

INDUSTRIAL HEMP-DERIVED VAPOR ITEM LABELING GUIDE

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INTRODUCTION

This document is meant to help explain the labeling rules. However, this guide should not replace a thorough reading of the rules. All industrial hemp-derived vapor item manufacturers are required to follow and understand the labeling rules as found in OAR 845-026-7000 through 845-026-7070.

On and after **July 1, 2022**, all industrial hemp-derived vapor items that are sold in Oregon to consumers must be tested and labeled according to rules in Chapter 845, [Division 26](#).

These rules apply to industrial hemp-derived vapor items that are not being sold in the licensed OLCC marijuana marketplace. Examples include grocery and convenience stores, smoke shops, and CBD stores.

This guide discusses the labeling of industrial hemp-derived vapor items for sale to consumers. At the end of this document are resources for testing of industrial hemp-derived vapor items.

BEFORE YOU BEGIN

*** The labeling rules discussed in this document apply to industrial hemp-derived vapor items that are for ultimate sale to a consumer. This means labels that are going to be sold or transferred to a consumer. These rules do not apply to items that are undergoing lab sampling/testing or bulk transfers of product from one person to another. ***

For the purposes of this document, the following terms are defined as follows:

- **“Hemp vapor item manufacturer”** means a person responsible for the labeling or manufacturing of an industrial hemp-derived vapor item sold in Oregon and includes:

(a) A hemp handler licensed with the Oregon Department of Agriculture under ORS 571.281 to process industrial hemp into commodities, products or agricultural hemp seed.

(b) Any other person responsible for the labeling of an industrial hemp-derived vapor item sold in Oregon.

- **“Industrial hemp-derived vapor item”** means an industrial hemp concentrate or industrial hemp extract, as those terms are defined in ORS 571.269, whether alone or combined with non-cannabis additives, that is intended for use in an inhalant delivery system.

- **“Inhalant delivery system”** has the meaning given that term in [ORS 431A.175](#).

These definitions can be found in OAR [845-026-0100](#).

This guide is an abbreviated version of the OLCC’s [Packaging and Labeling Guide](#). More visual examples and guidance can be found in the Packaging and Labeling Guide.

The OLCC, Oregon Health Authority (OHA), or Oregon Department of Agriculture (ODA) may have additional requirements that are not covered in this guide so it is important to read and understand the rules.

This guide is not a replacement for reading the rules.

DIFFERENCE BETWEEN PACKAGES AND LABELS

It is important to understand the difference between packages and labels. A package is a physical structure that holds and protects the product. The label is all of the text, graphics, pictures, and logos printed on or affixed to the package. Packages and labels are two distinct things.



PACKAGE – the Mylar bag on its own without any design or text elements



LABEL – includes the printed design, the logo, and all the text anywhere on package

PACKAGING

GENERAL REQUIREMENTS

Industrial hemp-derived vapor items are not required to be packaged in child resistant packaging. If you are applying for label pre-approval, the [OLCC's online licensing system](#) will require you to associate a package with the label application. You will first need to create a "non-child resistant" package application. This is free and is automatically approved. Keep in mind that the package application does not cover any aspect of the labeling and you will need to submit a label application as well.

OAR [845-026-7060](#) requires all hemp vapor item manufacturers who label industrial hemp-derived vapor items for ultimate sale to a consumer to have labels approved through the OLCC pre-approval process (see [Pre-approval Process](#) Section).¹ "Ultimate sale" means the final sale from a retail location to a consumer. Labels must be approved before any industrial hemp-derived vapor item is sold or offered for sale to a consumer, with the exception of generic labels which do not require pre-approval. More on generic labels is discussed in the [Label Checklist and Generic Label Examples](#) section.



Small round jar placed inside of a cardboard box. Both the jar and the box are considered "containers."

¹ Generic labels and pre-approved packages do not need to be approved by the OLCC. More information about these topics is included later in this guide.

LABELING

GENERAL REQUIREMENTS

All containers must be properly labeled. This includes any container that holds an industrial hemp-derived vapor item as well as any container used to display an industrial hemp-derived vapor item for sale. For information on small or tiny container labels, please read the [Small and Tiny Container Labeling](#) section.

A label is any written, printed, or graphic matter affixed to, applied to, attached to, blown into, formed, molded into, embossed on, printed on, or appearing upon or adjacent to a package containing an industrial hemp-derived vapor item for purposes of branding, decorating, identifying, or giving any information with respect to the item or to the contents of the package. If a package contains multiple stickers or has some information printed directly on the container and the rest of the information on a sticker, all of the information is considered part of one label.



