet of: ¶¶

(A) A public elementary or secondary school for which attendance is compulsory under ORS 339.020; or ¶¶

(B) A private or parochial elementary or secondary school, teaching children as described in ORS 339.030; or ¶¶

~~(C) A building where a public prekindergarten or kindergarten program is provided by a school district or an education service district. ¶¶~~

(b) In an area that is zoned exclusively for residential use. ¶¶

(4) The licensed premises of a processor who has an endorsement to process extracts may not be located in an area that is zoned exclusively for residential use. ¶¶

(5) The licensed premises of a processor, wholesaler, laboratory, and retailer must be enclosed on all sides by permanent walls and doors. A processor, wholesaler, or laboratory licensee may be exempt from this requirement if the processor, wholesaler, or laboratory licensee can show in its security plan how the licensee will maintain security within an unenclosed area, and the Commission determines it does not present a risk to public health and safety. ¶¶

(6) A licensee may not permit: ¶¶

(a) Any minor to work or be on a licensed premises except as described in this rule; or ¶¶

(b) On-site consumption of a marijuana item, alcohol, or other intoxicant by any individual, except that a licensee representative who has a current registry identification card issued under ORS 475C.783 may consume marijuana during their work shift on the licensed premises as necessary for their medical condition, if the employee is alone, in a closed room and not visible to others outside the room. A licensee representative who consumes a marijuana item as permitted under this subsection may not be intoxicated while on duty. For purposes of this subsection allowable on-site consumption in an enclosed area, as that as defined in OAR 333-015-0030 does not include smoking, combusting, inhaling, vaporizing, or aerosolizing a marijuana item. ¶¶

(7) A licensee may permit a minor to be on the licensed premises, if the minor: ¶¶

(a) Has a legitimate business purpose for being on the licensed premises. For example, a minor plumber may be on the premises in order to make a repair; ¶¶

(b) Passes through the licensed area of an outdoor producer in order to reach an unlicensed area, so long as the minor is not present in areas that contain marijuana items; ¶¶

(c) Resides on the tax lot where a marijuana producer is licensed, so long as the minor is not present in areas of a producer's licensed premises that contain usable marijuana or cut and drying marijuana plants; or ¶¶

(d) Is a current Oregon Medical Marijuana Program cardholder or designated primary caregiver and is over 18 years of age. ¶¶

(8) A licensee must clearly identify all limited access areas in accordance with OAR 845-025-1245. ¶¶

(9) Log. A licensee must keep a daily log of all employees and permitted visitors who perform work on the licensed premises, except for Commission employees and other state or local government officials acting in an official

capacity who have jurisdiction over some aspect of the licensed premises or operation.¶

(a) In CTS, a licensee must record the following information for each current employee and licensee representative:¶

(A) For an employee or licensee representative required to have a marijuana worker permit, the permit number and name of the individual as they appear on the marijuana worker permit.¶

(B) For an employee or licensee representative not required to have a marijuana worker permit, the name and date of birth of the individual as this information is displayed on valid government-issued ID.¶

(b) All employees and permitted visitors, present on the licensed premises must wear clothing or a badge issued by the licensee that easily identifies the individual as an employee or permitted visitors. A visitor badge is not required for government officials.¶

(c) All permitted visitors must be accompanied by a licensee representative at all times.¶

(d) On the daily log, a licensee must record the name and date of birth as this information is displayed on valid government-issued ID for every contractor who performs work on the licensed premises. If the contractor is licensed by the State of Oregon, the licensee must also record the contractor's license number.¶

(e) A licensee must maintain a copy of the daily log required by this rule for a period of at least 90 days.¶

(10) Permitted Visitors. The general public is not permitted in limited access areas on a licensed premises, except for the consumer sales area of a retailer. In addition to licensee representatives, the following visitors are permitted to be present in limited access areas on a licensed premises, subject to the requirements of this rule and other pertinent rules:¶

(a) Laboratory personnel, if the laboratory is licensed by the Commission;¶

(b) A contractor, vendor, or service provider authorized by a licensee representative to be on the licensed premises;¶

(c) Another licensee or that licensee's representative;¶

(d) Invited guests as defined in OAR 845-025-1015 subject to requirements of this rule; or¶

(e) Tour groups as permitted by this rule.¶

(11) Producer Tours. A marijuana producer or research certificate holder may offer tours of the licensed premises, including limited access areas, to the general public. All members of a tour group must sign in on the daily log.¶

(12) Nothing in this rule is intended to prevent or prohibit Commission employees or contractors, or other state or local government officials that have jurisdiction over some aspect of the licensed premises or licensee, from being on the licensed premises. When Commission employees identify themselves, these employees shall present Commission-issued identification while performing their job duties, but are not required to provide a date of birth or any form of identification listed ORS 475C.217.¶

(13) A licensee may not sublet any portion of a licensed premises.¶

(14) A licensed premises may receive marijuana items only from a marijuana producer, marijuana processor, or marijuana wholesaler for whom a premises has been licensed by the Commission or as otherwise provided by these rules.¶

(15) A licensed wholesaler, retailer, or producer who sells or handles food, as that term is defined in ORS 616.695, or cannabinoid edibles must also be licensed by the Oregon Department of Agriculture under ORS 616.706.¶

(16) If the proposed premises is located at the same address of any business or operation listed in section (1) of this rule or OAR 845-025-1115(2)(d), the Commission may require the licensee to designate within the license application an identifier separate from the address, such as a suite number, building number, or similar identifier, that differentiates the area of the licensed premises from other businesses or operations that share the address. This identifier is not required to be part of a valid United States Postal Service recognized address.¶

(17) Violations.¶

(a) A violation of section (6) of this rule is a Category III violation.¶

(b) A violation of subsection (9)(a) of this rule is a Category IV violation. All other violations of section (9) of this rule are Category V violations.

Statutory/Other Authority: ORS 475C.017, 475C.065, 475C.085, 475C.093, 475C.097, 475C.548

Statutes/Other Implemented: ORS 475C.001, 475C.085, 475C.093, 475C.097, 475C.225, 475C.317, 475C.377, 475C.548

AMEND: 845-025-1260

RULE SUMMARY: This rule provides standards for authority to operate a licensed business as a trustee, a receiver, a personal representative, or a secured party. The proposed amendments make technical adjustments to this authority and extend timelines for a personal representative of a deceased licensee operating a license.

CHANGES TO RULE:

845-025-1260

Standards for Authority to Operate a Licensed Business as a Trustee, a Receiver, a Personal Representative or a Secured Party ¶

(1) The Commission may issue a temporary authority to operate a licensed business to a trustee, the receiver of an insolvent or bankrupt licensed business, the personal representative of a deceased licensee, or a person holding a security interest in the business. The purpose of this authority is to provide for the operation of the licensed business for a reasonable period of time to allow orderly disposition of the business. ¶

(a) The trustee, receiver or personal representative must provide the Commission with the following information: ¶

(A) Proof that the person is the legal trustee, receiver or personal representative for the business; and ¶

(B) A written request for authority to operate as a trustee, receiver or personal representative, listing the address mailing address, e-mail address, and telephone number of the trustee, receiver or personal representative. ¶

(b) The secured party must provide the Commission with the following information: ¶

(A) Proof of a security interest in the licensed business; ¶

(B) Proof of the licensee's default on the secured debt; ¶

(C) Proof of legal access to the real property; and ¶

(D) A written request for authority to operate as a secured party listing the secured party's address mailing address, e-mail address, and telephone number. ¶

(2) The Commission may revoke or refuse to issue or extend authority for the trustee, receiver, personal representative, or secured party to operate: ¶

(a) If the trustee, receiver, personal representative or secured party does not propose to operate the business immediately or does not begin to operate the business immediately upon receiving the temporary authority; ¶

(b) For any of the reasons that the Commission may revoke or refuse to issue or renew a license; ¶

(c) If the trustee, receiver, personal representative or secured party operates the business in violation of ORS chapter 475C, or these rules; or ¶

(d) If a reasonable time for disposition of the business has elapsed. ¶

(3) No person or entity described in section (1) of this rule may operate the business until a certificate of authority has been issued under this rule, except that the personal representative of a deceased licensee may operate the business for up to 130 days after the death provided that the personal representative submits the information required in section (1)(a) of this rule and obtains a certificate of authority within that time period. ¶

(4) A certificate of authority under this rule is initially issued for a ~~may be issued at the Commission's discretion for a minimum duration of 60-day periods~~ and may be extended as reasonably necessary to allow for the disposition of the business.

Statutory/Other Authority: ORS 475C.017

Statutes/Other Implemented: ORS 475C.017

AMEND: 845-025-1300

RULE SUMMARY: This rule details licensee prohibitions. The amendment reduces the violation category for providing marijuana items to a visibly intoxicated person to match OAR 845-025-8520.

CHANGES TO RULE:

845-025-1300

Licensee Prohibitions ¶

(1) A licensee may not: ¶

(a) Import into this state or export from this state any marijuana items; ¶

(b) Give marijuana items as a prize, premium or consideration for a lottery, contest, game of chance or game of skill, or competition of any kind; ¶

(c) Sell, give, or otherwise make available any marijuana items or hemp items to any person who is visibly intoxicated; ¶

(d) Make false representations or statements to the Commission in order to induce or prevent action by the Commission; ¶

(e) Maintain a noisy, disorderly, or insanitary establishment; ¶

(f) Misrepresent any marijuana item to a customer or to the public; ¶

(g) Sell any marijuana item through a drive-up window; ¶

(h) Deliver or transfer marijuana items to any consumer off the licensed premises or to any unlicensed location except as permitted by OAR 845-025-2500, 845-025-2880, or 845-025-2885; ¶

(i) Sell or offer to sell a marijuana item that does not comply with the minimum standards prescribed by the statutory laws of this state; or ¶

(j) Use or allow the use of a mark or label on the container of a marijuana item that is kept for sale if the container does not precisely and clearly indicate the nature of the container's contents or in any way might deceive a customer as to the nature, composition, quantity, age, or quality of the marijuana item. ¶

(2) No licensee or licensee representative may be under the influence of intoxicants while on duty. ¶

(a) For purposes of this rule "on duty" means: ¶

(A) The beginning of a work shift that involves the handling or sale of marijuana items, checking identification or controlling conduct on the licensed premises, to the end of the shift including all breaks; ¶

(B) For an individual working outside a scheduled work shift, the performance of acts on behalf of the licensee that involve the handling or sale of marijuana items, checking identification, or controlling conduct on the licensed premises, if the individual has the authority to put themselves on duty; or ¶

(C) A work shift that includes supervising those who handle or sell marijuana items, check identification, or control the licensed premises. ¶

(b) Whether a person is paid or scheduled for work is not determinative of whether the person is considered "on duty" under this section. ¶

(3) Violations. ¶

(a) A violation of subsection (1)(a), (1)(d), (1)(f), or (1)(h) to (1)(j) of this rule is a Category I violation. ¶

(b) A violation of subsection ~~(1)(e)~~, (1)(e) or (1)(g) or section (2) of this rule is a Category II violation. ¶

(c) A violation of subsection (1)(b) or (1)(c) of this rule is a Category III violation.

Statutory/Other Authority: ORS 475C.017, 475C.065, 475C.085, 475C.093, 475C.097

Statutes/Other Implemented: ORS 475C.229, 475C.233, 475C.237, 475C.245, 475C.329, 475C.333

RULE SUMMARY: This rule details trade samples. The proposed amendments implement 2025 SB 558 by restructuring the framework for providing trade samples, amending the amounts of trade samples that can be provided, allowing producers to provide samples of immature marijuana plants and marijuana seeds to worker permit holders who perform work on their behalf, and includes samples previously considered "quality control samples" under OAR 845-025-1360 as a subset of trade samples.

CHANGES TO RULE:

845-025-1330

Trade Samples

(1) For the purposes of this rule, "cannabinoid product line" means cannabinoid products or hemp cannabinoid products that may differ by process lot.

(a) Has the meaning given that term in flavor, color, or total delta-9-THC concentration or total CBD concentration but may not differ by OAR 845-025-1015; and

(b) Means a production batch as that term in net quantity or any other characteristic.

(2) The following licensees and hemp certificate holders used in section 4 of 2025 Oregon Laws chapter 225:

(2) A marijuana producer, marijuana processor, marijuana wholesaler, or marijuana retailers may provide samples within the limits listed below to licensees for the purpose of determining whether to purchase the product.

