**CBD & ALCOHOL:**
**ALCOHOL FOR SALE AT RETAIL**

**Alcohol retailers** are licensees who may sell alcohol at retail. These are brewery, brewery-public house, full on-premises, grower sales privilege, limited on-premises, off-premises, winery, temporary sales license, and all special licenses.

**ALCOHOLIC BEVERAGES**

Alcohol retailers are prohibited from selling any alcoholic beverage manufactured with cannabidiol (CBD).

- Retailers must not carry or sell an alcoholic beverage that contains or is marketed as containing CBD. If you are selling these products, they must be removed from your inventory by December 31, 2019.
- The Alcohol and Tobacco Tax and Trade Bureau (TTB) requires an alcoholic beverage manufacturer to obtain formula approval for any alcoholic beverage that contains any cannabinoids or cannabis ingredient. The TTB will not approve any alcoholic beverage formula that contains CBD.
- The OLCC prohibits a liquor licensee from manufacturing any alcoholic beverage containing CBD from any source.
- 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.

**NON-ALCOHOLIC BEVERAGES**

The Oregon Department of Agriculture (ODA) regulates hemp-derived CBD products intended for human consumption and requires them to be tested prior to consumer sale.

If a non-alcoholic, hemp-derived CBD beverage product was created and tested in compliance with Oregon state law, it may be legal for sale under some circumstances.

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

Prior to obtaining any CBD product, a licensee must check with the vendor to verify that the CBD product was not purchased or transferred from an OLCC marijuana licensee. The licensee must also obtain from the vendor lab testing reports for the purchased CBD product and verify that:

- The source of the CBD is hemp and not marijuana;
- The CBD product was properly tested for pesticides, solvents, and potency according to ODA rules; and
- The CBD product does not contain more than 0.3% total THC.
For additional details on verifying test information, please see the Testing Requirements document on the OLCC website.

All non-compliant, non-alcoholic, hemp-derived, CBD products should be removed from your inventory. This includes all products that have not been properly tested, do not have the proper documentation, or are otherwise non-compliant.

**MIXING ALCOHOL and CBD**

Because the effects of mixing CBD and alcohol are currently unknown, the OLCC recommends that retailers do not mix CBD items into alcoholic cocktails or mixed drinks. A licensee that mixes CBD and alcohol does so at its own risk.

In November 2019 the U.S. Food & Drug Administration (FDA) said it could not conclude that CBD is generally recognized as safe (GRAS) for use in human or animal food. FDA provided this Consumer Update about its concerns regarding CBD products.

In the wake of the FDA guidance the OLCC will propose to undertake rulemaking that would in effect prohibit any retail licensee from mixing CBD with any alcohol beverage for on-premises consumption. For more information about the rulemaking process, please look at the “Laws and Rules” section of the OLCC website.

**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 they are complying with all laws and regulations. The OLCC cannot verify the source or the legal status of a CBD 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.