IMPORTANT! The container holding the item must be properly labeled no matter how small it is. Additionally, any outer container must also be properly labeled. The label information required on each label depends on the type of product and the size of the container.

The labeling requirements for industrial hemp-derived vapor items can be found in OAR 845-026-7000 through 845-026-7070. All labeling requirements outlined in the rules are considered required information that must be included on the label. Failure to include required information on a label may result in the denial of a label application or a civil penalty. For a checklist of the general requirements for an industrial hemp extract or concentrate, go to the [Label Checklist and Generic Label Examples](#) section.

There are slightly different labeling requirements if the industrial hemp-derived vapor item is a combination of industrial hemp extract and concentrate or it has non-cannabis additives, which can be found in the [Other Labeling Requirements](#) below.

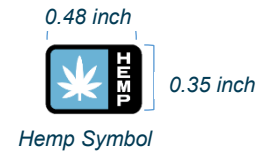
If a container is too small to fit all of the required information, a small or tiny container label may be utilized. See the [Small and Tiny Container Labeling](#) section. Regardless of the product type, all labels must follow the same general requirements.

All the required information on a label must:

1. Be in typed, legible font that is *at least* 1/16th of an inch in height based on the uppercase "K";
2. Be in a font that is easy to read and contrasts sufficiently with the background;
3. Be in English, but the information can be included in other languages;
4. Be unobstructed and conspicuous, meaning that all required information must be visible on the outside of the package; and
5. Be printed on or securely affixed to the package, meaning that the label will not fall off or be removed during transportation or normal use of the product.

Additionally, every label must contain:

1. A principal display panel as defined by OAR [845-026-7000](#). (See the [Principal Display Panel Section](#) for more information).
2. The hemp symbol (at least 0.48 inches wide by 0.35 inches tall); and
3. All of the information required by rule for the industrial hemp-derived vapor item.



Non-required information can be in any font or size. Although there is a font size requirement for all required information, any additional information that is not required by rule may be in any font type and size as long as that text complies with the rest of the rules.

A package may have more than one label panel attached or affixed to it. Label information can be printed directly on the package, affixed to the package (e.g. with glue or as a sticker), or embossed into or printed directly on the package. For example, printing some required information directly onto a Mylar bag and including the rest of the required information as a sticker is compliant under the rules. Both the sticker and the information printed directly on the bag will be considered to be two parts of one label.

Testing information for all laboratories and tests must be included on the label. If an item was tested by more than one lab or has more than one test analysis date associated with it, each lab and test analysis date must be included on the label. For example, if one lab tests for THC concentration and a different lab tests for pesticides, the information for both labs and tests must be included on the label. Similarly, if a first test fails and a subsequent re-test passes, the information for both tests must be included on the label.

Under OAR [845-026-7030](#) when listing the potency on a label, the amount of THC and CBD must be the value calculated by the laboratory that did the testing in accordance with OAR [333-064-0100](#). The potency value shall be expressed as an average of the samples taken and tested under OAR [333-007-0360](#). For more information about labeling THC and CBD, see the Industrial Hemp-derived Vapor Item Concentration and Serving Size Limits section, below.

LABEL PROHIBITIONS

A label may not:

1. Contain any untruthful or misleading statements, including incorrectly using the term "org[anic]" or making an unsubstantiated health claim;
2. Be attractive to minors, as defined in OAR [845-026-7000](#);
3. Make claims that industrial hemp-derived vapor items have curative or therapeutic effects;

A label for an industrial hemp-derived vapor item may not be attractive to minors. Any of the following items would be considered “attractive to minors”:



Both images are “cartoons.” The penguin (above) has comically-exaggerated features, and the winged character (below) displays unnatural or extra-human abilities.



- (1) Cartoons;
- (2) Designs, brands, or names that resemble a non-cannabis product that is typically marketed to minors;
- (3) Symbols or celebrities that are commonly used to market products to minors would be considered “attractive to minors”;
- (4) Images of minors; and
- (5) Words that refer to products that are commonly associated with minors or marketed by minors.

A “cartoon” is defined in rule as any drawing or depiction of an object, person, animal, creature or any similar caricature that:

- (1) Uses comically-exaggerated features;ⁱ
- (2) Attributes human characteristics to animals, plants or other objects; or
- (3) Attributes unnatural or extra-human abilities, such as imperviousness to pain or injury, X-ray vision, tunneling at very high speeds, or transformation (i.e. Superheroes).ⁱⁱ

ELEMENTS OF A LABEL

PRINCIPAL DISPLAY PANEL

The principal display panel is defined as the part of a label on a package or container that is most likely to be displayed, presented, shown or seen under customary conditions of display for sale or transfer, generally the front of the package that contains logos and branding. A package may have more than one principal display panel and, if so, all principal display panels must be properly labeled.