(a) A producer may provide a sample of:

(A) Usable marijuana or kief to a marijuana producer, wholesaler, retailer, or processor licensee; or

(B) A cannabinoid product, cannabinoid extract, or of marijuana items and hemp items to a worker permit holder who performs work for or on behalf of the licensee.

(a) A licensee may provide up to the following amounts of samples for each worker permit holder:

(A) Five grams of usable marijuana or usable hemp per harvest lot per strain per month;

(B) Two grams of cannabinoid concentrates or hemp concentrates per process lot;

(C) Two grams of cannabinoid concentrate that was made using only marijuana produced by the producer to a marijuana processor, wholesaler, or retailer; extract or hemp extract per process lot; and

(D) One unit of packaged cannabinoid product or hemp cannabinoid product per process lot.

(b) Notwithstanding subsection (a) of this section:

(bA) A processor may provide a sample of:

(A) A cannabinoid product, concentrate, or extract to a worker permit holder who performs work for or on behalf of the producer:

(i) One ounce of usable marijuana producer, processor, wholesaler, or retailer; or

(B) A hemp concentrate, extract, or cannabinoid product to a marijuana processor, wholesaler, or retailer by the producer per harvest lot per strain.

(ii) Five grams of kief or cannabinoid concentrates processed by the producer per process lot.

(bB) A wholesale processor may provide a sample of usable marijuana, up to the following amounts of samples to a worker permit holder who performs work for or on behalf of the processor:

(i) Five grams of cannabinoid product, concentrate, or extract, or a hemp item, to a marijuana wholesaler, retailer, or hemp concentrates processed by the processor per process lot.

(ii) Five grams of cannabinoid extracts or hemp extracts processed by the processor licensee.

(d) A hemp handler certificate holder may provide a sample of a hemp item to a marijuana wholesaler, retailer, or per process lot.

(iii) Twelve individual units of sale of cannabinoid products or hemp cannabinoid products processed by the processor licensee per process lot.

(3c) The trade samples provided under this Notwithstanding subsection:

(a) May not be consumed or used and (b) of this section, a licensed premises;

(b) May not be sold to another licensee or consumer;

(c) Must be transported in compliance with OAR 845-025-7700; and worker permit holder may not receive an amount of samples in excess of the amounts described in ORS 475C.337.

(d3) Must be tested in accordance with OAR chapter 333, division 7.

(4) Trade Sample limits.

(a) A licensee is limited to providing the following aggregate amounts of trade samples to an individual recipient licensee in a calendar month period: In addition to the amounts described in section (2) of this rule, a producer may transfer to each worker permit holder who performs work for or on behalf of the producer up to:

(a) Four immature marijuana plants per month; and

(Ab) ~~Five grams per strain and no more than six strains of usable~~ Ten marijuana seeds per month. ¶

(4) ~~A marijuana producer, marijuana processor, marijuana retailer, marijuana or u~~ wholesale hemp; ¶

(B) ~~Five grams of cannabinoidr or hemp concentrates or extracts; and~~ ¶

(C) ~~Five units of sale per cannabinoid product line and no more than six individual cannabinoid product lines.~~ ¶

(b) ~~A wholesale licensee is limited to providing the following aggregate amounts of trade samples per originating licensee to an individual recipient licensee in a calendar month:~~ ¶

(A) ~~Five grams per strain and no more than six strains of usable marijuana or usable hemp;~~ ¶

(B) ~~Five grams of cannabinoid or hemp concentrates or extracts; and~~ ¶

(C) ~~Five u~~ n ~~ertificate holder may provide samples of marijuana items to another marijuana licensee described in section (2) of this rule for the purpose of the receiving licensee providing samples to worker permit holders as described in section (2) of this rule. The licensee may provide a quantitsy of sale per cannabinoid product line and no more than six individual cannabinoid product lin~~ mples in an amount proportional to the number of worker permit holders to whom the receiving licensee will provide the samples. ¶

(5) ~~Any sample given to a licensee~~ Labeling. ¶

(a) ~~Every trade sample provided to a licensee or worker permit holder shall have a label containing the following in any legible font that is at least one-sixteenth of an inch in height based on the lower case "o":~~ ¶

(aA) ~~A statement that reads: "TRADE SAMPLE NOT FOR RESALE" in bold, capital letters attached to the trade sample;~~ ¶

(bB) ~~The product identity;~~ ¶

(cC) ~~The UID; and~~ ¶

(dD) ~~The net weight or contents of the trade sample.~~ ¶

(b) ~~Notwithstanding subsection (a) of this section, a sample does not need to be labeled if the sample is:~~ ¶

(A) ~~Usable marijuana provided by the producer who harvested it to a worker permit holder who performs work for or on behalf of the producer who harvested it;~~ ¶

(B) ~~Immature marijuana plants or seeds as described in section (3) of this rule;~~ ¶

(C) ~~A cannabinoid concentrate provided by the producer or processor who processed it to a worker permit holder who performs work for or on behalf of the producer or processor who processed it; or~~ ¶

(D) ~~A cannabinoid extract or cannabinoid product provided by the processor who processed it to a worker permit holder who performs work for or on behalf of the processor who processed it;~~ ¶

(6) ~~Reconciliation in CTS.~~ ¶

(a) ~~When assigning and affixing the UID tag, a licensee or hemp certificate holder must designate samples as trade samples in CTS.~~ ¶

(b) ~~Notwithstanding OAR 845-025-7520(3), each cannabinoid product line intended as a trade sample must be assigned a single unique product line name in CTS and may be assigned a single UID tag.~~ ¶

(c) ~~Licensees accepting trade samples may provide their employees with~~ When providing a samples of a marijuana items or hemp items. ¶

(d) ~~When providing an employee a sample of a marijuana item or hemp item to a worker permit holder as described in section (2) of this rule, a licensee must record the following in CTS:~~ ¶

(A) ~~The reduction in quantity of the total weight or item count as applicable under the associated UID for the item;~~ ¶

(B) ~~The date and time the sample was provided to the employee;~~ worker permit holder; and ¶

(C) ~~The worker permit number of the employee~~ worker permit holder receiving the sample; and ¶

(D) ~~The name of the employee as it appears on their worker permit.~~ Nothing in these rules allows a worker permit holder to possess, in their personal capacity, marijuana items in excess of the amounts described in ORS 475C.337. ¶

(7) ~~Violations.~~ A violation of this rule is a Category III violation.

Statutory/Other Authority: ORS 475C.017, 475C.065, 475C.085, 475C.093, 475C.097

Statutes/Other Implemented: ORS 475C.017, 475C.065, 475C.085, 475C.093, 475C.097, 2025 OL Ch. 225 Sec. 4

RULE SUMMARY: This rule describes marijuana promotional events. The proposed amendments implement 2025 SB 558 by expanding license privileges at a promotional event to include transferring marijuana between licensees and providing trade samples to worker permit holders.

CHANGES TO RULE:

845-025-1335

Marijuana Promotional Events ¶¶

(1) Eligibility. ORS 475C.513 allows businesses licensed by the Commission under ORS 475C.005 to 475C.525 to transport marijuana items to and exhibit marijuana items at a trade show or similar event. This rule sets the qualifications and requirements for promotional events. ¶¶

(2) Definitions. ¶¶

(a) "Approved area" means the area approved by the Commission to display and store marijuana items. ¶¶

(b) "Event organizer" means a person licensed under ORS 475C.005 to 475C.525 who submits a promotional event application and serves as the primary contact with the Commission. ¶¶

(c) "Participating licensee" means a person licensed under ORS 475C.005 to 475C.525 who has been named as a participant in a promotional event application. ¶¶

(d) "Promotional event" means an event or trade show at which marijuana items are displayed. ¶¶

(3) Event Organizer. ¶¶

(a) One participating licensee listed on the application must be identified as the event organizer. Participating licensees and the event organizer may be charged with any violations of this rule. ¶¶

(b) Event Organizers must: ¶¶

(A) Receive approval from the Commission prior to the event date that specifies all approved participating licensees; ¶¶

(B) Update and maintain the application; ¶¶

(C) Verify that all participating licensees' manifests accurately reflect the marijuana items and hemp items that are transported to the promotional event; ¶¶

(D) Maintain a log of participating licensees' attendance; ¶¶

(E) Keep a copy of the approved application at the event; and ¶¶

(F) Be present or designate another license representative to be present during the event. ¶¶

(4) Promotional events may not be held: ¶¶

(a) At a location licensed under ORS 475C.005 to 475C.525 or 475C.548; or ¶¶

(b) In a city or county that has adopted an ordinance to prohibit recreational marijuana businesses. ¶¶

(5) Promotional events may be held at a location that holds a license under ORS 471, as long as no alcoholic beverages are stored or consumed within the approved area. ¶¶

(6) Approved promotional events are: ¶¶

(a) Allow participating licensees to display: ¶¶

(aA) Marijuana plants from the inventory of the participating licensee; ¶¶

(bB) Marijuana items from the inventory of the participating licensee; and ¶¶

(cC) Hemp items from the inventory of the participating licensee if received, processed, and otherwise in compliance with these rules. ¶¶

~~(7b) An event organizer or participating licensee may not:~~ allow participating licensees who are marijuana producers, marijuana processors, marijuana wholesalers, or marijuana retailers, to: ¶¶

(A) Transfer trade samples to another participating licensee or to an attending worker permittee in accordance with OAR 845-025-1330 and these rules. ¶¶

~~(aB) Display any marijuana items or hemp items not in~~ Receive trade samples from another participating licensee in accordance with these rules. ¶¶

~~(C) Transfer marijuana and marijuana items to another participating licensee's inventory;~~ ¶¶

~~(b) Sell, transfer or distribute~~ accordance with these rules. ¶¶

~~(D) Receive marijuana anyd marijuana items or hemp items at the promotional event;from another participating licensee in accordance with these rules. ¶¶~~

~~(7) An event organizer or participating licensee may not:~~ ¶¶

~~(eA) Distribute any samples of~~ play any marijuana items or hemp items not in the participating licensee's inventory; or ¶¶

~~(d) Allow consumption or use of alcohol, or marijuana items, or hemp items of any kind in the approved area. ¶¶~~

(8) Transportation and Possession. ¶¶

- (a) Participating licensees may not transport to or possess at the promotional event more than the following amounts:¶
- (A) ~~24~~5 pounds of usable marijuana;¶
 - (B) ~~4~~Four mature marijuana plants;¶
 - (C) ~~10~~Ten immature marijuana plants;¶
 - (D) 500 seeds, tracked by count in CTS;¶
 - (E) 16 ounces of cannabinoid products in solid form; or¶
 - ~~(F) 72 ounces concentrates or cannabinoid extracts.¶~~
 - ~~(F) 1,000 units of sale of cannabinoid products in liquid form.¶~~
- (b) All participating licensees must immediately return all marijuana items and hemp items to their licensed premises after the conclusion of the event.¶
- (9) Promotional event CTS requirements.¶
- (a) All marijuana items or hemp items must be tracked and tagged pursuant to CTS rule requirements.¶
 - (b) Each marijuana item or hemp item is required to have the item's associated UID tag affixed to the item or package.¶
 - (c) All participating licensees must generate a printed transport manifest in CTS that accompanies all marijuana items or hemp items for the duration of the promotional event that contains the following information:¶
- (A) The name, contact information of a licensee representative, licensed premises address and license number of the licensee transporting the marijuana items or hemp items;¶
 - (B) Product name and quantities (by weight or unit) of each marijuana item or hemp item contained in each transport, along with the UIDs for every item;¶
 - (C) The date of transport and approximate time of departure;¶
 - (D) Date and estimated time when the marijuana items or hemp items will be returned to the licensed premises at the conclusion of the promotional event; and¶
 - (E) Delivery vehicle make and model and license plate information.¶
- ~~(d; and ¶~~
- ~~(F) The job number assigned to the promotional event in the online platform maintained by the Commission. ¶~~
- ~~(d) Marijuana or marijuana items, including trade samples, transferred to another license must be removed from the original manifest and added to a new manifest as described in OAR 845-025-7700(8). In addition to the requirements in OAR 845-025-7700, the manifest must include the job number assigned to the promotional event in the online platform maintained by the Commission. ¶~~
- ~~(e) Trade samples transferred to a worker permittee must be removed from the original manifest and added to a new manifest listing the originating premises as the destination and the note "Trade sample virtual manifest from promotional event." The licensee marks this manifest as received at the originating premises, the licensee must record the package adjustment as described in OAR 845-025-1330(6)(c). ¶~~
- (f) Failure to properly track marijuana items or hemp items as required in this subsection is a Category III violation. An intentional violation of this rule is a Category II violation.¶
- (10) Application Requirements.¶
- (a) The Commission may refuse to process any application that is not made in writing at least 28 days before the date of the event in a form and manner prescribed by the Commission.¶
 - (b) The Commission may only accept one application per promotional event.¶
 - (c) The Commission may require additional forms, documents, or information as part of the application.¶
 - (d) The Commission may refuse to process any application that is not complete, not accompanied by the documents or disclosures required by the form or the Commission, or that does not allow the Commission sufficient time to investigate and process the application.¶
 - (e) The Commission may limit approval of any application to a single day or to any consecutive number of days, not to exceed sixteen consecutive days.¶
- (11) The application for a promotional event under this rule shall include:¶
- (a) The names of all participating licensees;¶
 - (b) A description of the amount and types of marijuana items or hemp items proposed to be transported and displayed at the promotional event;¶
 - (c) A written control plan that the Commission determines:¶
- (A) Adequately manages the event to prevent unlawful activity and violations; and¶
 - (B) Prevents any person under 21 years to be admitted to the areas where marijuana items are present at the event.¶
 - (d) The names of the licensee representatives on site at the promotional event and, if applicable, their worker permit numbers issued under OAR 845-025-5500;¶
 - (e) Identification of the premises or area proposed for the promotional event;¶
 - (f) Statement of the type of event to be licensed, type and extent of entertainment to be offered, expected

