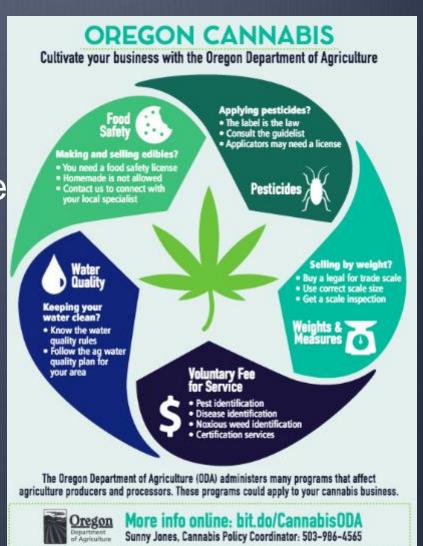
OLCC Spring 2017 Workshop

# Pesticides 101

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ODA Cannabis Policy Coordinator

## ODA –like any other ag crop

- Pesticides
- Food safety
- Weights and measure
- Ag water quality
- Industrial hemp



### What is a pesticide?

Any substance or mixture of substances

intended for:

Preventing

Destroying

Repelling or

Mitigating a pest

Plant growth regulators

\*\*Rodentic Rodentic Rod

Pesticides Herbicide Fungicide Antimicrobials Algicide Rodenticide Insecticide Repellents Molluscicide Nematicide

## What is NOT a pesticide?

- Fertilizers
- Ag amendments
- Ag minerals
- Nutrients
- Biostimulants

## Regulation of pesticides

\* OR OSHA oversees worker protection standards

ORS

Cooperative Agreement

**FIFRA** 

### EPA – data requirements

- Depend on proposed use(s)
  - Type of chemical: antimicrobial, biopesticide, conventional
  - Use: food involves more data than non-food
- Hundreds of studies may be required
  - Product chemistry
  - Toxicology and health effects
  - Applicator and post-application exposure
  - Residue chemistry
  - Environmental fate
  - Ecotoxity
  - Efficacy



### EPA – registration process

- Registrant develops a pesticide, conducts studies, and submits a registration application.
- OPP reviews studies and assesses risk.
- OPP makes registration decision based on the risk analyses, benefits, and any adverse incident information.

### EPA – result

- Label defines where and how to use the product including limitations on use.
- EPA approves the "master label" which defines all uses for product label. This may be subset into several labels for state registration.

### The label is the law

- EPA registration number
- Establishment number
- Directions for use
- Signal word
- First aid
- Ingredients statement
- Precautionary

- statements
- Hazard statements
- Environmental hazards
- Physical or chemical hazards
- Storage and disposal
- Warranty statement
- Net contents

Labeling requirements are product specific and are informed by the data.

### The label is the law

## DoubleNickel55

#### BIOFUNGICIDE

Water Dispersible Granular Biofungicide



### FOR ORGANIC PRODUCTION

Active Ingredient: Bacillus amyloliquefaciens strain D747*	25.0%
Other Ingredients:	75.0%
Total	
*Contains a minimum of 5×1010 colony-forming units (cfu) per gram	

KEEP OUT OF REACH OF CHILDREN CAUTION



Net Weight: 5 Pounds EPA Reg. No. 70051-108 EPA Est. No. 70051-CA-001

Lot No:

Manufactured by: Certis USA, L.L.C. 9145 Guilford Rd, Suite 175 Columbia, MD 21046



#### FIRST AID - Agricultural Use

If in eyes: Hold eyes open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

If on skin: Take off contaminated clothing. Rinse skin with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.

If inhaled: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for further treatment advice.