For visual examples of compliant and non-compliant principal display panels and product identities, see the OLCC’s [Packaging and Labeling Guide](#).

For most labels, three items must appear on the principal display panel: (1) the hemp symbol; (2) the net weight or volume; and (3) the product identity. All three items must be visible on the package at the same time.

PRODUCT IDENTITY

The product identity is the common or usual name of the product. This is a descriptive name for the product and not a fanciful name or the brand name of the product. For example, on a package of Starburst®, the name “Starburst” is the brand name of the candy, and the term “fruit chews” is the product identity.

The product identity must:

- Be in bold type,

- Be in a size reasonably related to the most prominent printed matter on the principal display panel,
- Be parallel to the base on which the package rests as it is designed and displayed; and
- Clearly identify the item is derived from hemp.



IMPORTANT! For concentrates and extracts, the product identity must correctly identify the product as either a concentrate or an extract as those terms are defined in OAR 845-025-1015.

NET WEIGHT OR VOLUME (NET QUANTITY OF CONTENTS)

The net quantity of contents means the amount of product being sold in the container. It can be expressed on the label as either the net weight or the net volume.

The net weight is the gross weight of the final product minus the weight of the packaging and is expressed on the label in both ounces and grams (or milligrams for weights under one gram). A label should include the net weight if the product is a solid, semi-solid, or viscous product. A standard net weight declaration looks as follows: Net wt 1.0 g (0.035 oz). The net weight is the weight of the final product.

The net volume is the fluid measure of a liquid product expressed as milliliters and fluid ounces (fluid ounces are different than ounces). A label should include the net volume if the product is a liquid.

Displaying Net Weight or Volume

The net quantity of contents provided on the principal display panel must be the average quantity of contents in all of the packages in the batch. The net quantity declaration must be:

- A distinct item separated from other printed label information on all sides by at least a space equal to the height of the lettering used in the declaration;
- In **bold** type;
- In the bottom 30 % of the principal display panel;
- In lines generally parallel with the base of the container; and
- Listed in both the US Customary Units and the International System of Units (SI Units).

<i>US Customary</i>	<i>SI Units</i>
Weight (dry) displayed in ounces	Weight (dry) displayed in grams or milligrams
Volume (liquid) displayed in fluid ounces	Volume (liquid) displayed in milliliters

The net quantity of contents should be displayed as a number between 1 and 1000. When choosing a unit, use the following examples. If using a decimal, use no more than three decimal places.

Examples:

500 mg, not 0.5 g

1.96 g, not 1960 mg

750 mL, not 0.75 L

Net weight or volume should not be expressed in mixed units.

Example:

1.5 g, **not** 1 g 500 mg

ROUNDING

Use Table 1 (above) from the NIST Handbook 130 (2015) to help with rounding the net quantity.

Industrial Hemp-derived Vapor Item Concentration and Serving Size Limits

OAR [845-026-0400](#) establishes the concentration and serving size limits for industrial hemp-derived vapor items (see [Table 3](#)):

- Industrial hemp extract or concentrate may have a maximum concentration of Delta-9-THC of 0.3% in the container. There is no serving size requirement for Delta-9-THC.
- An industrial hemp cannabinoid product, such as an industrial hemp-derived vapor item that combines an industrial hemp extract and concentrate or an industrial hemp extract with non-cannabis additives, may have a maximum concentration of Delta-9-THC of 0.3% or at most 20 mg Delta-9-THC in the container and a maximum serving size limit of up to 2 mg Delta-9-THC.

OTHER LABELING REQUIREMENTS

TARGET POTENCIES

A label may feature on the principal display panel a “target potency,” which is a desired potency the hemp vapor item manufacturer wishes to achieve for the product. The label must also have the actual lab calculated values. The actual lab calculated values must be within +/- 10% of the target potency, anything outside of this range would make the label untruthful and misleading and in violation of the OLCC’s labeling rules. Generic labels may not use a target potency because this is not required by rule.