patronage overall, minor control plan, and proposed hours of operation; and.¶

(g) A statement signed by every participating licensee indicating that the licensee agrees to follow the final approved control plan.¶

(12) Denial. ¶

(a) The Commission may deny any application for a promotional event that does not meet the requirements of this rule. ¶

(b) The Commission may deny, cancel or restrict an application for a promotional event:¶

(a) For any reason for which the Commission may deny, cancel or restrict a regular license or if the Commission, in its discretion, determines that promotional event presents a risk to public health and safety; or.¶

(b) If any participating licensee has been found to have violated ORS 475C.005 to 475C.525 or any rules adopted there under in the past 24 months.¶

(13) When the Commission approves a written control plan required under this rule, ~~the~~ all participating licensee(s) must follow that written plan. Failure to follow that written plan is a Category III violation. An intentional violation of this ~~rule~~ section is a Category II violation.¶

(14) The Commission may immediately revoke authority of any participating licensee to participate in the promotional event if the Commission has reasonable grounds to believe continued operation of the event presents a risk to public health and safety.¶

(15) A licensee may not participate in a promotional event unless it has been approved by the Commission. Participation in an event where prior approval was required under this rule but was not approved by the Commission is a Category I violation.

Statutory/Other Authority: ORS 475C.017, ORS 475C.513

Statutes/Other Implemented: ORS 475C.513, 2025 OL Ch. 225 Sec. 2

REPEAL: 845-025-1360

RULE SUMMARY: This rule details quality control samples. This rule is proposed to be repealed to implement 2025 SB 558, as the substantive requirements for quality control samples are proposed to be treated as a subset of trade samples under OAR 845-025-1300.

CHANGES TO RULE:

~~845-025-1360~~

~~Quality Control Samples~~

- ~~(1) Producer licensees, processor licensees, and hemp handler certificate holders may provide sample marijuana items or hemp items directly to their own license representatives for the purpose of quality control and product development.~~
 - ~~(2) The sample marijuana items or hemp items may not be consumed or used on a licensed premises.~~
 - ~~(3) The sample marijuana items or hemp items may not be provided to or resold to another licensee or consumer.~~
 - ~~(4) Any sample provided under this rule must be recorded in CTS. When providing an employee or licensee representative a sample of a hemp or marijuana item, a licensee must record the following in CTS:~~
 - ~~(a) The reduction in quantity of the total weight or item count as applicable under the associated UID for the item;~~
 - ~~(b) The date and time the sample was provided to the employee or licensee representative;~~
 - ~~(c) The worker permit number of the employee or licensee representative receiving the sample; and~~
 - ~~(d) The name of the employee or licensee representative as it appears on their worker permit.~~
 - ~~(5) A producer licensee may provide the following amounts of sample marijuana items:~~
 - ~~(a) Twenty-eight grams of usable marijuana per strain harvested in a 72-hour period;~~
 - ~~(b) Five grams of kief per process lot; and~~
 - ~~(c) Five grams of cannabinoid concentrates per process lot if the producer holds a concentrate endorsement under OAR 845-025-2025.~~
 - ~~(6) A processor licensee is limited to providing a total of the following amounts of sample marijuana items or hemp items:~~
 - ~~(a) Five grams of cannabinoid concentrates or extracts or hemp concentrates or extracts per process lot; and~~
 - ~~(b) Twelve individual units of sale per process lot for other cannabinoid products or hemp cannabinoid products.~~
 - ~~(7) Violations. A violation of this rule is a Category III violation.~~
- ~~Statutory/Other Authority: ORS 475C.017, 475C.065, 475C.085~~
- ~~Statutes/Other Implemented: ORS 475C.017, 475C.065, 475C.085~~

RULE SUMMARY: This rule describes video recording requirements. The proposed amendments allow the use of motion-activated camera systems under specified conditions.

CHANGES TO RULE:

845-025-1450

Video Recording Requirements for Licensed Facilities ¶

(1) A licensee must have cameras that continuously record, 24 hours a day; ¶

(a) In all areas where mature marijuana plants, immature marijuana plants, usable marijuana, cannabinoid concentrates, extracts, products or waste may be present on the licensed premises; and ¶

(b) All points of ingress and egress to and from areas where mature marijuana plants, immature marijuana plants, usable marijuana, cannabinoid concentrates, extracts, products or waste may be present. ¶

(2) A licensee must: ¶

(a) In all areas where camera coverage is required, use cameras that record at a minimum resolution of 1280 x 720 px and record at 10 fps (frames per second); ¶

(b) Use cameras that are capable of recording in all lighting conditions; ¶

(c) Have and keep surveillance recordings for a minimum of 90 calendar days; ¶

(d) Have and keep off-site backup recordings described in subsection (2)(k) of this rule for a minimum of 30 days; ¶

(e) Maintain surveillance recordings in a format approved by the Commission that can be easily accessed for viewing and easily reproduced; ¶

(f) Upon request of the Commission, keep surveillance recordings for periods exceeding the retention period specified in subsection (2)(c) of this rule; ¶

(g) Have the date and time embedded on all surveillance recordings without significantly obscuring the picture; ¶

(h) Archive video recordings in a format that ensures authentication of the recording as a legitimately-captured video and guarantees that no alterations of the recorded image has taken place; ¶

(i) Make video surveillance records and recordings available immediately upon request to the Commission in a format specified by the Commission for the purpose of ensuring compliance with ORS Chapter 475C and these rules; ¶

(j) Within 48 hours notify the Commission of any equipment failure or system outage lasting 30 minutes or more; and ¶

(k) Back up the video surveillance recordings off-site and in real time for the surveillance room or surveillance area. ¶

(3) Notwithstanding the requirements in section (1) of this rule a licensee or laboratory licensee may stop recording in areas where marijuana items are not present due to seasonal closures or prolonged periods of inactivity. ¶

(a) At least 24 hours before stopping recording, a licensee or laboratory licensee must submit ~~written~~ notice to the Commission ~~by email using a designated form as published by the Commission on its website~~ and the notice must include: ¶

(A) A copy of the licensee's plot plan or diagram as described in OAR 845-025-1030 showing which cameras will be deactivated, the total number of cameras that will be deactivated, and a description or list of areas or applicable labels of the deactivated cameras. ¶

(B) The date and time recording will stop. ¶

(C) An explanation for why recording will be stopped. ¶

(D) The date and time recording will resume. ¶

(b) A licensee or laboratory licensee: ¶

(A) May not stop the recording or continuous real time back up of the recording for a surveillance area unless all other cameras on the licensed premises are shut down under this rule. ¶

(B) Must resume all required recording no later than the date and time specified in the notice submitted under subsection (a) of this section. ¶

(C) May not engage in any licensed privileges in any areas where recording was stopped under this section. ¶

(4) A licensee may satisfy the requirements of section (1) of this rule by use of cameras that continuously record and store all recordings or by use of a motion detection camera system. ¶

(a) Characteristics of a motion detection camera system. To satisfy the requirements of section (1) of this rule, the system must be capable of: ¶

(A) Using video analytics for monitoring purposes; ¶

(B) Storing video recorded through the system; and ¶

(C) Allowing searching and auditing of the system's log, including for changes to the motion detection sensitivity

settings and camera activity. ¶

(b) Use of a motion detection camera system. To satisfy the requirements of section (1) of this rule, the licensee must: ¶

(A) Record and store all intervals of video where motion is detected, including all times that a person is present within an area described in OAR 845-025-1440, for the period of time described in subsection (2)(c) and (2)(d) of this rule. ¶

(B) Keep the sensitivity and triggering threshold at a level that will record continuously without interruption any time a person is in view of the camera within the licensed premises. ¶

(C) Ensure that all areas specified in OAR 845-025-1440 are within the zones of detection where the camera system is capable of recognizing motion. ¶

(5) Failure to comply with subsections (1)(a), (b) or (2)(e), (f), (g), (h), or (i) or section (4) of this rule is a Category II violation. ¶

(56) Failure to comply with subsection (2)(a), (b), (d), (j), or (k) is a Category III violation. ¶

(67) Failure to comply with subsection (2)(c) of this rule is: ¶

(a) A Category II violation if the licensee maintained surveillance recordings for 30 days or less. ¶

(b) A Category III violation if the licensee maintained surveillance recordings for more than 30 days but less than 90 days. ¶

(c) A Category I violation when the Commission has reasonable grounds to believe that licensee is engaging in diversion or inversion of marijuana and the licensee has not maintained surveillance recordings for all or part of the suspected time period. ¶

(78) A licensee may not engage in any privileges of the license in an area that does not have camera coverage as described in OAR 845-025-1440 and 845-025-1450 or in an area where camera coverage has been stopped pursuant to section (3) of this rule, including but not limited to possessing, storing, cultivating, transporting, transferring, or receiving marijuana items.

Statutory/Other Authority: ORS 475C.017, 475C.065, 475C.085, 475C.093, 475C.097

Statutes/Other Implemented: ORS 475C.017, 475C.065, 475C.085, 475C.093, 475C.097

RULE SUMMARY: This rule details producer privileges and prohibitions. The proposed amendments implement 2025 SB 558 by expanding producer transfer privileges and amending language related to trade samples.

