



OREGON LIQUOR CONTROL COMMISSION

FREQUENTLY ASKED QUESTIONS (FAQs) REGARDING CBD PRODUCTS ON A LIQUOR LICENSED PREMISES OR AT A RETAIL LIQUOR STORE

INTRODUCTION

Consumer safety regarding using and selling CBD products on a premises with a liquor license or at a retail liquor store is a high priority for us.

Our primary focus through January 2020 will be providing education to the industry and consumers.

However, if enforcement action is necessary, one or more of the following measures may be appropriate:

- If marijuana products are found on a licensed premises or at a retail liquor store, we may sanction the licensee or retail sales agent. A sanction may include imposing a fine or license suspension.
- If alcoholic beverages with CBD products are found on a licensed premises or at a retail liquor store, we may take action against the licensee or retail sales agent. This action may include, but is not limited to, the following:
 - Requiring the licensee or agent to stop making, distributing, selling, or serving, the product.
 - Requiring the licensee or agent to recall the product.
 - Imposing fines or other sanctions against the licensee or agent.
- If non-alcoholic CBD products are found on a licensed premises or at a retail liquor store, and for one or more of those products there is no proof that the products was properly tested in Oregon, we may refer the case to the Oregon Department of Agriculture (ODA) for action.

QUESTIONS - BY TYPE OF PRODUCT

MARIJUANA PRODUCTS

I have an OLCC liquor license or am a retail sales agent and I have one or more of the following products on my premises:

- Products that contain or are marketed as containing marijuana.
- Products that came from an OLCC marijuana licensee.

Question #1	What do I do with these products?
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- You must immediately stop selling, serving, and distributing these products.
- You must immediately remove these products from your premises.
- You do not need to report these products to the OLCC and you do not need to report to the OLCC if you destroy them.



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ALCOHOLIC BEVERAGE WITH CBD PRODUCTS

I have an OLCC liquor license or am a retail sales agent and I have one or more of the following products on my premises:

- Alcoholic beverages that do not contain marijuana and did not come from an OLCC marijuana licensee, but contain CBD or are marketed as containing CBD.

Question #2	What do I do with these products?
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- You must immediately stop selling, serving, and distributing these products.
- You must remove these products from your premises by December 31, 2019.
- You do not need to report these products to the OLCC and you do not need to report to the OLCC if you destroy them.
- If you have a retail liquor license, you may return unopened containers of beer, wine, or cider to the manufacturer or wholesaler who sold them to you and the manufacturer or wholesaler may accept the return of the product and may, but is not required to, give you cash or credit for the product.

NON-ALCOHOLIC BEVERAGE WITH CBD PRODUCTS

Question #3	I have an OLCC liquor license or am a retail sales agent and I have one or more non-alcoholic beverage products that contain or are marketed as containing CBD on my premises. The product did not come from an OLCC marijuana licensee; however, the product was not tested, or I have no proof that it was tested, or it was tested but I have no proof that it was tested correctly. What do I do with these products?
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- These products are non-compliant with ODA requirements. You should either remove them from the premises or obtain from the vendor the Certificate of Analysis (COA) for all products that shows all products have met the following testing requirements:
 - The source of the CBD is hemp and not marijuana;
 - The CBD product was properly tested for pesticides, solvents, and potency according to the ODA rules; and
 - The CBD product does not contain more than 0.3% total THC.
- You do not need to report these products to the OLCC or ODA and you do not need to report to the OLCC or ODA if you destroy them.

Question #4	I have an OLCC liquor license or am a retail sales agent and I have one or more non-alcoholic beverage products that contain or are marketed as containing CBD on my premises. The product did not come from an OLCC marijuana licensee and I have a Certificate of Analysis (COA) for each product. What do I do with these products?
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- These products are allowed on your premises provided the COA shows all products have met the following testing requirements:
 - The source of the CBD is hemp and not marijuana;
 - The CBD product was properly tested for pesticides, solvents, and potency according to the ODA rules; and
 - The CBD product does not contain more than 0.3% total THC.



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NON-ALCOHOLIC AND NON-BEVERAGE PRODUCTS – INTENDED FOR HUMAN CONSUMPTION

Products intended for human consumption are any product that can be:

- Inhaled.
- Applied to the hair or skin.
- Ingested.

Question #5	I have an OLCC liquor license or am a retail sales agent and I have one or more non-alcoholic and non-beverage products intended for human consumption that contain or are marketed as containing CBD on my premises. The product did not come from an OLCC marijuana licensee; however, the product was not tested, or I have no proof that it was tested, or it was tested but I have no proof that it was tested correctly. What do I do with these products?
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- These products are non-compliant with ODA requirements. You should either remove these products from the premises or obtain from the vendor the Certificate of Analysis (COA) for all products that shows all products have met the following testing requirements:
 - The source of the CBD is hemp and not marijuana;
 - The CBD product was properly tested for pesticides, solvents, and potency according to the ODA rules; and
 - The CBD product does not contain more than 0.3% total THC.
- You do not need to report these products to the OLCC or ODA and you do not need to report to the OLCC or ODA if you destroy them.

Question #6	I have an OLCC liquor license or am a retail sales agent and I have one or more non-alcoholic and non-beverage products intended for human consumption that contain or are marketed as containing CBD on my premises. The product did not come from an OLCC marijuana licensee and I have a Certificate of Analysis (COA) for each product. What do I do with these products?
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- These products are allowed on your premises provided the COA shows all products have met the following testing requirements:
 - The source of the CBD is hemp and not marijuana;
 - The CBD product was properly tested for pesticides, solvents, and potency according to the ODA rules; and
 - The CBD product does not contain more than 0.3% total THC.