LABEL ID

Pre-approved labels must have a Label ID number on the outermost container. Labels that are pre-approved by the OLCC are automatically assigned a unique label identification number. The format should appear as “Label ID: 0000” (the 0s are placeholders in this example). See the following page of where to find the Label ID in your online dashboard. The screenshots below were taken

When The First Digit Dropped is:	The Last Digit Retained is:	Examples
less than 5	Unchanged	2.44 to 2.4 2.429 to 2.4
more than 5, or 5 followed by at least 1 digit other than 0	Increased by 1	2.46 to 2.5 2.451 to 2.5
5 followed by zeros	Unchanged if Even, or Increased by 1 if Odd	2.450 to 2.4 2.550 to 2.6

under the “Packaging/Labels” portion of the online dashboard. The full URL has been redacted, but the Label ID appears at the end of the URL after the = sign in the example below. The Label ID number is generated when a “draft” application has been created (draft means it has not been paid for and formally submitted). You may fill in the Label ID number prior to submission or it can be provided during the initial label review. The Label ID must be filled in before the label will be approved.

The screenshot shows the Oregon.gov Labels dashboard. At the top, there is a 'Labels' header with a sub-header 'Please add all labels you plan to use. You must associate a label with packaging. If your application for packaging has not yet been approved, you will not be able to have labels approved.' Below this is an '+ Add Label' button. A table lists labels with columns for 'Title & Description', 'Application/Registration ID', 'Created', 'Status', and 'Details'. A red arrow points to the 'Details' column header with the text 'Click "..."'. Below the table, a browser window shows the URL 'LabelAdminDetail?id=136' with '136' highlighted in a yellow box and a red arrow pointing to it with the text '<- Label ID: 136'. The browser window also shows the Oregon.gov logo and the page title 'Recreational Marijuana Licensing'. The detailed view shows 'Label Details for' with tabs for 'Action/Change Requests', 'Label Application', and 'Business Information'. It includes fields for 'Assigned To' and 'Under Review', and buttons for 'Move to state: Approved', 'Resubmission Required', and 'Propose Denial'.

ACTIVATION TIME

Activation time is the amount of time it is likely to take for an individual to begin to feel the effects of inhaling an industrial hemp-derived vapor item. Activation time may be expressed in words or through a pictogram. If a user will begin to feel the effects right away, the activation time can be listed as immediate. If the product has a delayed reaction, the hemp vapor item manufacturer must determine what the activation time is for their particular product. To show activation time on a label, you may simply state, “Activation Time: 30 minutes” or you may use a pictogram (see example on right), as long as the pictogram is clear and easily understood.



BUSINESS NAME, TRADE NAME, OR PERSONAL NAME, AND LICENSE NUMBER

All labels require the hemp vapor item manufacturer's business name, trade name, or personal name, and if applicable, ODA license number. This information should be listed together on the label. Providing the business or trade name as part of a logo or other branding is not sufficient to meet this requirement. The label must be clearly marked with the identifying information for the hemp vapor item manufacturer responsible for the product.

SERVING SIZE

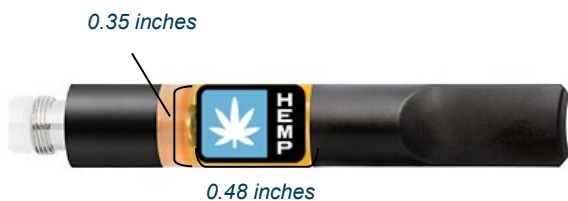
The labeling rules require a serving size and the number of servings in the container. The serving size is the amount of product that is suggested for a consumer to use. The serving size is NOT the potency of the product. Instead the serving size should explain to the consumer the amount of product he or she should use to reach a specific potency. The serving size is determined by the hemp vapor item manufacturer, but the label must follow the rules regarding concentration limits.

The serving size is determined by the hemp vapor item manufacturer and should be appropriate for an inhalant delivery system, such as a puff or inhalation.

CARTRIDGE LABELING

All cartridges and vaporizing devices containing industrial hemp concentrate or extract, whether alone or combined with non-cannabis additives, intended for use with an inhalant delivery system must be labeled with the hemp symbol. The hemp symbol must be 0.48 inches wide by 0.35 inches tall. The hemp symbol can either be printed directly on the cartridge or it can be attached to the cartridge as a sticker. Cartridges are not required to have a small container label.

Syringes do not fall under this rule and must have a small container label attached to them. In order to fit all of the required information, a flag label may be used. For more information about small container labels, please see the [Small Container Labeling](#) section.