CHANGES TO RULE:

845-025-2020

Producer Privileges; Prohibitions ¶¶

(1) A producer may: ¶¶

(a) Possess, plant, cultivate, grow, harvest, and dry marijuana in the manner approved by the Commission and consistent with ORS chapter 475C and these rules; ¶¶

(b) Engage in indoor or outdoor production of marijuana, or a combination of the two; ¶¶

(c) Produce kief as that term is defined in ORS 475C.089 and possess kief produced by the producer. ¶¶

(A) A producer who produces kief is not a marijuana processor for the purposes of OAR 845-025-3215. ¶¶

(B) Kief produced under this rule may not be used in a cannabinoid edible unless the producer complies with all provisions set forth in OAR 845-025-3250. ¶¶

(d) Sell, transfer, transport, and deliver: ¶¶

(A) Usable marijuana to the licensed premises of a producer ~~under common ownership~~, a processor, wholesaler, retailer, laboratory, non-profit dispensary, or research certificate holder; ¶¶

(B) Whole, non-living marijuana plants that have been entirely removed from any growing medium to the licensed premises of a producer ~~under common ownership~~, a processor, wholesaler, non-profit dispensary, or research certificate holder; ¶¶

(C) Immature marijuana plants and seeds to the licensed premises of a marijuana producer, wholesaler, retailer, or research certificate holder; ¶¶

(D) Mature marijuana plants or kief to the licensed premises of a producer ~~under common ownership~~; ¶¶

(E) Kief, as that term is defined in ORS 475C.089, manufactured by the producer, to the licensed premises of a marijuana processor, producer ~~under common ownership~~, wholesaler, retailer, laboratory, or research certificate holder; ¶¶

(F) Cannabinoid concentrates manufactured by the producer to the licensed premises of a marijuana processor, wholesaler, retailer, laboratory, or research certificate holder if the producer holds a concentrate endorsement under OAR 845-025-2025; ¶¶

(G) Cannabinoid products, cannabinoid extracts, and cannabinoid concentrates that were made using only marijuana produced by the producer to the licensed premises of a processor, wholesaler, or retailer; ¶¶

(H) Marijuana waste to a producer, processor, wholesaler, or research certificate holder; ¶¶

(I) Trade samples to a producer, processor, wholesaler, or retailer licensee, only as allowed under OAR 845-025-1330; and ¶¶

(J) ~~Quality control samples to a license representative~~ Trade samples to a worker permit holder who performs work for or on behalf of the producer licensee, only as allowed under OAR 845-025-13630. ¶¶

(e) Purchase and receive: ¶¶

(A) Immature marijuana plants and seeds from a producer, wholesaler, retailer, or research certificate holder; ¶¶

(B) Marijuana waste from a producer, processor, wholesaler, retailer, laboratory, or research certificate holder; ¶¶

(C) Usable marijuana produced by the licensee that has been stored by a wholesaler on the producer's behalf; ¶¶

(D) Marijuana, mature marijuana plants, and kief from a producer ~~under common ownership~~; ¶¶

(E) Marijuana produced by the licensee that was not processed by a processor; ¶¶

(F) Cannabinoid products, cannabinoid extracts, and cannabinoid concentrates from a marijuana processor that were made using only marijuana produced by the receiving producer; ¶¶

(G) Up to 200 marijuana seeds in total per month from any sources within the State of Oregon other than a licensee, laboratory licensee, or research certificate holder; and ¶¶

(H) Trade samples from a producer or processor licensee, as allowed under these rules. ¶¶

(f) Allow a laboratory licensee to obtain samples for purposes of performing testing as provided in these rules and OAR chapter 333, division 7. ¶¶

(g) Accept or make returns, as long as the producer: ¶¶

(A) Accepts or returns usable marijuana, kief, immature marijuana plants, seeds and whole non-living marijuana plants; ¶¶

(B) Accepts or returns cannabinoid concentrates, if the producer holds a concentrate endorsement under OAR 845-025-2025; ¶¶

(C) Only accepts or returns eligible items listed in paragraph (A) or (B) of this subsection from the original licensee who received or purchased the item; and ¶¶

(D) Accurately records the transaction in the CTS.¶

(2) A producer may not:¶

(a) Possess, plant, cultivate, grow, harvest, dry, sell, deliver, transfer, transport, purchase, or receive any marijuana item other than as provided in:¶

(A) Section (1) of this rule;¶

(B) OAR 845-025-2025, if the producer has an approved concentrate endorsement; or¶

(C) OAR 845-025-2550, if the producer has been properly registered by the Commission.¶

(b) Process marijuana items other than as provided in:¶

(A) Section (1) of this rule; or¶

(B) OAR 845-025-2025, if the producer has an approved concentrate endorsement.¶

(c) Transfer, sell, transport, purchase, possess, accept, return, or receive any marijuana item or hemp item containing artificially derived cannabinoids except as allowed under OAR 845-025-1310 and in accordance with section (1) of this rule.¶

(3) Violations.¶

(a) A violation of section (2) of this rule based on paragraph (1)(c)(B), (1)(d)(I), (1)(d)(J), (1)(e)(G), or (1)(e)(H), or subsection (1)(f) or (1)(g) of this rule is a Category III violation.¶

(b) All other violations of this rule are Category I violations.

Statutory/Other Authority: ORS 475C.017, 475C.065, 475C.077, 475C.089

Statutes/Other Implemented: ORS 475C.017, 475C.065, 475C.077, 475C.089, ORS 475C.117, 475C.489, 2025

OL Ch. 225 Sec. 5

AMEND: 845-025-2800

RULE SUMMARY: This rule details retailer privileges and prohibitions. The proposed amendments expand privileges for retailer-to-retailer transfers.

CHANGES TO RULE:

845-025-2800

Retailer Privileges; Prohibitions ¶¶

- (1) A retailer is authorized to sell, transfer, or deliver a marijuana item or hemp item to a consumer.¶¶
- (2) A retailer may:¶¶
 - (a) Between the hours of 7 a.m. and 10 p.m. local time, sell marijuana items and hemp items from the licensed premises to a consumer 21 years of age or older;¶¶
 - (b) Sell, transfer, or deliver:¶¶
 - (A) Marijuana items or hemp items to a consumer 21 years of age or older pursuant to a bona fide order as described in OAR 845-025-2880.¶¶
 - (B) Marijuana items or hemp items to a patient or designated primary caregiver between ages 18-21, so long as:¶¶
 - (i) The registry identification cardholder has a valid OMMP card; and¶¶
 - (ii) The retailer has registered to sell marijuana items for medical purposes as described in OAR 845-025-2900.¶¶
 - (C) Marijuana seeds to a producer.¶¶
 - (D) Marijuana items and hemp items to a retailer ~~under common ownership~~.¶¶
 - (E) Marijuana waste to a producer, processor, wholesaler, or research certificate holder.¶¶
 - (F) Hemp waste to a wholesaler, processor with an industrial hemp endorsement, or research certificate holder.¶¶
 - (c) Accept or make returns, as long as the retailer:¶¶
 - (A) Only accepts or returns usable marijuana, marijuana items, hemp items, immature marijuana plants, and seeds;¶¶
 - (B) Only accepts or returns eligible items listed in paragraph (A) of this subsection from either the original licensee that supplied the item or the customer or registry identification cardholder that purchased or was given the item;¶¶
 - (C) Accurately records the transaction in the CTS; and¶¶
 - (D) Does not resell any items returned by customers.¶¶
 - (d) Purchase, possess, or receive:¶¶
 - (A) Usable marijuana, immature marijuana plants, seeds, and kief from a producer or from a research certificate holder;¶¶
 - (B) Cannabinoid concentrates from a micro tier producer with a concentrate endorsement issued under OAR 845-025-2025;¶¶
 - (C) Cannabinoid products, cannabinoid extracts, and cannabinoid concentrates from a marijuana producer that were made using only marijuana produced by the producer;¶¶
 - (D) Cannabinoid concentrates, cannabinoid extracts, and cannabinoid products from a processor with an endorsement to manufacture the type of product received or from a research certificate holder;¶¶
 - (E) Any marijuana item, except for whole, non-living marijuana plants, from a wholesaler;¶¶
 - (F) Any marijuana item from a laboratory licensee;¶¶
 - (G) Trade samples as allowed by 845-025-1330;¶¶
 - (H) Marijuana items and hemp items from a retailer ~~under common ownership~~; and¶¶
 - (I) Hemp items from a Commission-certified hemp handler, a wholesaler, a laboratory licensee, or a processor with an industrial hemp endorsement.¶¶
 - (e) Refuse to sell marijuana items or hemp items to a consumer;¶¶
 - (f) Allow a laboratory licensee to obtain samples for purposes of performing testing as provided in these rules and OAR chapter 333, division 7;¶¶
 - (g) Accept returned marijuana items or hemp items that the retailer sold to a consumer and provide a refund or exchange with a product of equal or lesser value as long as the product is not resold; and¶¶
 - (h) Sell marijuana items for medical purposes, as long as the retailer follows the provisions set forth in 845-025-2900.¶¶
- (3) Hemp items sold, transferred, or delivered under section (2) of this rule must have been received from a Commission-certified hemp handler, a processor with an industrial hemp endorsement, a wholesaler, or a retailer ~~under common ownership~~ in accordance with these rules.¶¶
- (4) A retailer may not:¶¶
 - (a) Knowingly sell more than the following amounts to an individual at any one time or within one day:¶¶
 - (A) Two ounces of usable marijuana;¶¶

- (B) 16 ounces of a cannabinoid product in solid form;¶
- (C) 72 fluid ounces of a cannabinoid product in liquid form;¶
- (D) 10 grams of cannabinoid extracts or concentrates;¶
- (E) 10 grams of cannabinoid products intended for inhalation;¶
- (F) Four immature marijuana plants; and¶
- (G) 10 marijuana seeds.¶
- (b) Knowingly provide more than the following amounts to registry identification cardholders or designated primary caregivers:¶
 - (A) Eight ounces of usable marijuana at any one time or within one day per patient; and¶
 - (B) No more than 32 ounces in one calendar month per patient.¶
- (c) Transfer, sell, transport, purchase, possess, accept, return, or receive any hemp item that exceeds the THC limits specified in OAR 845-025-2760.¶
- (d) Transfer, sell, transport, purchase, possess, accept, return, or receive any marijuana item or hemp item containing artificially derived cannabinoids except as allowed under OAR 845-025-1310 and in accordance with sections (2) and (3) of this rule.¶
- (e) Provide free marijuana items to a consumer.¶
- (f) Sell or give away pressurized containers of butane or other materials that could be used in the home production of marijuana extracts.¶
- (g) Sell or give away any non-marijuana items, including hemp items, that are attractive to minors as defined by these rules.¶
- (h) Discount a marijuana item if the retail sale of the marijuana is made in conjunction with the retail sale of any other items, including other marijuana items or hemp items.¶
- (i) Discount a marijuana item contingent on the purchase of a non-marijuana item.¶
- (j) Permit consumers to be present on the licensed premises or sell to a consumer between the hours of 10 p.m. and 7 a.m. local time the following day.¶
- (k) Permit a licensed representative to handle an unpackaged marijuana item or hemp item without the use of protective gloves, tools, or instruments that prevent the marijuana item from coming into contact with the licensed representative's skin.¶
- (l) Sell or transfer a returned marijuana item or hemp item to another consumer.¶
- (m) Sell, transfer, deliver, purchase, possess, accept, return, or receive any marijuana item or hemp item other than as provided in this rule.¶
- (n) Permit a consumer to open or alter a package containing a marijuana item or hemp item or otherwise remove a marijuana item or hemp item from packaging required by these rules within the licensed premises or in an area that the licensee controls.¶
- (o) Permit a consumer to bring marijuana items or hemp items onto the licensed premises except for being returned for refund or exchange as allowed by this rule.¶
- (p) Sell a marijuana item to an individual that exceeds the concentration limits in OAR 845-026-0210 and 845-026-0220.¶
- (q) Sell any item not allowed under OAR 845-025-3220 or any of the following items:¶
 - (A) Pet or animal food, treats, or other pet or animal products containing hemp or marijuana;¶
 - (B) Injectable marijuana items or hemp items; or¶
 - (C) Any other marijuana items not meant for human consumption or use.¶
- (r) Impose or collect a tax on the retail sale of a marijuana item to a patient or designated primary caregiver who is purchasing a marijuana item for a registry identification cardholder.¶
- (s) Prior to the application of a discount or the retail marijuana tax, require a registry identification cardholder to pay a higher price for the same marijuana item than is charged to a person without a registry identification card.¶
- (t) Process marijuana items.¶
- (u) Produce marijuana.¶
- (5) Notwithstanding paragraph (2)(c)(B) of this rule, a retailer may transfer its entire inventory of marijuana items and hemp items to a single wholesaler if all requirements in OAR 845-025-7700 are met.¶
- (6) Violations.¶
 - (a) A violation of subsection (4)(m) of this rule is a Category I violation if there are reasonable grounds to believe there is diversion or inversion of marijuana. All other violations of subsection (4)(m) are Category III violations.¶
 - (b) A violation of subsection (2)(d), (4)(a) to (4)(d), (4)(t), or (4)(u) or section (3) of this rule is a Category II violation.¶
 - (c) A violation of subsection (2)(a) or paragraph (2)(b)(A) or (2)(b)(B) of this rule is a Category II(b) violation.¶
 - (d) A violation of paragraph (2)(b)(C) to (2)(b)(F) or subsection (2)(c), (2)(e) to (2)(h), (4)(e) to (4)(l), (4)(n), (4)(o), or (4)(q) to (4)(s) of this rule is a Category III violation.¶
 - (e) A violation of subsection (4)(p) of this rule is assessed as described in OAR 845-025-8590(3)(b)(B).