Have the product label with you when calling a poison control center or doctor

Hot Line No.:1-800-255-3924 for additional information

### PRECAUTIONARY STATEMENTS - Agricultural Use HAZARDS TO HUMANS & DOMESTIC ANIMALS

CAUTION: Causes moderate eye irritation. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Avoid contact with eyes or clothing. Avoid breathing spray mist. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

#### PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- · Long-sleeved shirt and long pants
- Waterproof gloves
- Shoes plus socks

Mixer/loaders and applicators must wear a dust/mist filtering respirator meeting NIOSH standards of at least N-95, R-95, or P-95. Repeated exposure to high concentrations of microbial proteins can cause allergic sensitization. Follow manufacturer's instructions for cleaning and maintaining PPE. If no instructions are available, use detergent and hot water for washables. Keep and wash PPE separately from other laundry.

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides, the handler PPE requirements may be reduced or modified as specified in the WPS.

#### USER SAFETY RECOMMENDATIONS

Users should:

- Remove clothing/PPE immediately if pesticides get inside.
   Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

#### ENVIRONMENTAL HAZARDS- Agricultural Use

Do not apply directly to water or to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters or rinsate. Do not apply when weather conditions favor drift or runoff from treated areas.

#### GENERAL INFORMATION

Double Nickel 55 is a broad-spectrum preventative biofungicide for control or suppression of fungal and bacterial plant diseases. The active ingredient of Double Nickel 55 is a naturally occurring strain (D747) of the beneficial rhizobacterium *Bacillus amyloliquefaciens*, which colonizes roots, leaves, and other plant surfaces. D747 rapidly colonizes plant root hairs, leaves, and other surfaces, preventing establishment of disease-causing fungi and bacteria.

Double Nickel 55 can be applied alone or in combination and/or rotation with chemical fungicides as a tool for integrated disease management in agricultural crops, ornamental and nursery plants, and turfgrass, in accordance with the most restrictive of those label limitations and precautions. Double Nickel 55 offers a valuable tool for management of resistance to chemical fungicides through its multiple and unique modes of action.

Double Nickel 55 can be applied up to and including the day of harvest.

#### DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. For any requirements specific to your State or Tribe, consult the State or Tribal Agency responsible for pesticide regulation. Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application.

#### AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard 40 CFR Part 170. This standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted entry intervals. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 4 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil or water is: cover-alls, waterproof gloves, shoes plus socks.

Exception: If the product is soil injected or soil incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated.

#### NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses. Keep unprotected persons out of treated areas until sprays have dried.

#### MIXING AND HANDLING INSTRUCTIONS

Mix the required amount of Double Nickel 55 in cool water with sufficient agitation to maintain a uniform suspension in the spray or mixing tank. Tank should be cleaned prior to use. Do not use highly alkaline or highly acidic water to mix sprays. Use a buffering agent if necessary to maintain neutrality (pH 6 to 8) of water in the tank. Maintain agitation during application. Apply immediately after mixing; do not allow spray mix to stand overnight.

CROPS	DISEASES/PATHOGENS (See footnotes for additional information)						
Vegetables and melons (continued)							
Bulb vegetables such as onions, garlic, shallots, and others (including those grown for seed production).	Botrytis spp. (neck rot, leaf blight) Purple blotch (Alternaria spp.) Downy mildew (Peronospora spp.) Powdery mildew (Erisyphe spp.) Rust (Puccinia pori)* White rot (Sclerotium cepivorum) "Damping off," seedling blights, and root or crown diseases caused by Pythium, Rhizoctonia, Fusarium, Phytophthora, or Verticillium* spp. (see instructions below for "Soil application").						
Cucurbits such as cucum- bers, squash (all types), cantaloupes, muskmelons, water- melons. and other melons (including those grown for seed production).	Powdery mildew (Erisyphe and Sphaerotheca spp.) Downy mildew (Pseudoperonospora spp.) Gummy stem blight (Didymella bryoniae and Phoma cucurbitacearum) See instructions below for "Soil application" against the following diseases: Vine decline (Monosporascus cannonballus)** Charcoal rot (Macrophomina phaseoli)** "Damping off," seedling blights, and root or crown diseases caused by Pythium, Rhizoctonia, Fusarium, Phytophthora, or Verticillium* spp.						
Fruiting vegetables such as tomatoes, peppers, eggplant, tomatillo, okra, and others (including those grown for seed production).	Bacterial spot (Xanthomonas spp.)*1 Bacterial speck (Pseudomonas syringae pv. tomato)*1 Gray mold (Botrytis cinerea) Powdery mildew* (Leveillula, Oidiopsis, Erisyphe, and Sphaerotheca spp.) Early blight (Alternaria solani)* Late blight (Phytophthora infestans)* See instructions below for "Soil application" against the following diseases: "Damping off," seedling blights, and root or crown diseases caused by Pythium, Rhizoctonia, Fusarium, Phytophthora, or Verticillium* spp. Southem blight (Sclerotium rolfsii)* and**						