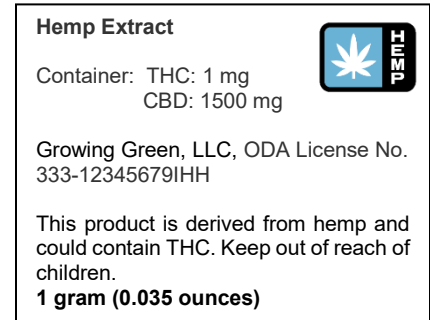
Example of the hemp symbol on a cartridge. The hemp symbol must be at least 0.48 inches wide by 0.35 inches tall.

LABELING SMALL AND TINY CONTAINERS

SMALL CONTAINER LABELS

All containers that hold an industrial hemp-derived vapor item must be properly labeled. Under OAR [845-026-7030](#), if the container holding the industrial hemp-derived vapor item is too small to fit all of the required label information, a hemp vapor item manufacturer may put at a minimum the following information on a label that is securely affixed to the small container:

1. Principal display panel that includes the net weight, hemp symbol, and product identity;
2. Hemp vapor item manufacturer business name, trade name, or personal name;
3. If applicable, ODA license number;
4. Concentration of THC and CBD; and
5. Required warnings.
 - “This product is derived from hemp and could contain THC. Keep out of reach of children.”



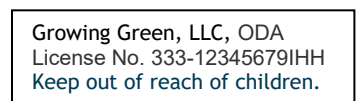
Example of a small container label for an extract.

The remaining required information must be included on an outer package or container or on a hangtag attached to the small container. If an outer package is used, all of the information required by rule must be on the outer container, even if some of the information is already included on the inner container. In other words, if a small container is packaged inside a larger container, the outer container must have a full label. If a hangtag is used, the hangtag must be securely attached to the small container and contain the rest of the required information that is not already listed on the small container label (for example: lab name, test date, serving size, etc.). Small containers can utilize accordion or peel back labels but the information required on a small container label must be visible on the outside of the accordion or peel back label.

TINY CONTAINER LABELS

Under OAR [845-026-7030](#), an industrial hemp-derived vapor item that is packaged in a container that has a complete surface area available for applying a label that is less than 2 inches squared may have a label printed on or affixed to the container that includes at a minimum the following information:

1. A principal display panel with the hemp symbol and product identity;
2. Hemp vapor item manufacturer business name, trade name, or personal name;
3. name;
4. Concentration or amount of THC and CBD in the container;
5. If applicable, ODA license number;
6. A warning that reads: “Keep out of reach of children.”



Example of a tiny container label for an extract.

Similar to a small container label, the remaining required label information must be included on a hangtag attached to the tiny container or the tiny container can be packaged inside of an outer container that contains a full and compliant label.

FALSE OR MISLEADING CLAIMS

ORGANIC

Hemp vapor item manufacturers that want to label their products as organic must follow strict requirements. First, if a hemp vapor item manufacturer wants to make a claim that a product or its ingredients are organic, the product or certain ingredients need to be certified as organic. If it is not certified, the hemp vapor item manufacturer cannot make any organic claim on the principal display panel or use the USDA organic seal anywhere on the package. Doing so will be considered misleading and could result in a denial of the label approval request. Second, a hemp vapor item manufacturer cannot use the word “organic” or any variation of the word in a way that implies the product is organic, the product has been certified organic, or that the hemp in the product is organic unless the product has been certified as organic. This means the logo and branding on a principal display panel or elsewhere on the label cannot use the word organic. To learn more about organic certification, please contact the Oregon Department of Agriculture at 503.986.4550.



HEALTH CLAIMS

Health claims describe a relationship between a substance and a reduced risk of a disease or health-related condition. OAR [845-026-7030](#) prohibits the use of a health claim that is not supported by the totality of publicly available scientific evidence (including evidence from well-designed studies conducted in a manner which is consistent with generally recognized scientific procedures and principles), and for which there is significant scientific agreement, among experts qualified by scientific training and experience to evaluate such claims. A statement claiming that the product or an ingredient in the product can cure, mitigate, or treat any disease or health-related condition cannot be made or implied. Any statement that makes such a claim would be considered a misleading statement and could lead to a denial of a label application.