Statutory/Other Authority: ORS 475C.017, 475C.097, 571.336

Statutes/Other Implemented: ORS 475C.017, 475C.097, 571.336, ORS 475C.674

AMEND: 845-025-2840

RULE SUMMARY: This rule details retailer premises requirements. The proposed amendments implement 2025 SB 162 by adjusting language related to schools.

CHANGES TO RULE:

845-025-2840

Retailer Premises ¶¶

(1) The licensed premises of a retailer: ¶¶

(a) May not be located in an area that is zoned exclusively for residential use. ¶¶

(b) Notwithstanding ORS 475C.097(2)(d), may be located within 1,000 feet of a school ~~or building described in ORS 475C.097(2)(d)~~ if the criteria in ORS 475C.101 are met. ¶¶

(c) Must be enclosed on all sides by permanent walls and doors. ¶¶

(2) A retailer must post in a prominent place signs that read: ¶¶

(a) "No Minors Permitted Anywhere on the Premises"; ¶¶

(b) "No On-Site Consumption"; and ¶¶

(c) "Security Cameras in Use"; and ¶¶

(d) Exit from the licensed premises that reads: "Marijuana or Marijuana Infused Products May Not Be Consumed in Public." ¶¶

(3) Consumer sales area. ¶¶

(a) A retailer must designate any portion of the licensed premises where consumers are permitted as a consumer sales area. ¶¶

(b) The consumer sales area shall include the portion of the premises where marijuana items are displayed for sale or sold and may include other contiguous areas such as a lobby. The consumer sales area is the sole area of the licensed premises where consumers are permitted except as otherwise allowed by these rules. ¶¶

(c) A retailer that does not allow the general public to enter the licensed premises is not required to designate a consumer sales area. ¶¶

(4) All inventory must be stored on the licensed premises. ¶¶

(5) For purposes of determining the distance between a retailer and a school ~~or building as defined in ORS 475C.097(2)(d)~~ and as referenced in subsection (1)(b) of this rule, "within 1,000 feet" means a straight line measurement in a radius extending for 1,000 feet or less in any direction from the closest point anywhere on the boundary line of the real property comprising a school ~~or building~~ to the closest point of the licensed premises of a retailer. If any portion of the licensed premises is within 1,000 feet of a school ~~or building~~ as described subsection (1)(b) of this rule an applicant will not be licensed. ¶¶

(6) Violations. ¶¶

(a) A violation of section (2) or (3) of this rule is a Category III violation. ¶¶

(b) A violation of section (4) of this rule is a Category I violation.

Statutory/Other Authority: ORS 475C.017, ORS 475C.097

Statutes/Other Implemented: ORS 475C.097, 475C.101, 475C.205

AMEND: 845-025-3215

RULE SUMMARY: This rule details processor privileges and prohibitions. The proposed amendments implement 2025 SB 558 by amending language related to trade samples.

CHANGES TO RULE:

845-025-3215

Processor Privileges; Prohibitions ¶¶

(1) A processor may: ¶¶

(a) Transfer, sell, or transport: ¶¶

(A) Cannabinoid concentrates, extracts, and products for which the processor has an endorsement to a processor, wholesaler, retailer, non-profit dispensary, or research certificate holder; ¶¶

(B) Cannabinoid products, cannabinoid extracts, and cannabinoid concentrates to a marijuana producer that were made using only marijuana produced by the receiving producer; ¶¶

(C) Marijuana or industrial hemp waste to a producer, processor, wholesaler, or research certificate holder; ¶¶

(D) Trade samples to a producer, processor, wholesaler, or retailer licensee, only as allowed under OAR 845-025-1330; and ¶¶

(E) ~~Quality control samples to a license representative~~ Trade samples to a worker permit holder who performs work for or on behalf of the processor licensee, only as allowed under OAR 845-025-13630. ¶¶

(b) Purchase, possess, or receive as allowed by these rules: ¶¶

(A) Whole, non-living marijuana plants that have been entirely removed from any growing medium from a producer, wholesaler, patient or designated primary caregiver, or a research certificate holder; ¶¶

(B) Usable marijuana from a producer, wholesaler, patient or designated primary caregiver, or a research certificate holder; ¶¶

(C) Kief from a producer; ¶¶

(D) Cannabinoid concentrates from a producer that holds a concentrate endorsement under OAR 845-025-2025; ¶¶

(E) Cannabinoid products, cannabinoid extracts, and cannabinoid concentrates from a marijuana producer that were made using only marijuana produced by the producer; ¶¶

(F) Cannabinoid concentrates, extracts, and products from a processor with an endorsement to manufacture the type of product received, or from a research certificate holder; ¶¶

(G) Trade samples as allowed by 845-025-1330; ¶¶

(H) Marijuana or industrial hemp waste from a producer, processor, wholesaler, retailer, laboratory, or research certificate holder; and ¶¶

(I) Cannabinoid concentrates, extracts, and products produced by the licensee that have been held in bailment by a wholesaler. ¶¶

(c) Allow a laboratory licensee to obtain samples for purposes of performing testing as provided in these rules and OAR chapter 333, division 7. ¶¶

(d) Accept or make returns of marijuana items, as long as the processor: ¶¶

(A) Only accepts or returns usable marijuana, marijuana items, immature marijuana plants, seeds, and whole non-living marijuana plants; ¶¶

(B) Only accepts or returns eligible items listed in paragraph (A) of this subsection from the original licensee that supplied or purchased the item; and ¶¶

(C) Accurately records the transaction in the CTS. ¶¶

(2) A processor with an industrial hemp endorsement may: ¶¶

(a) Transfer, sell, or transport: ¶¶

(A) Hemp items to a wholesaler, a retailer, or a processor with an industrial hemp endorsement; and ¶¶

(B) Hemp items to a person that is not a processor, retailer, or wholesaler only as allowed under OAR 845-025-3320. ¶¶

(b) Purchase, posses, or receive as allowed by these rules: ¶¶

(A) Hemp items from a wholesaler, a processor with an industrial hemp endorsement, or a Commission-certified hemp handler; and ¶¶

(B) Harvested industrial hemp from a wholesaler, a Commission-certified hemp handler, or a Commission-certified hemp grower. ¶¶

(c) Process industrial hemp and hemp items into any hemp item in compliance with all rules for processing marijuana. ¶¶

(d) Use industrial hemp and hemp items as an ingredient in the processing of marijuana items. ¶¶

(3) A processor may not: ¶¶

- (a) Transfer, sell, transport, purchase, possess, accept, return, or receive any marijuana item, industrial hemp, or hemp item other than as provided in this rule;¶
- (b) Use any unapproved process set forth in OAR 845-025-3200 to 845-025-3305;¶
- (c) Allow minors on any portion of the licensed premises except as allowed by OAR 845-025-1230. A violation of this is a Category I violation;¶
- (d) Make any product that is prohibited from sale in a retail store, as set forth in OAR 845-025-2800;¶
- (e) Transfer, sell, transport, purchase, accept, return, or receive any industrial hemp or hemp item that exceeds the THC limits specified in OAR 845-025-2760;¶
- (f) Process any kief received from a producer into a cannabinoid edible, unless the producer has complied with all provisions set forth in OAR 845-025-3250; ~~or~~¶
- (g) Transfer, sell, transport, purchase, possess, accept, return, or receive any marijuana item or hemp item containing artificially derived cannabinoids except as allowed under OAR 845-025-1310 and in accordance with sections (1) and (2) of this rule; or¶
- (h) Produce marijuana.¶
- (4) Notwithstanding paragraph (1)(d)(B) of this rule, a processor may transfer its entire inventory of marijuana items and hemp items to a single wholesaler if all requirements in OAR 845-025-7700 are met.¶
- (5) A processor must be licensed by the Commission and obtain the proper endorsement for the type of processing they perform per OAR 845-025-3210.¶
- (6) Violations.¶
 - (a) A violation of subsection (3)(e) of this rule is a Category II violation.¶
 - (b) A violation of subsection (3)(h) or section (5) of this rule is a Category I violation.¶
 - (c) A violation of subsection (3)(a) of this rule is a Category I violation if there are reasonable grounds to believe there is diversion or inversion of marijuana.¶
 - (d) All other violations of this rule are Category III violations.

Statutory/Other Authority: ORS 475C.017, 475C.085, 571.336, 571.337

Statutes/Other Implemented: ORS 475C.017, 475C.085, 571.336, 571.337

AMEND: 845-025-7000

RULE SUMMARY: This rule sets the definitions for packaging and labeling rules. The amendments to this rule define the term "target potency."

CHANGES TO RULE:

845-025-7000

Packaging and Labeling - Definitions ¶¶

For the purposes of OAR 845-025-7000 to 845-025-7190, 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 marijuana item or hemp item. ¶¶

(2) "Attractive to minors" means packaging, containers, inhalant delivery devices, labeling, or advertising that features: ¶¶

(a) Cartoons; ¶¶

(b) A design, brand, or name that resembles a non-cannabis consumer product of the type that is typically marketed to minors; ¶¶

(c) Symbols or celebrities that are commonly used to market products to minors; ¶¶

(d) Images of minors; or ¶¶

(e) Words that refer to products that are commonly associated with minors or marketed by minors. ¶¶

(3) "Cannabinoid capsule" means a small, soluble pill, tablet, or container that contains liquid or powdered cannabinoid product, concentrate, or extract and is intended for human ingestion. ¶¶

(4)(a) "Cannabinoid edible" means: ¶¶

(A) Food or potable liquid into which a cannabinoid concentrate, cannabinoid extract, or the dried leaves or flowers of marijuana have been incorporated; or ¶¶

(B) For purposes of labeling, includes any marijuana, cannabinoid concentrate, cannabinoid extract, or cannabinoid product that is intended for human consumption or marketed in a manner that implies the item is for human consumption. ¶¶

(b) For purposes of labeling "cannabinoid edible" does not include a cannabinoid tincture or capsule. ¶¶

(5) "Cannabinoid topical" means a cannabinoid product intended to be applied to skin or hair. ¶¶

(6) "CBD" means total cannabidiol as calculated pursuant to OAR 333-064-0100. ¶¶

(7) "Child resistant" means designed or constructed to be significantly difficult for children under five years of age to open and not difficult for adults to use properly. ¶¶

(8) "Consumer" has the meaning given that term in ORS 475C.009 and does not include a patient or designated primary caregiver. ¶¶

(9) "Container": ¶¶

(a) Means a sealed, hard or soft-bodied receptacle in which a marijuana item or hemp item is placed and any outer receptacle intended to display a marijuana item or hemp item for ultimate sale to a consumer, patient, or designated primary caregiver. ¶¶

(b) Does not mean: ¶¶

(A) Inner wrapping or lining; ¶¶

(B) An exit package; or ¶¶

(C) A shipping container used to transfer marijuana items or hemp items in bulk from one licensee or registrant to another. ¶¶

(10) "Exit Package" means a sealed, child-resistant certified receptacle into which marijuana items or hemp items already within a container are placed at the point of sale. ¶¶

(11) "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 chewing gum and includes beverages. ¶¶

(12) "Generic label": ¶¶

(a) Means a label that does not have any graphics, pictures, or logos, other than symbols required by these rules and has: ¶¶

(A) Only the information required by rule; ¶¶

(B) Additional test information not required by rule; or ¶¶

(C) Additional information described in OAR 845-025-7160(8)(c). ¶¶

(b) Does not mean: ¶¶

(A) A label for an inhalable cannabinoid product with a non-cannabis additive that is processed or manufactured on or after April 1, 2021. ¶¶

(B) A label for a marijuana item or hemp item that contains an artificially derived cannabinoid allowed by OAR 845-025-1310 that is sold or transferred on or after July 1, 2022. ¶¶