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#### APPLICATION METHODS

Ground: Double Nickel 55 can be applied in most commonly-used ground application equipment, such as tractor-mounted boom, airblast, high clearance, hose-end, backpack, and other pressurized sprayers; hose-end or hand-held sprayers; foggers or mist blowers; water wheel and other drench applicators; and shank or other soil injection method.

Aerial: Double Nickel 55 can be applied by fixed or rotary winged aircraft in a minimum of 3 gallons of water per acre. Standard precautions should be taken to minimize spray drift.

Chemigation: Double Nickel 55 can be applied through drip (trickle) and sprinkler type irrigation equipment. Refer to the section entitled "Chemigation Instructions" for detailed instructions.

#### Agricultural crops

CROPS	DISEASES/PATHOGENS (See footnotes for additional information)					
Vegetables and melons						
Brassica vegetables such as broccoli, cabbage, cauliflower, Brussels sprouts, kohlrabi, and other cole crops (including those grown for seed production).	Pin rot complex (Alternaria/Xanthomonas)* Leaf spots (Alternaria spp., Xanthomonas spp.) Downy mildew (Peronospora spp.) Powdery mildew (Erisyphe polygoni) "Damping off," seedling blights, and root or crown diseases caused by Pythium, Rhizoctonia, Fusarium, Phytophthora, or Verticillium* spp. (see instructions below for "Soil application").					

(continued)

	3\
Leafy vegetables such as head and leaf lettuce, celery, spinach, radicchio, arugula, watercress, and others (including leafy Brassica vegetables such as mustard and collard greens, kale, bok choi, and related crops), including those grown for seed production.	Downy mildew (Bremia lactucae, Peronospora spp.)* Powdery mildew (Golovinomyces (Erysiphe) cichoracearum)* Bacterial blights Head and leaf drop (Sclerotinia spp.)² Pink rot (Sclerotinia sclerotiorum)² Leaf spots (Cercospora spp.) See instructions below for "Soil application" against the following diseases: "Damping off," seedling blights, and root or crown diseases caused by Pythium, Rhizoctonia, Fusarium, Phytophthora, or Verticillium* spp. Bottom rot (Rhizoctonia solani)
Legume vegetables succulent and dried beans and peas such as green, snap, shell, and Lima beans, garbanzo beans, chickpeas, soybeans, dry beans, peas, split peas, lentils, and other legumes, including those grown for seed production.	White mold (Sclerotinia sclerotiorum) <sup>2</sup> Gray mold (Botrytis cinerea) Powdery mildew (Microsphaera diffusa) Rusts*, including Uromyces appendiculatus, Puccinia spp., and Asian soybean rust (Phayospora pachyrhizi) "Damping off," seedling blights, and root or crown diseases caused by Pythium, Rhizoctonia, Fusarium, Phytophthora, or Verticillium* spp. (see instructions below for "Soil application").

(continued)

#### Footnotes:

\*Suppression only; for improved control mix or rotate with chemical fungicide approved for such use. \*\*NOT FOR USE IN CALIFORNIA 1 Tank mix or rotate with copper-based fungicides at label rates for improved control.

<sup>2</sup>Apply at or immediately following planting (but before plant emergence) as a banded seedline treatment 4 to 6 inches wide. Make second application at thinning or cultivation in sufficient water and multiple nozzles to ensure thorough coverage of lower leaves and surrounding soil surface. Incorporation with light irrigation after application may improve disease control. Repeat at 10-14 day intervals if conditions promoting disease persist.