STRAIN NAMES

The label cannot contain any words that refer to products that are commonly associated with minors, marketed by minors, or any names that are false or misleading. To help clarify which strain names are not allowed on labels or advertising, please look at the categories of names below and the examples under each category. [This is not an exhaustive list of prohibited strain names but a few examples of what is NOT allowed.](#)

FIRST CATEGORY - Names of children’s toys or any character or other item in a children’s book, TV show, or movie. The following names are examples of the types of names that would be prohibited:

- Incredible Hulk
- Ewok
- Optimus Prime
- Light Saber
- Candy Land

SECOND CATEGORY - Food Products Marketed to or by Children. The following names are examples of the types of names that would be prohibited:

Any Girl Scout Cookie - Thin Mints, Dosidos, Samoas etc.
Crunch Berries
Frosted Flakes
Lucky Charms
Skittles
Sour Patch Kids

THIRD CATEGORY - False or Misleading. The following names are examples of the types of names that would be prohibited:

Green Crack
Opium
Special K

LABELING OF INDUSTRIAL HEMP-DERIVED VAPOR ITEMS WITH NON-CANNABIS ADDITIVES

There are specific labeling and documentation requirements for industrial hemp-derived vapor items with non-cannabis additives. The specific definition of non-cannabis additive is in OAR [845-026-0100](#), but generally refers to non-cannabis derived substances like “botanical terpenes” or flavorings.

OAR [845-025-7040](#) lists the additional labeling requirements and OAR [845-026-7160](#) lists the additional documentation requirements hemp vapor item manufacturers must supply with their label application, including the [Non-cannabis Additive Documentation for Industrial Hemp-derived Vapor Items](#) form.

Hemp vapor item manufacturers should consult [Compliance Bulletin CE2020-07](#) for additional information. While this bulletin discusses requirements for OLCC marijuana licensees, it provides helpful labeling explanations that are generally applicable to industrial hemp-derived vapor items with non-cannabis additives.

LABELING OF INDUSTRIAL HEMP-DERIVED VAPOR ITEMS: COMBINATIONS OF INDUSTRIAL HEMP EXTRACT AND CONCENTRATE

If the industrial hemp-derived vapor item combines industrial hemp extract and concentrate, there are slightly different labeling requirements. The product identity must indicate the item has industrial hemp extract and concentrate and all ingredients must be listed in descending order of predominance by weight or volume. See OAR [845-026-7040](#).

ADDITIONAL LABELING REQUIREMENTS

National Institute of Standards and Technology (NIST) Handbook 130 (2016)

The NIST Handbook has been incorporated by reference into the labeling rules. The NIST Handbook provides uniform packaging and labeling regulations. You can find the NIST Handbook here: <http://www.nist.gov/pml/wmd/pubs/upload/iva-pkglblgreg-16-h130-final.pdf>

PRE-APPROVAL PROCESS

Hemp vapor item manufacturers who are packaging industrial hemp-derived vapor items for ultimate sale to a consumer must have their labels reviewed and approved by the OLCC.

Hemp vapor item manufacturers submitting label applications must receive approval from the OLCC before selling an industrial hemp-derived vapor item to a consumer.

Only hemp vapor item manufacturers can apply for pre-approval. The initial application for the pre-approval process may be made online but it may be necessary to submit a physical prototype, if requested by the OLCC.

Label submissions must be made in the OLCC's online system. The link is available on the OLCC's [Packaging and Labeling website](#), or [here](#). First register for a business account. Once you have activated the account, select the option titled: "I have an Industrial Hemp Certificate with the OLCC, I am a hemp vapor item manufacturer, or I am a registered medical marijuana business and only want to apply for packaging and labeling pre-approval." This will allow you to submit labeling for pre-approval without being an OLCC marijuana licensee.

BEFORE APPLYING

Hemp vapor item manufacturers do not need to receive package approval from the OLCC. However, the online application process requires a package to be associated with the label. You will first need to create a free non-child resistant package application. Once this is complete you will select this package under the "packages" portion of the label application. You must accurately list what package(s) you are using in order to determine whether your label is in compliance with the applicable rules.

Determine what part of your application constitutes the package and what constitutes the label. A **package** is a container. It includes both inner and outer containers. If your industrial hemp-derived vapor item is packaged in a bag that is put inside of a box, both containers will be considered packages. Wrapping or materials that provide only structural support are not considered packages.

The **label** is any written, printed, or graphic matter affixed to, applied to, attached to, blown into, formed, molded into, embossed on, or appearing upon or adjacent to a package containing an industrial hemp-derived vapor item for purposes of branding, identifying, or giving any information with respect to the item or to the contents of the package. This includes any information that is printed directly on the package.

APPLICATION CHECKLIST

LABEL APPLICATION

1. Completed online application;
2. Correct fee;
3. Clear photographs of all label panels (this includes any text, pictures, graphics, or logos anywhere on the package);
4. Description of the industrial hemp-derived vapor item that will be sold in the package; and
5. Clear photograph of the industrial hemp-derived vapor item that will be sold in the package

Once you have submitted a complete application and paid the fee, the Commission will evaluate the label in order to determine whether:

THE LABEL

1. Has all the required rule information in the correct font size;
2. Information is unobstructed and conspicuous, meaning that all required information must be visible on the outside of the package;
3. Has a properly labeled principal display panel;
4. Has a hemp symbol that is at least the minimum size; and
5. Complies with the labeling requirements.

