

CBD & ALCOHOL: ALCOHOL MANUFACTURERS

Alcohol Manufacturers include licensees that hold the following license types: brewery-public house; brewery; winery; grower sales privilege; and distillery.

ALCOHOLIC BEVERAGES

Based on federal law and regulations, alcohol manufacturers are prohibited by law from manufacturing alcoholic beverages which contain cannabidiol (CBD). This means that an alcoholic beverage manufacturer cannot add any substance containing CBD to the alcoholic beverage before the product is packaged or bottled. This prohibition includes CBD obtained from any source, **including hemp.**

TTB FORMULA APPROVAL

Alcohol manufacturers must obtain formula approval from the Alcohol and Tobacco Tax and Trade Bureau (TTB) prior to producing specific alcoholic beverages. The TTB considers a “formula” to be a complete list of all the ingredients used to make the beverage and a step-by-step description of how it is made.

Specific ingredients not traditionally found in alcoholic beverages, such as CBD or other cannabis derivatives, trigger a federal requirement to obtain formula approval from TTB **prior to manufacturing** an alcoholic beverage that contains non-traditional ingredients (such as CBD or any ingredient derived from cannabis).

Currently the TTB is not approving any formulas that contain CBD or THC, the psychoactive ingredient in cannabis. [Read the TTB guidance here.](#)

If formula approval by the TTB is required, the manufacturer must receive the approval **prior to starting production.** The manufacturer may also need to obtain TTB label approval.

Contact the TTB’s Alcohol Labeling and Formulation Division at 202-453-2250 for more information or visit the [TTB website.](#)

OLCC RULES

The OLCC prohibits alcohol manufacturers from producing an alcoholic beverage that contains CBD or other cannabinoids from any source without TTB approval.

If the OLCC believes that an alcoholic beverage contains a prohibited substance, such as CBD, it may request an analysis of the product and may prohibit the continued sale of the product.



For more information contact:

The **OLCC** for questions about compliance;
olcc.alcohol@oregon.gov

The **OLCC** for questions about THC and cannabinoid limits in hemp products;
olcc.hemp@oregon.gov

The **Oregon Department of Agriculture** for questions about hemp or hemp testing.

hemp@oda.oregon.gov;
<https://oda.direct/hemp>

The **Alcohol and Tobacco Tax and Trade Bureau Regulations & Rulings Division** for questions about federal formula or label approval. 202-453-2265.



OTHER HEMP INGREDIENTS IN ALCOHOLIC BEVERAGES

Some hemp ingredients that do not contain cannabinoids may be allowed in alcoholic beverages. Manufacturers must receive formula approval from the TTB **prior to producing** an alcoholic beverage that contains a hemp ingredient. Please contact the TTB at the number above or visit the [TTB website](#).

MANUFACTURING NON-ALCOHOLIC BEVERAGES CONTAINING CBD OR HEMP INGREDIENTS

Under specific circumstances, an OLCC-licensed manufacturer may produce a non-alcoholic beverage using an ingredient that contains CBD or other hemp ingredients on the licensed premises. However, before beginning production the manufacturer should contact the TTB to make sure the production of the product will not affect the status of the manufacturer's federal permits.

If TTB allows the production, the manufacturer must verify with the vendor that the CBD is not derived from marijuana. The manufacturer must obtain lab reports from the vendor verifying that the hemp ingredient to be used in production was properly tested. The manufacturer must verify:

- The ingredient is derived from hemp and not marijuana; and
- The ingredient has been properly tested for pesticides, solvents, and potency as required by the Oregon Department of Agriculture's rules.

It is NOT the responsibility of the OLCC or ODA to test CBD products or verify that the CBD products have been tested.

For more information about testing, please see the OLCC [Testing Requirements](#) document.

LIMITS ON THC AND OTHER CANNABINOIDS IN HEMP PRODUCTS

Beginning July 1, 2022, any hemp product sold to a consumer age 21 and over in Oregon must comply with the limits on THC and artificially derived cannabinoids in OAR [845-026-0400](#):

- Up to 100 mg total THC in hemp tinctures, not to exceed 0.3% THC.
- Up to 2 mg total THC per serving and 20 mg total THC per container for hemp edibles and other cannabinoid hemp products (except tinctures and topicals), not to exceed 0.3% THC.
- Up to 0.3% total THC for all other hemp products subject to these limits (topicals, smokable flower, concentrates, or extracts) are still just limited to no more than 0.3% THC.
- Hemp products may not contain any artificially-derived cannabinoids (substances that are created synthetically from a cannabis-derived starting material, like a hemp extract, rather than naturally occurring substances extracted from cannabis). Substances that are commonly created artificially include CBN (cannabinol) and Δ^8 -THC ("Delta 8").

Hemp products sold to minors under age 21 have a separate, lower limit of 0.5 mg total THC per container.

OTHER STATE and FEDERAL REGULATIONS

There may be other federal or state agencies regulating these types of products. **It is the licensee's sole responsibility to make sure hemp products are complying with all laws and regulations.** The OLCC will not verify the source or the legal status of a hemp item. The OLCC may take action against your liquor license if you violate OLCC rules.

MARIJUANA

Licensees should also be aware of prohibitions regarding marijuana. **Marijuana and all marijuana derivatives are prohibited from being used or sold on a liquor licensed premises.** Any and all products derived from marijuana, including CBD derived from marijuana, are strictly prohibited from being used, sold, or stored at a liquor licensed premises, even if the item does not contain alcohol. Additionally, licensees and permittees must not permit any person to use, consume, ingest, or inhale any marijuana item on a licensed premises. Permitting these activities may result in the OLCC taking action against your license or permit.