QUESTIONS - GENERAL

Question #7	I have an OLCC license that allows me to sell and serve alcoholic beverages by the drink for consumption on the premises. I also have a non-alcoholic CBD beverage product that has a Certificate of Analysis (COA) showing that the CBD beverage product has met all testing requirements. I want to mix the two beverages together into one alcoholic beverage and then serve that beverage to a consumer for drinking on the premises. May I do this?
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- At this time, there is no OLCC prohibition on this practice; however, because the effects of mixing CBD and alcohol are currently unknown, the OLCC recommends against this practice.



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Question #8	I have an OLCC liquor license or am a retail sales agent and I need to obtain a Certificate of Analysis (COA) for one or more non-alcoholic products that contain or are marketed as containing CBD. How do I do this?
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- The vendor who sold you the product should have the COA for the product. You should be able to obtain a COA from the vendor.
- You may contact the lab that generated the COA. See later in this document for the list of approved labs in Oregon.

Question #9	I have an OLCC liquor license or am a retail sales agent and I have obtained a Certificate of Analysis (COA) but I can't tell whether a product has been properly tested. How do I read a COA?
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- You may contact the lab that generated the COA. See later in this document for the list of approved labs in Oregon.

Question #10	I make and/or distribute non-alcoholic products with CBD in them. How do I get the products tested and obtain a Certificate of Analysis (COA) for each product?
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- You may contact an approved lab in Oregon. See later in this document for the list of approved labs in Oregon.

Question #11	What is the list of approved labs in Oregon?
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Licensee Name	Business Name	Phone	County
PREE Laboratories LLC	PREE	541-257-5002	Benton
Chemhistory LLC/ Alex Hoggan	Chemhistory	503-305-5252	Clackamas
Juniper Analytics LLC	Juniper Analytics	541-382-3796	Deschutes
Anova Laboratory, LLC	Anova Laboratory	541-387-4020	Hood River
Smith Scientific Industries, Inc.	Evio Labs Medford	541-668-7444	Jackson
Proper Rental Management, LLC	Ecotest	541-937-5323	Jackson
MW Labs LLC	MW Labs	458-225-9078	Jackson
Rogue Research Lab LLC	Rogue Research Lab	541-582-1962	Jackson
Iron Lab Oregon LLC	IRON Laboratories	541-207-0555	Lane
Oregon Growers Analytical, LLC	OG Analytical	541-735-3328	Lane
Rose City Laboratories LLC	Rose City Labs	503-307-0096	Multnomah
Green Leaf Lab LLC	Green Leaf Lab	503-253-3511	Multnomah
Pixis Labs, LLC	Pixis Labs	503-254-1794	Multnomah
Lightscale, Inc.	Lightscale Labs	503-493-2535	Multnomah
Synergistic Pesticide Laboratory, LLC	Synergistic Pesticide Laboratory, LLC	503-641-0500	Multnomah



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Table with 4 columns: Company Name, Address, Phone Number, and Location. Rows include GreenHaus Analytical Labs, 3B Analytical, PacLab Analytics, CS Laboratories, and SC Laboratories.

Question #12 | I am in Oregon, I have an OLCC liquor license that allows me to produce alcoholic beverages, and I am making or want to make an alcoholic beverage that contains CBD. May I do this?

- The federal Alcohol and Tobacco Tax and Trade Bureau (TTB) considers CBD to be an ingredient not traditionally found in alcoholic beverages. As such, you must first obtain formula approval from the TTB prior to making an alcoholic beverage that contains CBD.
→ Currently, the TTB is not approving any formula that contains CBD. Therefore, you may not make an alcoholic beverage that contains CBD.
→ If you are already making, or have already made, an alcoholic beverage that contains CBD, you must stop making this product and remove all alcoholic beverages that contains CBD from your premises by December 31, 2019.
→ You do not need to report these products to the OLCC and you do not need to report to the OLCC if you destroy them.

Question #13 | I am in Oregon, I have an OLCC liquor license that allows me to import alcoholic beverages into Oregon, and I have imported or want to import an alcoholic beverage that contains CBD. May I do this?

- The U.S. Food and Drug Administration (FDA) has determined that all CBD products intended for human consumption sold through interstate commerce are unlawful under federal law. As such, you may not import into Oregon an alcoholic beverage that contains CBD.
→ If you have already imported into Oregon an alcoholic beverage that contains CBD, you must remove all alcoholic beverages that contains CBD from your premises by December 31, 2019.
→ You do not need to report these products to the OLCC and you do not need to report to the OLCC if you destroy them.

Question #14 | I want to report an OLCC licensee or retail sales agent who I believe is non-compliant with the CBD and alcohol requirements. How do I do this?

- If the product involves an alcoholic beverage, contact the OLCC at: olcc.alcohol@oregon.gov
→ If the product does not involve an alcoholic beverage, contact the Oregon Department of Agriculture (ODA) at: Hemp@oda.state.or.us or https://oda.direct/hemp

Question #15 | My business does not have an OLCC license and I am not a retail sales agent but I have non-alcoholic products meant for human consumption that contain CBD or are marketed as containing CBD. Who do I contact for more information?

- The OLCC does not regulate your business.
→ For questions about non-alcoholic beverage products that contain or are marketed as containing CBD, contact the Oregon Department of Agriculture (ODA) at: Hemp@oda.state.or.us or https://oda.direct/hemp