The OLCC will review the submission materials and notify the hemp vapor item manufacturer whether or not the label has been approved. If the application was not approved, the OLCC will provide a description of all of the label deficiencies. The hemp vapor item manufacturer will have 30 days to correct the deficiencies and re-submit the materials. No additional fee is necessary for the first resubmission. If the OLCC evaluates the submission a second time and finds that the deficiencies have not been corrected, the application will be denied and the hemp vapor item manufacturer will have to submit a new application and pay an additional fee.

A hemp vapor item manufacturer may submit multiple variants of labeling for approval on the same application for a product that may have different flavors, colors, or sizes as long as the product and packaging are otherwise identical. For example, an edible gummy with five different flavor variations. Applications for approval of labeling are subject to a single application fee.

FEE

The application fee for labeling pre-approval is **non-refundable**. The fee for a new label application is \$100.

MAKING CHANGES TO LABEL AFTER APPROVED

After receiving approval, a hemp vapor item manufacturer may want to make changes to a label. If any of the following items are changed on the label, the label **does not** need to be resubmitted:

1. Processing date;
2. Strain name;
3. Test results, including potency and testing information;
4. Net weight or volume; or
5. UID number.

See OAR [845-026-7060](#) for more information. If any non-mandatory label information is deleted or there is an addition, deletion, or change in the UPC or 2D mobile barcode, website address, phone

number, fax number, or zip code of a licensee or registrant, or instructions on how to open or use a package, the label **does not** need to be resubmitted. Additionally, if any of the label information is repositioned, the label **does not** need to be resubmitted as long as the repositioning is consistent with the labeling rules.

APPLICATION CHANGES

After a label has been approved, changes can be made to the application but those changes will need to be evaluated by the OLCC. If the changes are not permitted by OAR [845-026-7060](#), to make a change to an application, please find and fill out the [Change Request Form](#) on the [Packaging and Labeling portion of the OLCC website](#). You will need to submit the form and a \$25 fee by mail to the OLCC. After receiving and processing the request, the OLCC will open up the application for editing.

PACKAGE / LABEL CONSULTATIONS

The OLCC will review packages and labels before they are submitted to the pre-approval process. Any hemp vapor item manufacturer that would like feedback can send questions or photographs of their package or label to marijuana.packaging@oregon.gov at any time. You will receive a response with feedback regarding whether you should make any changes to your package or label. Please note that the feedback you receive during a consultation is not approval, and you will need to apply through the OLCC pre-approval process before you can sell the industrial hemp-derived vapor item in the package or with the label.


LABEL CHECKLIST AND GENERIC LABEL EXAMPLES

A **generic label** is a label that contains only the required information listed in the rule and has no graphics, pictures, or logos anywhere on the package. Generic labels do not need to be submitted to the OLCC for approval.

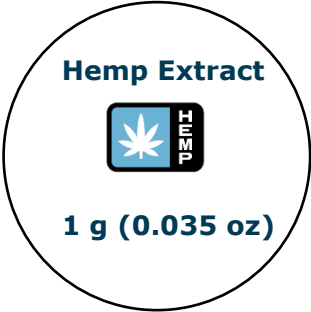
The examples below provides the required information for an industrial hemp-derived vapor item that only contains hemp extract or concentrate. Keep in mind that these are only examples - generic labels do not have to list information in exactly the same way. As you can see below, only the required information appears on the label. The required information can appear on more than one panel. If using more than one panel, please remember that the principal display panel is the portion of the label that is most likely to be seen when on display for sale.

The generic labels are only examples. The names and information are fake.