3For greasy spot suppression, apply at first new foliar flush and repeat with each new flush. Tank mix with spray oil or copper based fungicide at labeled rates.

4For suppression of citrus scab, start applications at first new foliage flush and repeat at petal fall and when fruit are ½ inch in diameter.

sMake first application at or before tight cluster if conditions favor disease development. Repeat at 7-10 day intervals through the second cover spray or longer on susceptible varieties or if environmental conditions favor rapid disease development.

Begin applications before bloom when environmental conditions favor disease development, repeating at 7 to 14 day intervals or as needed. Control may be enhanced by addition of a surfactant to improve spray coverage. Use only surfactants known to be safe for use on the crop and for which such use is allowed.

7Rotate with antibiotics registered for fire blight control for improved performance. Begin applications at 1-5% open blossoms and repeat every 3-7 days as necessary until petal fall, when intervals can be increased to 7 days. Double Nickel 55 can also be used in summer "cover spray" applications to control the shoot blight phase of fire blight and summer diseases. Can be mixed with copper fungicides to improve control.

Make first application at popcorn stage and repeat every 7 days.

9Start applying at early bloom stage and repeat every 7 days through petal fall.

10 Pre-harvest applications in sufficient water to cover fruit or other harvested plant parts may improve control of postharvest infections.

11Begin applications at or before pistillate bloom, repeating every 7-10 days. Apply before rainfall if possible, and tank mix or rotate with a copper-based bactericide registered for such use for improved control.

12 Start applications at or just before flowering and repeat every 7-10 days as needed through harvest.

13 Apply before fall rains and again during dormancy before spring growth.

14 Start applications when new shoots are ½ to 1½ inches long. Repeat at 3-5

inches, 8-10 inches, and then at 7-10 day intervals until disease conditions no longer exist.

15 Apply at bloom, before bunch closure, at veraison, and before harvest.

16 Apply when shoots are 1/2 to 1 inch long and again when 6-8 inches long.

17 Mix 1 ounce Double Nickel 55 per gallon of water and apply to pruning wounds.

18 Apply at budbreak and repeat on 14-21 day interval as needed through harvest.

19 Apply at flowering and repeat on 14-21 day interval as needed through harvest

20 Apply at first appearance of leaves and repeat at 7-21 day intervals as needed, in sufficient water to obtain thorough coverage of foliage. Tank mix with spray oil or other registered fungicides for improved control.

21 Mix 0.5-1 lb Double Nickel 55 per 100 gallons of water and apply in minimum of 20 gallons per acre from emergence to training, 50 gallons per acre from training to

wire, and 100 gallons per acre from wire touch through harvest.

22 For treatment of horseradish or strawberry roots immediately before transplanting: immerse bare roots (individually or in bunches) for 10 seconds in a suspension of 2-4 ounces Double Nickel 55 per gallon of water.

Foliar application: For control of diseases on foliage, flowers, fruit, or other above-ground parts of plants: Mix Double Nickel 55 in water and apply as a spray at a rate of 0.25 to 3 pounds per acre in sufficient water to achieve thorough coverage of the crop canopy with minimal runoff. Begin applications at crop emergence, transplanting, or when conditions are conducive to development of disease. Repeat application every 7 to 10 days, or as needed, for as long as conditions favor disease development. Lower rates (0.25) to 1 pound per acre) may be applied under light disease pressure. to smaller (e.g. newly-emerged) plants, or when Double Nickel 55 is used in a tank mix with other fungicides whose labels allow such use. Under moderate to severe disease pressure, or when environmental conditions and plant stage are conducive to rapid disease development, use higher label rates (1 to 3 pounds per acre), apply more frequently (every 3 to 7 days), and mix or rotate Double Nickel 55 with other fungicides for improved performance.