- (13) "Grower" has the same meaning as "person responsible for a marijuana grow site" as defined in OAR 845-025-1015.¶
- (14) "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.¶
- (15) "Hemp capsule":¶
- (a) 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.¶
- (b) Does not mean a cannabinoid capsule.¶
- (16) "Hemp concentrate or extract" means an industrial hemp concentrate or industrial hemp extract, as those terms are defined in ORS 571.269.¶
- (17) "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:¶
- (A) Hemp seed incapable of germination by itself;¶
- (B) Other products derived only from hemp seeds incapable of germination that may include other non-hemp ingredients; or¶
- (C) A cannabinoid edible.¶
- (c) For purposes of labeling, does not include a hemp tincture or hemp capsule.¶
- (18) "Hemp symbol" means the image, established by the Commission and made available to licensees, indicating the item is a hemp item.¶
- (19) "Hemp topical":¶
- (a) Means a hemp cannabinoid product intended to be applied to skin or hair.¶
- (b) Does not mean a cannabinoid topical.¶
- (20) "Label" means any display of written, printed, or graphic matter printed on or affixed to any container, wrapper, liner, or insert accompanying the marijuana item or hemp item.¶
- (21) "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) On and after July 1, 2023, sesame.¶
- (22) "Medical grade symbol" means the image established by the Commission and made available to licensees indicating the cannabinoid product, concentrate, or extract may only be sold or transferred to a designated primary caregiver or patient, for use only by a patient.¶
- (23) "Medical marijuana dispensary" means a facility registered under ORS 475C.833.¶
- (24) "Net quantity of contents" means a statement on the principal display panel of the net weight or net volume of the product expressed in the terms of weight, measure, or numerical count.¶
- (25) "Net volume" means the fluid measure of a liquid product expressed as milliliters and fluid ounces.¶
- (26) "Net weight":¶
- (a) Means the gross weight minus the tare weight of the packaging expressed as ounces and grams or milligrams.¶
- (b) Includes, as applied to pre-rolled marijuana, the dried marijuana leaves and flowers, the rolling paper, and the filter or tip.¶
- (c) For marijuana items and hemp items labeled according to OAR 845-025-7120, the net weight does not include the filter or tip.¶
- (27) "Place of address" means the name, mailing address, city, state, and zip code of the processor who made the cannabinoid edible or other cannabinoid product.¶
- (28) "Principal display panel" means the part of a label on a package or container that is most likely to be displayed, presented, shown, or seen under customary conditions of display for sale or transfer.¶
- (29) "Processor" means a person:¶
- (a) Licensed by the Commission to process marijuana under ORS 475C.085;¶
- (b) Licensed by the Commission under ORS 475C.065 who produces kief;¶
- (c) Licensed with the Oregon Department of Agriculture under ORS 571.281 who manufactures hemp items; or¶

(d) Registered with the Authority under ORS 475C.815 as a processing site and who is not exempt from labeling requirements under ORS 475C.604.¶

(30) "Producer" means a person:¶

(a) Licensed by the Commission to produce marijuana under ORS 475C.065; ~~and~~ or¶

(b) Registered with the Authority under ORS 475C.792 as a grower and who is not exempt from labeling requirements under ORS 475C.604.¶

(31) "Product identity" means a truthful or common name of the product that is contained in the package.¶

(32) "Registrant" means a person registered with the Authority under ORS 475C.770 to 475C.919.¶

(33) "Serving" or "serving size" means an amount of product that is suggested for use by a consumer or patient trying the item for the first time and cannot exceed the applicable concentration and serving size limits in OAR 845-026-0210 and 845-026-0220.¶

(34) "Target potency" means the intended potency included on the label for the amount or concentration of a cannabinoid, including but not limited to amount or concentration THC, CBD, or total amount of cannabinoids.¶

(35) "THC" means total delta-9-tetrahydrocannabinol as calculated pursuant to OAR 333-064-0100.¶

(356) "These rules" means OAR 845-025-7000 to 845-025-7190.¶

(367) "Ultimate sale" means the final sale from a retail location or dispensary to a consumer, patient, or designated primary caregiver.¶

(378) "Universal symbol" means the image, established by the Authority and made available to licensees and registrants, indicating the marijuana item contains marijuana.

Statutory/Other Authority: ORS 475C.604, ORS 475C.608, 571.337

Statutes/Other Implemented: ORS 475C.604, 571.337

RULE SUMMARY: This rule details requirements for labeling for sale to a consumer. The amendments to this rule clarify requirements and violations related to potency claims on a label.

CHANGES TO RULE:

845-025-7030

Labeling for Sale to Consumer ¶

(1) A label required by these rules must: ¶

(a) Be printed on or affixed to the container holding the marijuana item or hemp item and printed on or affixed to any outer package or container that is used to display the marijuana item or hemp item for sale or transfer to a consumer, patient, or designated primary caregiver; ¶

(b) Comply with the National Institute of Standards and Technology (NIST) Handbook 130 (2016), 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) Be in English, though it can also be in other languages; and ¶

(e) Be unobstructed and conspicuous. ¶

(2) A label may not: ¶

(a) Contain any untruthful or misleading statements including, but not limited to, a: ¶

(A) A health claim that is not supported by the totality 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; or ¶

(B) A target potency that differs from the potency of the item based on the value calculated by the laboratory that tested the batch by more than 10 percent. ¶

(b) Be attractive to minors, as that is defined in OAR 845-025-7000. ¶

(3) Principal Display Panel. ¶

(a) Every container that holds a marijuana item or hemp item for sale or transfer to a consumer, patient, or designated primary caregiver must have a principal display panel, as that term is defined in OAR 845-025-7000. ¶

(b) If a container holding the marijuana item or hemp item is placed within another container for sale or transfer to a consumer, patient, or designated primary caregiver, both containers must have a principal display panel as that term is defined in OAR 845-025-7000 in addition to the other labeling requirements provided in these rules. ¶

(c) The principal display panel must contain the product identity, net quantity of contents, and universal symbol or hemp symbol, whichever is applicable. ¶

(d) If the product is a medical grade cannabinoid product, concentrate, or extract processed by a licensee, or medical marijuana processing site, the principal display panel must also include the medical grade symbol. ¶

(e) If the product is a hemp item, the principal display must include the hemp symbol in place of the universal symbol. ¶

(f) On or after July 1, 2022, 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. ¶

(g) If a label includes a target potency, it must be on the principal display panel. ¶

(4) Product Identity. ¶

(a) The product identity 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 package rests as it is designed and displayed. ¶

(b) The product identity must clearly identify whether the item is derived from marijuana or hemp. An item that contains both industrial hemp and marijuana must identify the item as a marijuana item. ¶

(c) The product identity for cannabinoid and hemp extracts and concentrates must correctly identify whether the product is an extract or a concentrate. ¶

(5) 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 packages 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.¶

(6) Potency Labeling. Unless required to be relabeled as described in OAR 845-025-5760, the THC and CBD amounts required to be on a label must be the value calculated by the laboratory that did the testing in accordance with OAR 333-064-0100.¶

(a) The potency value shall be expressed as an average of the samples taken and tested under OAR 333-007-0360. A label may not have a THC value that exceeds the applicable maximum concentration limit by over 10 percent as specified in OAR 845-026-0200 to 845-026-0220 or 845-025-2760, as applicable.¶

(b) For products tested on or after February 1, 2020, if the potency value for THC or 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 cannabinoid edibles, cannabinoid tinctures, and cannabinoid capsules tested on and after January 1, 2025, if the delta-9-THC is less than 90% percent of the total THC, the label must separately display the delta-9-THC and THCA.¶

(7) The universal symbol. The universal symbol must be at least 0.48 inches wide by 0.35 inches high and can be downloaded on the Commission's website. Other than the size, which cannot be below the minimum size in this rule, the universal symbol may not be modified, including but not limited to, modifying the color or shape.¶

(8) Medical grade symbol. The medical grade symbol must be at least 0.35 inches in diameter and can be downloaded at marijuana.oregon.gov.¶

(9) Hemp symbol. The hemp symbol must be at least 0.48 inches wide by 0.35 high and can be downloaded on the Commission's website. Other than the size, which cannot be below the minimum size in this rule, the hemp symbol may not be modified, including but not limited to, modifying the color or shape.¶

(10) A marijuana item or hemp item may have one or more label panels printed on or affixed to the container or packaging.¶

(11) Small Container Label. A marijuana item or 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 845-025-7030 to 845-025-7145, have a label printed on or affixed to the container holding the marijuana item or hemp item that includes at least the following:¶

(A) A principal display panel containing the net weight or volume, product identity, and universal symbol;¶

(B) Licensee business or trade name and license number or registrant business or trade name and registrant number;¶

(C) UID number;¶

(D) Concentration or amount of THC and CBD in the container; and¶

(E) Required warnings;¶

(i) For a retail marijuana item, the following warning is required on the label: "For use only by adults 21 and older. Keep out of reach of children."¶

(ii) For a hemp item, the following warning is required to be on the label: "This product is derived from hemp and could contain THC. Keep out of reach of children."¶

(iii) For a medical marijuana item, the following warning is required on the label: "For use by OMMP patients only. Keep out of reach of children."¶

(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 marijuana item or 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 patient or consumer as containing important information.¶

(12) Tiny Container Label. A marijuana item or hemp item that is in a container that has a complete surface area available for applying a label that is less than two inches squared:¶

(a) May have a label printed on or affixed to the container that holds the marijuana item or hemp item that includes at least the following:¶

(A) A principal display panel with the universal symbol and product identity;¶

(B) UID number;¶

(C) Concentration or amount of THC and CBD in the container;¶

(D) Licensee or registrant business or trade name and license or registrant number; and¶

(E) A warning that reads: "Keep out of reach of children."¶

(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 marijuana item or hemp item.¶

(c) May use a peel-back or accordion label with the information required in subsection (a) 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 patient or consumer as containing important information.¶

(13) The outer container used to display the marijuana item or hemp item for sale or transfer to a consumer,

patient, or designated primary caregiver must comply with the labeling requirements in these rules, even if an inner container qualifies for the exception under section (11) or (12) of this rule.¶

(14) A marijuana item or 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 product is intended for human consumption or the "BE CAUTIOUS" warning if the effects of the product are customarily felt immediately. For example, a cannabinoid concentrate that is intended for human consumption must comply with the labeling requirements that apply to both cannabinoid concentrates and cannabinoid edibles.¶

(15) If a marijuana item or hemp item is placed in a package that is being re-used, the old label must be removed and it must have a new label.¶

(16) A licensee or registrant must have documentation that demonstrates the validity of the calculation of the amount of sodium, cholesterol, protein, sugar, carbohydrates, and total fat in a cannabinoid edible and must make that documentation available to the Commission or the Authority upon request.¶

(17)(a) A marijuana item or hemp item that contains an ingredient consisting of two or more sub ingredients must either:¶

(A) Use the common name of the ingredient followed by a parenthetical listing of all 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 cannabinoid product or hemp cannabinoid product that is present in the final product, including any cooking or release spray.¶

(c) The list of ingredients must correctly identify the type of marijuana item or hemp item used to make the product.¶

(18) A cannabinoid edible or hemp edible that contains only a single serving may omit the servings per container declaration as long as the label clearly states that the package contains a single serving.¶

(19) Nutrition information formats.¶

(a) A cannabinoid edible or hemp edible shall use one of the nutrition information formats listed in Table 1, incorporated ~~herein~~ by reference.¶

(b) On and after January 1, 2026, a cannabinoid edible or hemp edible shall use one of the nutrition information formats as listed in 21 CFR 101.9(c) for nutrition labeling of food, and as provided on pages 2 through 10 of Table 1. Nothing in this rule precludes the use of the nutrition information formats listed on pages 2 through 10 of Table 1 before January 1, 2026.¶

(20) If the container holding the marijuana item or hemp item does not meet the child resistant standards set out in these rules, the outermost label must contain the following statement: "This package is not child resistant."¶

(21) Exit packaging must contain a label that reads: "Keep out of the reach of children."¶

(22) A cartridge or vaporizing device containing a cannabinoid or hemp concentrate, extract, or 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 universal symbol or hemp symbol, as appropriate. All the remaining label requirements must be included on the packaging as required by these rules.¶

(23) The Commission may require that marijuana items and hemp items sold at retail by Commission licensees be labeled with a Universal Product Code.¶

(24) Once a label is approved by the Commission, the label identification number provided by the Commission must be prominently displayed on the label of the outermost container.¶

(25) If a cannabinoid concentrate or extract or hemp concentrate or extract contains any added substances, the item shall be considered a cannabinoid product and labeled under OAR 845-025-7120.

Statutory/Other Authority: ORS 475C.604, 475C.612, 571.337

Statutes/Other Implemented: ORS 475C.604, 571.337

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

OAR 845-025-7030

Table 1

Nutrition Facts Panel Templates

The following templates may be used to display the nutrition information, serving size, number of servings per container, list of ingredients, and allergen information. All cannabinoid edible and hemp edible labels must use one of the following templates to display this information. On and after **January 1, 2026**, one of the nutrition templates starting on page 2 of this Table **must** be used (see OAR [845-025-7030](#)).