HEMP CONCENTRATES AND EXTRACTS

REQUIRED INFORMATION	GENERIC LABEL EXAMPLE
<ul style="list-style-type: none"> <input type="checkbox"/> Hemp vapor item manufacturer’s business name, trade name, or personal name <input type="checkbox"/> If applicable, ODA license number <input type="checkbox"/> Date product was made <input type="checkbox"/> Serving size and number of servings per container <input type="checkbox"/> Amount, in milligrams, of THC and CBD in each serving and in the container <input type="checkbox"/> Activation Time <input type="checkbox"/> Name of lab that performed any test <input type="checkbox"/> All test analysis dates <input type="checkbox"/> Required Warnings: “This product is derived from hemp and could contain THC. Keep out of reach of children.” <input type="checkbox"/> The words “DO NOT EAT” in bold, capital letters <input type="checkbox"/> A statement that reads: “This product is not approved by the FDA to treat, cure, or prevent any disease.” <input type="checkbox"/> Hemp symbol <input type="checkbox"/> Product Identity with “extract” or “concentrate” <input type="checkbox"/> Net weight (g and oz) or volume (fl oz and mL) <div style="text-align: right; margin-top: 10px;"> <p>Principal Display Panel</p> </div>	<div style="border: 1px solid black; padding: 10px; margin: 10px;"> <p>Hemp Extract</p> <p>Suggested serving size is one 5-second draw. Each cartridge provides about 150 servings with a 5 second draw.</p> <p>THC: <LOQ mg/serving; <LOQ mg/container</p> <p>CBD: 10 mg/serving; 1500 mg/container</p> <p>Immediate Activation</p> <p>Made: 6/11/16, Lab Name, Tested: 6/20/16</p> <p>Growing Green, LLC, ODA License No. 333-12345679IH</p> <p>1 gram (0.035 ounces)</p> <div style="float: right; text-align: center;">  </div> </div>

SMALL CONTAINER LABEL EXAMPLE

REQUIRED INFORMATION	GENERIC LABEL EXAMPLE
<ul style="list-style-type: none"> <input type="checkbox"/> Net weight or volume; <input type="checkbox"/> Product identity; <input type="checkbox"/> Hemp symbol; <input type="checkbox"/> Hemp vapor item manufacturer’s business name, trade name, or personal name. If applicable, ODA license number; <input type="checkbox"/> Concentration of THC and CBD; and <input type="checkbox"/> A warning that reads: “This product is derived from hemp and could contain THC. Keep out of reach of children.” <div style="margin-left: 200px;"> <p>} Principal Display Panel</p> </div>	<div style="text-align: center;">  </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Growing Green, LLC, ODA License No. 333-12345679IHH</p> <p>THC: <LOQ CBD: 1,000 mg</p> <p>This product is derived from hemp and could contain THC. Keep out of reach of children.</p> <p><small>THC <LOQ / Container</small></p> </div>

TINY CONTAINER LABEL EXAMPLE

REQUIRED INFORMATION	GENERIC LABEL EXAMPLE
<ul style="list-style-type: none"> <input type="checkbox"/> Product identity; <input type="checkbox"/> Hemp symbol; <input type="checkbox"/> Hemp vapor item manufacturer’s business name, trade name, or personal name. If applicable, ODA license number; <input type="checkbox"/> Concentration of THC and CBD; and <input type="checkbox"/> A warning that reads: “Keep out of reach of children.” <div style="margin-left: 200px;"> <p>} Principal Display</p> </div>	<div style="text-align: center;">  </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Growing Green, LLC, ODA 333-333IH123</p> <p>THC: <LOQ CBD: 1,000 mg</p> <p>Keep out of reach of children.</p> </div>

HAVE QUESTIONS?

If you have more questions regarding packaging and labeling, please visit the OLCC website: marijuana.oregon.gov. You can also send an email to marijuana.packaging@oregon.gov or call (503) 872-5459.

TESTING

[OAR 845-026-5700](#) requires a hemp vapor item manufacturer to comply with OHA's testing rules in OAR 333-007-0300 to 333-007-0490 and OAR 333, division 64 prior to the sale or transfer of an industrial hemp-derived vapor item.

[OAR 845-026-5760](#) gives the OLCC audit, compliance, and random testing authority over industrial hemp-derived vapor items.

Review the Oregon Health Authority's testing requirements [here](#).

https://www.oregon.gov/oha/PH/DISEASES/CONDITIONS/CHRONICDISEASE/MEDICALMARIJUANAPROGRAM/Documents/Cannabis_Testing_Quick_Guide.pdf

ATTRIBUTION

ⁱ Cartoon Penguin Clip Art by Vladimir Zuñiga available at www.foca.tk under a Creative Commons Attribution 3.0 license, <https://creativecommons.org/licenses/by/3.0/us/>. No changes were made.

ⁱⁱ PFalcon72 by Storn available at <http://story-games.com/forums/discussion/4631/game-art-art-from-and-for-games/p4> under a Creative Commons Attribution-NonCommercial-ShareAlike 2.5 License, <http://creativecommons.org/licenses/by-nc-sa/2.5/>. No changes were made.