Soil application: For control of soilborne diseases infecting seeds, seedlings, roots, crown, stems, or other plant parts below ground or in contact with soil: Apply Double Nickel 55 at 0.125 to 1 pound per acre. Mix the required amount in sufficient water to apply by one of the following methods:

- Soil drench applied to transplants in flats or pots in the greenhouse or nursery any time prior to transplanting (see additional drench instructions under "Nurseries, greenhouses, shade houses, and ornamental plants" below).
- Soil drench at transplanting, using a "water wheel" injector, spray nozzles/hoses, or other method to drench each root ball and/or planting hole.
- Soil or seedline drench, or banded spray (in-furrow) at planting.
   See the section on "Banded (in-furrow) application" below for additional instructions.

Follow-up (post-planting) preventative applications can be made every 2-4 weeks by one or more of the following methods, if needed:

- Drip (trickle) or any type of sprinkler irrigation, any time after planting or transplanting. See Chemigation Instructions for additional information.
- Spray directly onto the soil surface and/or lower plant parts. If targeting root disease, follow immediately with sufficient overhead sprinkler irrigation to move Double Nickel 55 to the root zone.
- Injection directly into the rooting zone using shanks or similar equipment.

Lower rates (0.125 to 0.5 pounds per acre) may be applied under light disease pressure, to smaller plants, or when Double Nickel 55 is used in a tank mix with other fungicides whose labels allow such use. Under moderate to severe disease pressure, or when environmental conditions and plant stage are conducive to rapid disease development, use higher label rates (0.5 to 1 pound per acre), apply more frequently (every 2 weeks), and mix or rotate Double Nickel 55 with other fungicides for improved performance.

Banded (in-furrow) application: Use the table below to determine the correct application rate of Double Nickel 55 per 1,000 row feet, based on row spacing and desired rate per acre. Mix the required amount of Double Nickel 55 in water and apply as banded spray (4" to 6" wide) or seedline drench centered over the planting furrow. Apply directly over seeds in the furrow just before they are covered with soil. The volume of water required per acre or per 1,000 row feet will depend on the application equipment used. Consult your local cooperative extension service if you need assistance calibrating band spraying equipment.

Rates for banded (in-furrow) application: Find desired application rate in the left column. Read across that line to the correct row spacing indicated at the top to find the number of ounces (dry) per 1,000 row feet that will provide the desired application rate per acre. To convert to level teaspoons, multiply the number of ounces by 8.2. For level tablespoons, multiply the number of ounces by 2.75.

Rate/acre	Space between rows (inches)														
(pounds)	12	14	16	18	20	22	24	26	28	30	32	34	36	38	40
0.25	0.1	0.1	0.1	0.1	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.3	0.3	0.3	0.3
0.5	0.2	0.2	0.2	0.3	0.3	0.3	0.4	0.4	0.4	0.5	0.5	0.5	0.6	0.6	0.6
0.75	0.3	0.3	0.4	0.4	0.5	0.5	0.6	0.6	0.6	0.7	0.7	0.8	0.8	0.9	0.9
1.0	0.4	0.4	0.5	0.6	0.6	0.7	0.7	0.8	0.9	0.9	1.0	1.0	1.1	1.2	1.2
1.25	0.5	0.5	0.6	0.7	0.8	0.8	0.9	1.0	1.1	1.1	1.2	1.3	1.4	1.5	1.5
1.5	0.6	0.6	0.7	0.8	0.9	1.0	1.1	1.2	1.3	1.4	1.5	1.6	1.7	1.7	1.8
1.75	0.6	0.7	0.9	1.0	1.1	1.2	1.3	1.4	1.5	1.6	1.7	1.8	1.9	2.0	2.1
2.0	0.7	0.9	1.0	1.1	1.2	1.3	1.5	1.6	1.7	1.8	2.0	2.1	2.2	2.3	2.4
2.25	0.8	1.0	1.1	1.2	1.4	1.5	1.7	1.8	1.9	2.1	2.2	2.3	2.5	2.6	2.8
2.5	0.9	1.1	1.2	1.4	1.5	1.7	1.8	2.0	2.1	2.3	2.4	2.6	2.8	2.9	3.1
2.75	1.0	1.2	1.3	1.5	1.7	1.9	2.0	2.2	2.4	2.5	2.7	2.9	3.0	3.2	3.4
3.0	1.1	1.3	1.5	1.7	1.8	2.0	2.2	2.4	2.6	2.8	2.9	3.1	3.3	3.5	3.7