Nutrition Facts	
5 servings per container	
Serving Size	1 cookie (10 g)
Amount per serving	
Calories	150
Total Fat	10g
Cholesterol	8mg
Sodium	150mg
Total Carb.	25g
Total Sugars	19g
Protein	3g
Ingredients: Sugar, Whole Wheat Flour, Malted Barley Flour, Butter, Palm Oil, Rolled Oats, Egg, Coconut, Sugar, Baking Soda, Salt	
Contains: Wheat, Milk, Egg, Coconut	

Vertical Display

The vertical display should be used on most labels that do not qualify as a small or tiny container.

Nutrition Facts	Servings: 5, Serv. Size: 1 cookie (10g),
Amount per serving: Calories 150, Total Fat 10g, Cholest. 8mg, Sodium 150mg, Total Carb. 25g, Total Sugars 19g, Protein 3g.	
Ingredients: Sugar, Whole Wheat Flour, Malted Barley Flour, Butter, Palm Oil, Rolled Oats, Egg, Coconut, Sugar, Baking Soda, Salt	
Contains: Wheat, Milk, Egg, Coconut	

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.

Nutrition Facts		Amount/serving		Amount/serving	
5 servings per container		Total Fat	10g	Total Carb.	25g
Serv. Size: 1 cookie (10g)		Cholesterol	8mg	Total Sugars	19g
Calories , per serving	150	Sodium	150mg	Protein	3g
Ingredients: Sugar, Whole Wheat Flour, Malted Barley Flour, Butter, Palm Oil, Rolled Oats, Egg, Coconut, Sugar, Baking Soda, Salt					
Contains: Wheat, Milk, Egg, Coconut					

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.

NOTE: the requirements listed above for what type of display must be used depending on the size of the package apply to the displays below.

Vertical Display

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%
<small>* 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.</small>	

Vertical Display with Micronutrients Listed Side-by-Side

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

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)	
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

Nutrition Facts		Amount/serving	% Daily Value*	Amount/serving	% Daily Value*
10 servings per container		Total Fat 1.5g	2%	Total Carbohydrate 36g	13%
Serving size 2 slices (56g)		Saturated Fat 0.5g	3%	Dietary Fiber 2g	7%
		Trans Fat 0.5g		Total Sugars 1g	
		Cholesterol 0mg	0%	Includes 1g Added Sugars	2%
		Sodium 280mg	12%	Protein 4g	
Calories 170		Vitamin D 0mcg 0% • Calcium 80mg 6% • Iron 1mg 6% • Potassium 470mg 10%			
per serving		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

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
* 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.				
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%

Dual Colum Display, Per Serving and Per Container

Nutrition Facts			
2 servings per container			
Serving size		1 cup (255g)	
Calories	Per serving	Per container	
	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%
<small>* 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.</small>			

Tabular Dual Colum Display

*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 Packages

Nutrition Facts		Amount/serving	% DV	Amount/serving	% DV
about 3 servings per container					
Serving size 1/3 cup (56g)		Total Fat 2g	3%	Total Carb. 15g	5%
Calories per serving 90		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%			

Dual Columns, Two Forms of the Same Food

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%
<small>* 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.</small>			

Dual Columns, Per Serving and Per Unit

Nutrition Facts			
12 servings per container			
Serving size		1/2 muffin (144g)	
Calories	Per 1/2 muffin	Per 1 muffin	
	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%
<small>* 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.</small>			

AMEND: 845-025-7120

RULE SUMMARY: This rule establishes the requirements for cannabinoid products other than edibles, topicals, tinctures, or capsules. The amendments to this rule remove the requirement to include the place of address for these products.

CHANGES TO RULE:

845-025-7120

Cannabinoid Products Other than Cannabinoid Edibles, Topicals, Tinctures or Capsules.

Prior to a cannabinoid product other than a cannabinoid edible, topical, tincture or capsule being sold or transferred to a consumer, patient or designated primary caregiver, the container holding the product must have a label that has the following information:

- (1) Processor's business or trade name, ~~and~~ license number, ~~and place of address;~~
- (2) Business or trade name ~~of licensee, and~~ license number, ~~and place of address for the~~ licensee that packaged the product, if different from the processor;
- (3) Product identity;
- (4) UID 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 THC and CBD in each serving and in the container;
- (9) List of all ingredients in descending order of predominance by weight or volume used to process the cannabinoid product;
- (10) Name of the lab that performed any test and any test analysis date;
- (11) Universal symbol;
- (12) Activation time expressed in words or through a pictogram;
- (13) A statement that reads: "This product is not approved by the FDA to treat, cure, or prevent any disease";
- (14) For cannabinoid products for sale to a consumer, warnings that state:
 - (a) "For use only by adults 21 and older. Keep out of reach of children."
 - (b) "Do not drive a motor vehicle while under the influence of marijuana."
 - (c) "DO NOT EAT" in bold, capital letters.
- (15) For medical grade cannabinoid products for use by a patient, the medical grade symbol and medical warnings that state:
 - (a) "For use by OMMP patients only. Keep out of reach of children."
 - (b) "Do not drive a motor vehicle while under the influence of marijuana."
 - (c) "DO NOT EAT" in bold, capital letters.
- (16) For inhalable cannabinoid products that contain non-cannabis additives:
 - (a) The product identity must clearly identify that the product contains non-cannabis additives and, in addition to the other requirements of OAR 845-025-7000 through 845-025-7190, must include the words "non-cannabis additive."
 - (b) In addition to the other ingredients in the inhalable 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 match the ingredients identified on the list of ingredients required by OAR 845-025-3265(1);
 - (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 product's container that clearly indicates that the ingredients listed are contained within the inhalable cannabinoid product.

Statutory/Other Authority: ORS 475C.604, 475C.233, 475C.237

Statutes/Other Implemented: ORS 475C.604

AMEND: 845-025-7700

RULE SUMMARY: This rule details requirements for the transportation and delivery of marijuana items. The amendments to this rule clarify requirements for transportation of marijuana to intermediary stops, including how those requirements apply to transportation to a promotional event, and extend the timeframe allowed for transportation.

CHANGES TO RULE:

845-025-7700

Transportation and Delivery of Marijuana Items ¶¶

(1) Marijuana items transferred by licensees. ¶¶

(a) Marijuana items transferred between licensed premises may only be transported by: ¶¶

(A) A licensee or licensee representative of the originating license or another license under common ownership; ¶¶

(B) A licensee or licensee representative of the receiving license; or ¶¶

(C) A wholesale licensee or wholesale licensee representative on behalf of the originating or receiving licensee. ¶¶

(b) Marijuana items transferred by a licensee to a PRMG or to the residence of a registry identification cardholder or designated primary caregiver may only be transported by the originating licensee or a licensee representative of the originating licensee. ¶¶

(c) Samples of marijuana items that are obtained by a laboratory licensee pursuant to OAR 333-007-0360 may only be transported by the laboratory licensee or a laboratory licensee representative of the receiving laboratory. ¶¶

(d) Other than as provided in this rule or OAR 845-025-2880, marijuana or marijuana items may not be transferred or transported off the licensed premises without a manifest: ¶¶

(A) To an unknown or undisclosed location; or ¶¶

(B) To an unlicensed location. ¶¶

(2) Physical transport requirements for licensees. ¶¶

(a) An individual authorized to transport marijuana items on behalf of a licensee or laboratory licensee must have a valid driver license. ¶¶

(b) A licensee or laboratory licensee must: ¶¶

(A) Store marijuana items in the delivery vehicle within a locked, secured area, shielded from view from the exterior of the vehicle; ¶¶

(B) When transporting perishable marijuana items, provide appropriate temperature control within the transport vehicle; ¶¶

(C) Use a delivery vehicle that is equipped with an alarm system and is insured at or above the legal requirements in Oregon; ¶¶

(D) Deliver marijuana items to all destinations and return any remaining marijuana items to the origin premises within 480 hours of original departure; ¶¶

(E) Document all overnight stops in the planned route of the manifest and include the address, estimated arrival time at, and estimated departure time from the location of each overnight stop; ¶¶

(F) Package all marijuana items for transport in shipping containers and assign and affix a UID tag to all receptacles containing marijuana items as required by these rules; ¶¶

(G) Provide a copy of the manifest to each location receiving the inventory described on the manifest, but may prepare a separate CTS manifest for each receiving location in order to maintain transaction confidentiality; ¶¶

(H) Contact the Commission immediately, or as soon as possible under the circumstances, if a vehicle transporting marijuana items is involved in any accident or other situation involving product loss; ¶¶

(I) Travel directly from the originating location to the destination location as described in the manifest route; ¶¶

(J) Notify the Commission in advance of every stop at an unlicensed location that exceeds two hours in duration and is not already listed in the manifest route; and ¶¶

(K) Immediately make the vehicle and its contents available for inspection upon the Commission's request if the delivery vehicle is stopped at an unlicensed location. ¶¶

(c) A licensee or laboratory licensee may not: ¶¶

(A) Make any unnecessary stops in between the originating and destination locations except to other licensed premises receiving inventory as described on the manifest; ¶¶

(B) Remove the marijuana items from the vehicle until they arrive at the destination recorded in the manifest.

Licensees or laboratory licensees may not transfer marijuana items to, nor store marijuana items in a hotel or any other unlicensed premises; ¶¶

(C) Except as allowed in section (8) of this rule, void or change a manifest after departing the originating premises;

- or.
- (D) Travel with any persons not listed on the manifest.
- (3) CTS Manifest General Requirements.
- (a) Prior to removing a marijuana item from the originating location for the purposes of transport or delivery, the originating licensee, laboratory licensee, grow site administrator, medical marijuana processing site, or medical marijuana dispensary must use CTS to generate a printed transport manifest containing the following information:
- (A) The originating location's license number and address as it appears in CTS;
- (B) The destination location's license number and address as it appears in CTS;
- (C) The UID, product name, and quantity (by weight or unit as applicable) of each marijuana item;
- (D) The actual date and estimated time of departure;
- (E) Location and duration of time for any overnight stop;
- (F) The arrival date and estimated time of arrival or completion of delivery;
- (G) The delivery vehicle make, model, and license plate number; and
- (H) The name, contact information, worker permit number and signature of the individual accompanying the transport.
- (b) A physical, printed copy of the generated manifest must accompany every transport of marijuana items.
- (c) An originating licensee transporting marijuana items to a retailer licensee must generate a manifest at least 24 hours in advance of initiating transport, if the marijuana items being transported exceed:
- (A) 25 pounds of usable marijuana;
- (B) One pound of cannabinoid concentrate or extract; or
- (C) 1,000 units of sale of any individual cannabinoid product.
- (d) Notwithstanding subsection (b) of this section, a manifest is not required for a sales transaction or transfer of marijuana to a consumer, patient, or caregiver when the physical transfer of the marijuana occurs at the premises of a licensed retailer or at a medical marijuana dispensary.
- (4) CTS Manifest Requirements for Transports to Consumers. When transporting marijuana items to a consumer as allowed by these rules, the manifest must include:
- (a) The information required on the manifest by subsection (3)(a) of this rule, except for a destination location license number;
- (b) The name of the individual receiving the marijuana item;
- (c) The address of the destination; and
- (d) All information for the manifest required under OAR 845-025-2880.
- (5) CTS Manifest Requirements for Transfers to PRMGs, Registry Identification Cardholders, or Designated Primary Caregivers.
- (a) Prior to transferring marijuana items to a PRMG, registry identification cardholder, or designated primary caregiver, a licensee, grow site administrator, medical marijuana processing site, or medical marijuana dispensary must use CTS to generate a printed transport manifest containing:
- (A) The information required on a manifest by subsection (3)(a) of this rule, except for a destination location license number;
- (B) The name of the individual receiving the marijuana item;
- (C) The address of the destination, if the delivery is not completed at the originating location;
- (D) If delivered to a registry identification cardholder, the registry identification card number;
- (E) If delivered to a designated primary caregiver on behalf of a patient, designated primary caregiver identification card; and
- (F) If delivered to a PRMG, the marijuana grower and grow site registration card number of the PRMG.
- (b) A licensee, grow site administrator, medical marijuana processing site, or medical marijuana dispensary transporting marijuana to individuals or locations not in CTS must record whether each marijuana item was accepted by the recipient or rejected and returned to the originating location inventory, and if accepted, record the transport as complete in CTS.
- (6) CTS Requirements when Receiving from Locations in CTS. Upon receipt of a delivery of marijuana items, the receiving licensee, laboratory licensee, grow site administrator, medical marijuana processing site, or medical marijuana dispensary must:
- (a) Record each applicable UID as accepted and received or rejected in CTS as applicable;
- (b) Verify the marijuana items received are as described on the manifest and record receipt of the marijuana items in CTS if accepted; and
- (c) Separately and for each UID, document any differences between the quantities specified on the manifest and the quantities received in CTS.
- (7) CTS Requirements when Receiving from Locations Not in CTS. When receiving marijuana items from a source not subject to CTS tracking but otherwise allowed by these rules or OAR chapter 333, division 8, a licensee, grow

site administrator, medical marijuana processing site, or medical marijuana dispensary must: ¶

