

**Overview of New OLCC & OHA Temporary Rules on Medical & Recreational Marijuana  
Product Testing, Labeling, Marketing to Minors  
September 30, 2016**

**Product Testing**

The combined action by the agencies today gives the OLCC authority to flex pesticide testing related to each harvest lot and the number of batches tested. With this flexibility the OLCC can match lab capacity to test for pesticides with the amount of product being moved by licensees. This is intended as a temporary action and the OLCC will increase required testing as additional lab capacity comes on line. Lab capacity is projected to increase during the month of October. OLCC's Cannabis Tracking System (CTS) allows the agency to closely monitor the system and optimize lab capacity as it increases.

If the OLCC determines that inadequate lab capacity exists it can exercise its flexibility, and the agency will issue an order specifying the number of batches from a producer's harvest lot to be tested selectively. If any of the selected samples fail the pesticide testing every batch of the harvest lot must be tested for pesticides.

If the selected samples pass the pesticide test, then the entire harvest lot is considered to have passed pesticide testing. The temporary rule will remain in effect until March 1, 2017 unless the OLCC determines there is sufficient capacity to test every batch of usable marijuana for pesticides. This rule applies to marijuana flower only. Pesticide testing for recreational marijuana products, such as edibles and extracts, does not change. Testing of medical product, including for pesticides, does not change.

**Product Labeling**

The OHA also passed a temporary rule modifying the labeling requirement for inventory obtained prior to October 1, 2016. The products must be labeled according to new OHA rules that take effect October 1, 2016. However, now the labels for product acquired prior to October 1<sup>st</sup> do not require pre-approval by the OLCC.

Products acquired before October 1, 2016, and not tested to the new standards, also must carry an additional label that reads **"Does Not Meet New Testing Requirements"** and all products must be packaged in a child-resistant product package or child-resistant "exit" bag.

OLCC retailers that convert from OMMP will have until March 1, 2017 to sell their inventory acquired prior to October 1, 2016. Product transferred from the OHA Oregon Medical Marijuana Program will be required to be inventoried and entered into the state's CTS. OMMP dispensaries will have until December 31, 2016 to sell their inventory acquired prior to Oct. 1, 2016.

For products acquired on or after October 1, 2016 OLCC retailers and OMMP dispensaries will be required to abide by the new testing, packaging and labeling requirements. These products also will be required to be inventoried and entered into the CTS.

**Marketing to Minors**

The OLCC Temporary Rule on product wording affecting children is designed to prevent making marijuana branding attractive to children. For example, the marijuana strain "Girl Scout Cookies" will not be allowed on packaging or labeling.