

Recreational Marijuana Program

Compliance Education Bulletin

Bulletin CE2018-09

November 28, 2018

The Oregon Liquor Control Commission is providing the following information to: recreational marijuana licensees and medical registrants.

The bulletin is part of OLCC's compliance education. It is important that you read it, and understand it. If you don't understand it please contact the OLCC for help.

Failure to understand and follow the information contained in this bulletin *could result in an OLCC rules compliance violation affecting your ability to work or operate your business.*

Bulletin CE2018-09 covers the following issues:

- **Artificial and natural flavoring ingredient listing and product identities for cannabinoid concentrates and extracts with non-marijuana terpenes or flavoring blends**
- **Ingredient documentation**
- **Sell down period of approved labels**
- **Metrc product categorization**

Ingredient Labeling

When adding "added substances" to cannabinoid concentrates and extracts, labels must list all the ingredients used to process the product. For example listing – "non-marijuana terpenes" on its own as an ingredient does not accurately capture all of the ingredients in non-marijuana terpene and flavoring blends. These ingredients are more accurately listed according to the U.S. Food and Drug Administration's definitions of artificial and natural flavor.

The ingredients list must fully and accurately capture all of the ingredients in the product. This includes, but is not limited to, non-marijuana derived terpenes, artificial and natural flavors, vegetable glycerin, fractionated coconut oil (MCT oil), and propylene glycol.

Licensees must use the following descriptors when listing their ingredients: non-marijuana derived terpenes **and** artificial and/or natural flavors. Licensees using flavoring blends must indicate natural and/or artificial flavors in their ingredients list. See the example labels below.

Depending on specific included ingredients, ingredient lists must adhere to the following format:

- Ingredients: Marijuana extract, non-marijuana derived terpenes, artificial and natural flavors;
- Ingredients: Marijuana extract, non-marijuana derived terpenes, artificial flavors;
- Ingredients: Marijuana extract, non-marijuana derived terpenes, natural flavors;
- Ingredients: Marijuana extract, artificial and natural flavors;

- Ingredients: Marijuana extract, natural flavors; or
- Ingredients: Marijuana extract, artificial flavors.

For these types of products made from cannabinoid concentrate, the word “Concentrate” should be substituted for “Extract,” to look like the following:

- Ingredients: Marijuana concentrate, non-marijuana derived terpenes, artificial and natural flavors;
- Ingredients: Marijuana concentrate, non-marijuana derived terpenes, artificial flavors;
- Ingredients: Marijuana concentrate, non-marijuana derived terpenes, natural flavors;
- Ingredients: Marijuana concentrate, artificial and natural flavors;
- Ingredients: Marijuana concentrate, natural flavors; or
- Ingredients: Marijuana concentrate, artificial flavors.

Product Identities

For Cannabinoid Extracts with added substances (Other Cannabinoid Product), the following product identities are acceptable:

- Marijuana Extract with Non-Marijuana Derived Terpenes;
- Marijuana Extract Flavored with Natural and/or Artificial Flavors; or
- [Strain Specific] Flavored Marijuana Extract, for example – Blue Dream Flavored Marijuana Extract.

For Cannabinoid Concentrates with added substances (Other Cannabinoid Product), the following product identities are acceptable:

- Marijuana Concentrate with Non-Marijuana Derived Terpenes;
- Marijuana Concentrate Flavored with Natural and/or Artificial Flavors; or
- [Strain Specific] Flavored Marijuana Concentrate, for example – Blue Dream Flavored Marijuana Concentrate.

Ingredient Documentation

Before the OLCC can approve a label, licensees and registrants must submit to the OLCC documentation from any supplier of added substances as defined by [OAR 845-025-7000\(2\)](#) included in the marijuana product that states the following:

- Business information (name of business, address, phone number, email);
- List of products supplied to your business;
- What ingredients are in each supplied product, including but not limited to, artificial and/or natural flavors, vegetable glycerin, fractionated coconut oil (MCT oil), and propylene glycol; and
- Certificates of analysis for each product.

The documentation can either be submitted in the online marijuana licensing system when submitting a label application as a pdf or emailed to marijuana.packaging@oregon.gov. When changing added substances, licensees must provide new documentation to the OLCC. See the example letter below.

Sell Down Period

Licensees with approved labels must resubmit their labels for pre-approval along with ingredient documentation. The OLCC considers previously approved labels for these types of Other Cannabinoid Products as untruthful and misleading because they do not fully and accurately list all the ingredients used in the product and are in violation of the OLCC's rules.