- (a) Use CTS to record an incoming manifest including the registry identification card number, designated primary caregiver identification card number, or grow site registration card number, as applicable; ¶
- (b) Assign and affix a UID tag to each quantity of marijuana items received; ¶
- (c) Use CTS to record the incoming transport no later than the time of daily inventory reconciliation as required by these rules; and ¶

(d) Verify the marijuana items received are as described on the manifest and record receipt of the marijuana items in CTS. ¶

(8) Licensee Transport of Marijuana to Intermediary Stops. A licensee may remove marijuana items from a manifest after departing from the originating premises if: ¶

(a) The route of the original manifest lists the trade name, license number, address, and estimated arrival time for each licensed premises that will be visited as an intermediary stop; ¶

(b) All marijuana items in the vehicle are included on a CTS manifest at the time of departure from the originating premises; ¶

(c) Marijuana items that are removed from the original manifest at an intermediary stop are immediately added to a new CTS manifest. The manifest number of the original manifest must be listed on the new manifest. The destination license on the new manifest must be listed on the original manifest route as an intermediary stop; ¶

(d) Changes to the original manifest under subsection (c) of this section are only made while the marijuana items subject to the change are physically located within the licensed premises of the intermediary stop to which they are being transferred; and ¶

(e) The amount of marijuana items being transported in the vehicle does not exceed: ¶

(A) 25 pounds of usable marijuana; ¶

(B) One pound of concentrate or extract; ~~or~~ ¶

(C) 1,000 units of sale of any individual cannabinoid product; or ¶

(D) If traveling to a promotional event, the amounts described in OAR 845-025-1335. ¶

(9) Violations. ¶

(a) A violation of section (1) of this rule is a Category I violation. ¶

(b) A violation of sections (2) to (4) of this rule is a Category III violation. ¶

(c) A violation of sections (5) to (8) of this rule is a Category IV violation.

Statutory/Other Authority: ORS 475C.017, 475C.065, 475C.085, 475C.093, 475C.097, 475C.177

Statutes/Other Implemented: ORS 475C.017, 475C.065, 475C.085, 475C.093, 475C.097, 475C.177, 2025 OL

Ch. 225 Sec. 2

RULE SUMMARY: This rule details prohibited conduct. The amendments to this rule establish violations for failure to maintain certain information in the online platform maintained by the Commission.

CHANGES TO RULE:

845-025-8520

Prohibited Conduct ¶¶

(1) Sale to a Minor. A licensee or permittee may not sell, deliver, transfer, or make available any marijuana item or hemp item to a person under 21 years of age unless the individual holds a valid OMMP patient or designated primary caregiver card. ¶¶

(a) Violation of this section for an intentional sale, delivery, transfer, or making available to a minor by licensee, permittee, or licensee representative is a Category II violation. ¶¶

(b) Violation of this section for other than intentional sales, deliveries, transfers, or making available to a minor by a licensee, permittee, or licensee representative is a Category II(b) violation. ¶¶

(2) Identification. A licensee or licensee representative must require a person to produce identification as required by ORS 475C.217 before selling or providing a marijuana item or hemp item to that person. Violation of this section is a Category IV violation. ¶¶

(3) Access to Premises. ¶¶

(a) A licensee, laboratory licensee, or permittee may not: ¶¶

(A) During regular business hours for the licensed premises, refuse to admit or fail to promptly admit a Commission regulatory specialist who identifies themselves and who enters or wants to enter a licensed premises to conduct an inspection to ensure compliance with ORS chapter 475C affecting the licensed privileges, or these rules; ¶¶

(B) Outside of regular business hours or when the premises appear closed, refuse to admit or fail to promptly admit a Commission regulatory specialist who identifies themselves and requests entry on the basis that there is a reason to believe a violation of ORS chapter 475C affecting the licensed privileges, or these rules is occurring; or ¶¶

(C) Once a regulatory specialist is on the licensed premises, ask the regulatory specialist to leave until the specialist has had an opportunity to conduct an inspection to ensure compliance with ORS chapter 475C affecting the licensed privileges, or these rules. ¶¶

(b) Violation of subsection (a) of this section is a Category II violation. ¶¶

(c) A licensee or laboratory licensee must at all times retain control of, or the right of access to, all or any part of the licensed premises. ¶¶

(A) Failure to retain such control or right of access is a Category II violation. If the licensee has marijuana items in physical inventory at the licensed premises or in CTS, failure to retain such control or right of access is a Category I violation and may be grounds for immediate suspension or cancellation of the license. ¶¶

(B) Notwithstanding paragraph (A) of this subsection, a licensee is not in violation of this section if: ¶¶

(i) Licensee has met the requirements in OAR 845-025-1180(4); ¶¶

(ii) Licensee lost access to the premises through no fault of their own, is unable to find a new location within 90 days of losing access to the premises, and removes all marijuana items from the licensed premises in compliance with ORS chapter 475C and these rules prior to losing access; or ¶¶

(iii) Licensee promptly notifies the Commission of the failure to retain access to the premises and surrenders its license. ¶¶

(4) Use or Consumption of Intoxicants on Duty and Under the Influence on Duty. ¶¶

(a) No licensee, licensee representative, laboratory licensee, laboratory licensee representative, or permittee may consume any intoxicating substances while on duty, except for employees as permitted under OAR 845-025-1230(6)(b). Violation of this subsection is a Category III violation. ¶¶

(b) No licensee, licensee representative, laboratory licensee, laboratory licensee representative, or permittee may be under the influence of intoxicating substances while on duty. Violation of this subsection is a Category II violation. ¶¶

(c) Whether a person is paid or scheduled for a work shift is not determinative of whether the person is considered "on duty." ¶¶

(d) As used in this section: ¶¶

(A) "On duty" means: ¶¶

(i) From the beginning to the end of a work shift for the licensed business, including any and all coffee, rest, or meal breaks; or ¶¶

(ii) Performing any acts on behalf of the licensee or the licensed business outside of a work shift if the individual has the authority to put himself or herself on duty. ¶¶

(B) "Intoxicants" means any substance that is known to have or does have intoxicating effects, and includes alcohol, marijuana, or any other controlled substances.¶

(5) Permitting Use of Marijuana at Licensed Premises. A licensee, laboratory licensee, or permittee may not permit the use or consumption of marijuana, hemp items, or any other intoxicating substance, anywhere in or on the licensed premises, or in surrounding areas under the control of the licensee, except for employees as permitted under OAR 845-025-1230(6)(b). Violation of this section is a Category III violation.¶

(6) Import, Export, Diversion and Inversion.¶

(a) A licensee, laboratory licensee, or permittee may not:¶

(aA) Import marijuana items into this state;¶

(bB) Export marijuana items out of this state;¶

(cC) Transfer, sell, store, receive, or take marijuana items to an unlicensed location, entity, or party, except as otherwise allowed by ORS 475C or these rules, or¶

(dD) Transfer, sell, store, receive or accept marijuana items from an unlicensed location, entity, or party except as allowed by ORS 475C or these rules.¶

(e) Violation of this section is a Category I violation and could result in license or permit revocation.¶

(7) Permitting Disorderly or Unlawful Conduct. A licensee, laboratory licensee, or permittee may not permit disorderly activity or activity that is unlawful under Oregon state law on the licensed premises or in areas adjacent to or outside the licensed premises under the control of the licensee. A violation of this section other than as described in subsections (a) and (b) of this section is a Category III violation.¶

(a) If the prohibited activity under this section results in death or serious physical injury, involves unlawful use or attempted use of a deadly weapon against another person, results in a sexual offense which is a Class A felony such as first degree rape, sodomy, or unlawful sexual penetration, the violation is a Category I violation and could result in license or permit revocation.¶

(b) If the prohibited activity under this section involves use of a dangerous weapon against another person with intent to cause death or serious physical injury, it is a Category II violation.¶

(c) As used in this section:¶

(A) "Disorderly activities" means activities that harass, threaten, or physically harm oneself or another person.¶

(B) "Unlawful activity" means activities that violate the laws of this state, including but not limited to any activity that violates a state criminal statute.¶

(d) The Commission does not require a conviction to establish a violation of this section except as required in ORS 475C.037.¶

(8) Permittee Theft. While exercising the privileges of their permit, a permittee may not engage in unlawful activity, as defined in paragraph (7)(c)(B) of this rule, that constitutes theft of money, marijuana items or property from a licensee. A violation of this section is a Category III violation.¶

(a) If the conduct involves theft of money, marijuana items, or property where the total value of the money or property in a single or aggregate incident is \$100 or more, the violation is a Category II violation.¶

(b) If the conduct involves theft of money, marijuana items, or property where the total value of the money or property in a single or aggregate incident is \$1000 or more, the violation is a Category I violation and could result in permit revocation.¶

(9) Marijuana as a Prize, Premium or Consideration. No licensee or permittee may give or permit the giving of any marijuana item as a prize, premium, or consideration for any lottery, contest, game of chance or skill, exhibition, or any competition of any kind on the licensed premises. Violation of this section is a Category V violation.¶

(10) Visibly Intoxicated Persons. No licensee or permittee may sell, give, or otherwise make available any marijuana item to any person who is visibly intoxicated. Violation of this section is a Category III violation.¶

(11) Prohibited inhalable cannabinoid products.¶

(a) For purposes of this rule, a "prohibited inhalable cannabinoid product" is an inhalable cannabinoid product that does not meet the requirements of OAR 845-025-3265.¶

(b) No licensee or permittee may:¶

(A) Process or manufacture a prohibited inhalable cannabinoid product on or after April 1, 2021;¶

(B) Possess, sell, deliver, transfer, transport, purchase, or receive the prohibited inhalable cannabinoid product on or after July 1, 2021, if the prohibited inhalable cannabinoid product was processed or manufactured prior to April 1, 2021; or¶

(C) Possess, sell, deliver, transfer, transport, purchase, or receive a prohibited inhalable cannabinoid product that was processed or manufactured on or after April 1, 2021.¶

(c) Violation of this section is a Category III violation. An intentional violation of this section is a Category II violation.¶

(12) ~~Additional Pccount management.~~¶

(a) Failure to update or notify the Commission of any change in a mailing address or e-mail address specified in OAR 845-004-0065(2) and (3) is a Category IV violation.¶

(b) Failure to maintain user accounts as described in OAR 845-004-0065(5)(a) is a Category IV violation. ¶

(13) Additional prohibitions. A licensee or permittee may not: ¶

(a) Sell or deliver any marijuana item or hemp item through a drive-up window. ¶

(b) Use any device or machine that both verifies the age of the consumer and delivers marijuana items or hemp items to the consumer. ¶

(c) Deliver marijuana items or hemp items to a consumer off the licensed premises, except that retail licensees may provide delivery as set forth in OAR 845-025-2880 and 845-025-2885. ¶

(d) Permit industrial hemp or a hemp item to be present on the licensed premises, except as allowed by these rules.

A violation of this subsection is a Category II violation. ¶

(e) A violation of subsection (a) to (c) of this section is a Category III violation.

Statutory/Other Authority: ORS 475C.017, ORS 475C.065, 475C.085, 475C.093, 475C.181, 475C.185, 475C.233, 475C.237

Statutes/Other Implemented: ORS 475C.065, 475C.085, 475C.093, 475C.097, 475C.109, 475C.229, 475C.329, 475C.333