OLCC Program and Rules Update
January 2019
State Marijuana Law and Responsible State Agencies

M91 November 2014

Statutes: ORS Chapter 475B

Administrative Rules OAR Division 25

Oregon Liquor Control Commission (OLCC): recreational marijuana businesses and worker permits

Oregon Health Authority (OHA): medical marijuana activities/businesses, testing standards and requirements

Oregon Department of Revenue (DOR): tax collection

Oregon Department of Agriculture (ODA): commercial kitchens, scale certification, certain food handling activities, pesticides

Local jurisdictions: law enforcement, governing bodies, code enforcement
Licensing Update
All changes in business structure of a licensed business, of any kind must be preapproved per OAR 845-025-1160(4). This includes, but is not limited to, the following scenarios:

- Changing ownership of the licensed business, in whole or in part.
- Addition new financial investors (of any amount or percentage of ownership).
- Members of a legal entity licensed business are removed from the business.
- Creating holding companies to wholly own a licensed business.
- Previously disclosed investors in a licensed business who were not subject to the background check requirement are taking a larger ownership role or financial interest that does require a background check

Failure to obtain pre-approval for any business structure or ownership change may result in license cancellation, and may affect licensees’ ability to operate under any license in the future.
• This rule change clarifies that applicants who submitted an application on or before July 1, 2018 may take advantage of this rule that allows immature plants to be brought onto the licensed premises from any source during the first 90 days of licensure.

• Any applications received after July 1, 2018 will need to purchase start up inventory from other licensees.
Extract Processor Requirements  
(OAR 845-025-3260)

At the time of licensure or renewal an Extract processor must:  
Provide proof in a form and manner specified by the commission that the premises  
proposed to be licensed has received a **Certificate of Occupancy** for the intended use  
issued by the appropriate local building official

Must list all equipment used in extraction and, if applicable, provide proof that  
equipment and process has been inspected by:

- Certified mechanical or electrical engineer;
- Industry recognized third party; or
- Manufacturer.
Trade Samples (OAR 845-025-1330)

- Allow wholesalers to transfer trade samples based on originating licensee, which will allow wholesalers to provide retailers with samples from more product line(s).

- Change trade sample amounts for cannabinoid products from three (3) to five (5). This will allow a licensee who makes multiple versions of a cookie, for example, to be able to provide 5 variations rather than only 3.

- Clarifies that licensees may share trade samples with their employees and must enter the transaction in the Cannabis Tracking System (CTS).
Retail Updates

OAR 845-025-1410
• This rule change clarifies that immature plants do not need to be locked in a safe or vault when the retailer is not open for business.

OAR 845-025-2800
• Clarifies that a retailer can only sell a customer five (5) grams of an inhalant per day.
• Allows medical patients to purchase eight (8) ounces of usable marijuana per day and no more than thirty two (32) ounces per month.

OAR 845-025-2880
• Enables retailers to apply for the ability to deliver to patients and primary caregivers throughout the state, even in opt-out jurisdictions
This rule change requires camera coverage of marijuana waste, and requires the licensee to document a reason for the waste as well as the exact time and method of destruction of waste.
CTS Updates
METRC Wiki

https://wiki-or.metrc.com
METRC Training

- Links to training webinars and YouTube videos at metrc.com/Oregon
  - Advanced Webinar Training available for Licensees and Employees
  - On-Demand YouTube videos for most common tasks
**Hemp**

- Federal Farm Bill had no effect on hemp in OLCC market
- Currently hemp can only come into OLCC system through OLCC processor with hemp endorsement; originator (hemp grower/handler) outside of METRC
- Upcoming changes to hemp rules:
  - More product types allowed to enter (finished hemp products, e.g. hemp topicals)
  - Can come in through more license types (processors, wholesalers, and retailers)
  - Originator (hemp grower/handler) will be in METRC like any other licensee
Compliance Update
OLCC Compliance

**Current Compliance Inspections**

Inspectors will be reviewing licensed premises for compliance with:

- Cannabis security and tracking requirements
- Compliance with basic operational requirements
- Unapproved premises alterations
- Unapproved business structure changes
- Ongoing retail licensee minor decoy operations
- Auditing CTS data for possible compliance actions
- Outdoor harvest notifications
Upcoming News
Upcoming News

• OLCC Supply and Demand Report (due to the legislature by February 1)

• Secretary of State Audit of Marijuana Programs

• Oregon Cannabis Commission Report and Recommendations (due to the legislature by February 1)

• Updated rules for hemp in the OLCC system – public comment until January 29th – OLCC Commission will vote on rules at its February meeting
Resources

Business Readiness Guide
- Contains guidance on outside agencies, requirements
- Downloadable from OLCC website
  www.marijuana.oregon.gov

State Agencies Regulating Marijuana
- Infographic on “who does what” downloadable from OLCC website
  www.marijuana.oregon.gov
Recreational Marijuana Retail Sale Limits

Retailers can only sell certain amounts to recreational customers at any one time or within one day.
- 1 oz of usable marijuana
- 5 grams of cannabinoid extracts or concentrates
- 16 oz of a cannabinoid product in solid form
- 72 fluid oz of a cannabinoid product in liquid form
- 10 marijuana seeds
- 4 immature plants

Recreational Marijuana Retail Sale Limits Poster

Recreational Marijuana Licensing

Mandatory License and Worker Permit Application Statistics
Up-to-date report of applications received for marijuana licenses and marijuana worker permits.

Mandatory Licenses
- Approved Marijuana Licenses (PDF)
- Approved Marijuana Licenses (Excel)

Licensed Retailers
- Approved Marijuana Licensed Retailers (PDF)
- Approved Marijuana Licensed Retailers (Excel)

Online Application & Forms for Recreational marijuana License
- Online Application
- Licensing forms and Documents

Oregon Cannabis Tracking System Data
The market trend data should be considered a "snapshot in time." This data from the Oregon Liquor Control Commission is produced from Merc, Oregon’s Cannabis Tracking System, based on information entered by licensees. Currently, this data is posted monthly. In the near future, the OLCC plans to provide data that approaches "real-time," including wholesale and retail prices.

Control Study
- Control Study Certification Form

The Control Study form updated January 1, 2019 to reflect new administrative rule 888-007-0410. Control Studies certified under old rules can continue to be used until the expiration date listed on the certified control study. Guidance on the new Control Study rules can be found here.

Public/Consumer Resources

Secretary of State IT Audit
OLCC Written Responses to IT Audit
- News Release

Map of Recreational Marijuana Retailers and Laboratories
An interactive map of OLCC-licensed marijuana retailers and testing laboratories, including boundaries of cities and counties, including those that prohibit some or all recreational marijuana license types.

Recreational Marijuana Sales
- Marijuana Licensed Retailers (PDF)
- Marijuana Licensed Retailers (Excel)
- Marijuana Sales Reports
- Marijuana Minor Use Operation Reports
- Third-party ID Checking Classes

State Agencies Regulating Marijuana
This infographic shows which state agency to contact with your questions about marijuana in Oregon.
- State Resources by Topic - Infographic
OLCC’S MISSION

Support businesses, public safety, and community livability through education and the enforcement of liquor and marijuana laws.