



News Release

Oregon Liquor Control Commission
9079 SE McLoughlin Blvd., Portland, OR 97222-7355
1-800-452-6522

For more information:

Mark Pettinger, Marijuana Program Spokesperson

Mark.Pettinger@oregon.gov (503) 872-5115

www.marijuana.oregon.gov

November 22, 2019

OLCC Affirms Authority to Prohibit Marijuana Adulterants Bans Vitamin E Acetate from Marijuana Vaping Products

PORTLAND, OR. – At its monthly meeting on **November 21, 2019**, the Commissioners of the Oregon Liquor Control Commission affirmed the OLCC’s existing authority to ban adulterants, such as Vitamin E acetate, from inclusion in marijuana products. The Commission also approved eight marijuana violation stipulated settlement agreements.

Public health investigators with the US Centers for Disease Control (CDC) have identified Vitamin E acetate as a potential culprit in the national vaping respiratory illness outbreak. Forty-two people, including two in Oregon, have died from the illness. More than 2,100 individuals have been afflicted with the lung injury, including 18 Oregonians.

Previously the OLCC had not expressly allowed or banned Vitamin E acetate from being mixed into marijuana vaping products. Ingredients for marijuana products are already screened as part of the OLCC’s packaging and labeling pre-approval process. The Commission’s action supports both the public health finding and the agency’s ability to ban Vitamin E acetate.

“We’re making it clear that to protect consumer health we will vigorously scrutinize what goes into marijuana products sold in Oregon’s legal marketplace,” said Steve Marks, OLCC Executive Director. “The Commission is taking steps with our regulatory partners to put in place additional consumer safeguards. Just this week we discussed with the legislature establishing a state-run reference lab so that regulators can test marijuana products in an effort to better protect consumers.”

Under Oregon law, the OLCC can prohibit recreational marijuana licensees from selling a marijuana item that contains “injurious or adulterated” ingredients. [See ORS 475B.232\(2\) for reference.](#)

Under existing OLCC administrative rules “adulterated” is defined to mean in part “a foreign, inferior, poisonous or deleterious ingredient or substance that renders the marijuana item injurious to health. [See OAR 845-025-1015\(2\) for reference.](#) Based upon the CDC finding, the OLCC has determined that Vitamin E acetate is an adulterant.

Vitamin E acetate may continue to be included in non-inhaled marijuana products, such as lotions and edibles, so long as its introduction into those products meets all other OLCC requirements.

-More-

The Commission approved the following fines and/or marijuana license suspensions, license surrenders, or marijuana worker permit surrender based on stipulated settlements:

Deshe' in Gladstone will pay a fine of \$4,950 and serve a 15-day marijuana retailer license suspension or serve a 45-day license suspension for one violation.

Licensees are: Emily Lumachi, President/Director/Stockholder; Jeremy Lumachi, Secretary/Director/Stockholder; Shane Hutchins, Director/Stockholder; Alan Hutchins, Director/Stockholder.

Decibel Farms* will pay a fine of \$1,485 or serve a nine-day marijuana producer license suspension for one violation.

Licensees are: Decibel Farms, Inc.; Shawn Bishop, President; Horace Wilson, Secretary

4-Twenty Market in Eugene will surrender its recreational marijuana retailer license for two violations and the licensee will receive a letter of reprimand.

Licensee is: Seed Soil Sun, LLC; Kevin Blum, Member.

Gold River Botanicals in Rogue River will pay a fine of \$6,600 or serve a 40-day marijuana retailer license suspension for two violations.

Licensees are: Gold River Botanicals, LLC; Richard Porta, Member; Norma Porta, Member

Top Hill Cannabis* will pay a fine of \$6,105 or serve a 37-day marijuana producer license suspension for five violations.

Licensees are: Top Hill Cannabis, LLC; Loni Schaffer, Member; Robert Schaffer, Member

Sweet Leaf Cannabis in Eugene will surrender its recreational marijuana retailer license for six violations and the licensee will receive a letter of reprimand.

Licensee is: Sweet Leaf Cannabis of Eugene, LLC; Jeremy Wheeler, Member

Sweet Leaf Cannabis in Springfield will surrender its recreational marijuana retailer license for seven violations and the licensee will receive a letter of reprimand.

Licensee is: Sweet Leaf Cannabis LLC; Jeremy Wheeler, Member

Heavy Lids will surrender its recreational marijuana producer license for nine violations and the licensee will receive a letter of reprimand.

Licensee is: Heavy Lids, LLC; Jeremy Wheeler, Member

*The locations of OLCC marijuana producer, processor and wholesale licensees are exempt from public disclosure under Oregon law.

A copy of the Stipulated Settlement Agreements for Marijuana Violation Cases can be found on the [OLCC website](#), on the Laws & Rules page under the [Final Orders](#) section.