Licensees with approved labels may sell-down their existing label inventory through June 1, 2019. After June 1, 2019, products with non-conforming labels cannot be transferred or sold and the label will be considered untruthful and misleading and will be in violation of the OLCC's rules.

For licensees who submitted a label for pre-approval during the period of August 15, 2018 -- November 27, 2018 and who have not had their label approved. Once your label is approved you may sell-down your label inventory through June 1, 2019. Licensees must resubmit their labels for pre-approval along with ingredient documentation and may do so under the existing label application(s).

All other labels are subject to the April 1, 2019 and January 1, 2020 sell-down periods. See [OAR 845-025-7190](#) for the specifics.

Metric Product Categorization

For how to properly categorize these products in Metric, please see the [Recreational Marijuana Product Categorization Guide](#).

See below for example labels and sample documentation.

OLCC rules and federal definitions impacting this issue:

[OAR 845-025-7000\(2\) Added Substances Definition](#)

[OAR 845-025-7120 Other Cannabinoid Product Labeling Rules](#)

[21 CFR 101.22 Artificial and Natural Flavoring Definitions](#)

For questions contact:

Anthony Geltosky, OLCC Packaging & Labeling Specialist; 503-872-5459

marijuana.packaging@oregon.gov

Correct Label Example

**Marijuana Extract with Non-Marijuana
Derived Terpenes**


Suggested serving size is one 5-second draw.
Each cartridge provides about 150 servings with
a 5 second draw.

Ingredients: Marijuana extract, non-marijuana
derived terpenes, artificial and natural flavors,
fractionated coconut oil (MCT oil).

DO NOT EAT. For use only by adults 21 and
older. Keep out of reach of children. Do not
drive a motor vehicle while under the influence
of marijuana. This product is not approved by
the FDA to treat, cure, or prevent any disease.

THC: 6 mg/serving; 900 mg/container
CBD: 10 mg/serving; 1500 mg/container
Immediate Activation
UID 1A4018297310677118742955
Made: 6/11/16, Lab Name, Tested: 6/20/16
Processing Green, LLC, 1000026J04D, 123
Green St., Portland, OR 97210

1 gram (0.035 ounces)



Correct product identity

Accurate ingredient list

Processor's address

Incorrect Label Example

Other Cannabinoid Product

Suggested serving size is one 5-second draw.
Each cartridge provides about 150 servings
with a 5-second draw.

**Ingredients: Marijuana extract, non-marijuana
derived terpenes.**

DO NOT EAT. For use only by adults 21 and
older. Keep out of reach of children. Do not
drive a motor vehicle while under the influence
of marijuana. This product is not approved by
the FDA to treat, cure, or prevent any disease.

THC: 6 mg/serving; 900 mg/container
CBD: 10 mg/serving; 1500 mg/container
Immediate Activation

UID 1A4018297310677118742955
Made: 6/14/16, Lab Name, Tested: 6/20/16
Processing Green, LLC, 1000026J04D

1 gram (0.035 ounces)

Incorrect product identity

Missing natural and/or artificial flavors

Missing processor's address

Green Street Terpenes

123 Green St., Portland, OR 97210 | 503-555-5555 | greenstreet@notarealemailaddress.com

November 16, 2018

To the Oregon Liquor Control Commission,

Green Street Terpenes supplies Processing Green, LLC with the following non-marijuana derived terpenes and strain specific terpene blends.

- Beta pinene
- Limonene
- Myrcene
- Banana Kush
- Pineapple Trainwreck
- Sour Diesel

The beta pinene, limonene, and myrcene terpenes are all botanically sourced and their ingredients fall under the [21 CFR 101.22\(a\)\(3\)](#) definition of natural flavor. They do not contain any other added substances. The Banana Kush, Pineapple Trainwreck, and Sour Diesel blends contain both artificial and natural flavor under the [21 CFR 101.22\(a\)\(1\) and \(3\)](#) definitions of artificial and natural flavor.

We also supply Processing Green, LLC with the following flavoring blends:

- Blue Raspberry
- Fruit Punch
- Mango
- Apple
- Cinnamon Swirl

These flavoring blends are all synthetically sourced and fall under the 21 CFR 101.22(a)(1) definition of artificial flavor. Additionally, they contain propylene glycol.

Certificates of analysis for each blend are also attached.

**Sincerely,
John Doe**