Nurseries, greenhouses, shadehouses, and ornamental plants Spray application: Mix 0.25 to 3 pounds of Double Nickel 55 per 100 gallons of water and apply as a foliar spray of sufficient volume to wet the entire plant with minimal runoff. Begin preventative applications at plant emergence and repeat every 3-28 days as needed (every 3-7 days if disease pressure is high or environmental conditions are highly favorable to disease outbreak, 10-28 days under low pressure or less conducive conditions).

Drench application: Mix 0.125 to 2 pounds of Double Nickel 55 per 100 gallons of water and apply as a drench or coarse spray to soil or other growing media in pots, flats, plugs, trays, or planting beds, for control or suppression of soilborne diseases of seedlings, cuttings, bedding plants, and transplants (including vegetables and other transplanted food crops). Make first application at or immediately before seeding, sticking, germination, or transplanting.

Repeat applications every 14-28 days as needed. Transplants can be treated immediately before transplanting into field soils to protect against damping-off and other diseases that reduce plant establishment.

Cutting or root dip: Dip basal end of cuttings or bare roots (individually or in bunches) in a suspension of 1 to 2 pounds of Double Nickel 55 per gallon of water. Immerse for 5-10 seconds immediately before planting.

Chemigation: Mix 0.125 to 2 pounds of Double Nickel 55 per 100 gallons of water and apply via drip, handheld, or sprinkler irrigation systems. Refer to "Chemigation Instructions" for more details.

#### STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage and disposal. Pesticide Storage: Store in a dry area inaccessible to children.

Store in original containers only. Keep container closed when not in use. Pesticide Disposal: Wastes resulting from the use of this product may be disposed of onsite or at an approved waste disposal

facility. Container Handling: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling if available or dispose of empty bag in a sanitary landfill, or by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

#### CHEMIGATION INSTRUCTIONS General information:

Apply this product only through drip (trickle) irrigation (including micro-irrigation through spaghetti tubes or individual tubes) or sprinkler irrigation (including impact or microsprinklers, overhead boom, solid set, lateral move, end tow, side-roll, center pivot, or hand move, including mist-type systems); or with hand-held calibrated irrigation equipment (such as a hand-held wand with injector). Do

not apply this product through any other type of irrigation system. Crop injury or lack of effectiveness can result from non-uniform distribution of treated water. If you have questions about calibration, contact State Extension

Service specialists, equipment manufacturers or other experts. Do not connect an irrigation system (including greenhouse systems) used for pesticide application to a public water system unless the pesticide label-prescribed safety devices for public water systems are in place.

- Systems must use a metering pump such as a positive displacement injection pump (i.e., diaphragm pump) effectively designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock.
- 7. Dilute the product in water following the label mixing directions. It may be premixed in a supply tank with water, fertilizer, or other appropriate tank-mixed agricultural chemicals. Agitation is necessary. Apply to moderately moist soils. Use volumes that thoroughly wet the soil but that do not cause significant runoff or excessive drip from pots. Application should be continuous in sufficient water to apply the recommended rate evenly to the entire treated area.

#### Sprinkler chemigation:

- The system must contain a functional check valve, vacuum relief valve, and low pressure drain appropriately located on the irrigation pipeline to prevent water source contamination from backflow.
- 2. The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the flow of fluid back toward the injection pump.
- The pesticide injection pipeline must also contain a functional, normally closed, solenoid-operated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down.
- 4. The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops.
- The irrigation line or water pump must include a functional pressure switch which will stop the water pump motor when the water pressure decreases to the point where pesticide distribution is adversely affected.
- Systems must use a metering pump, such as a positive displacement injection pump (i.e., diaphragm pump) effectively designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock.
- 7. Dilute the product in water following the label mixing directions. It may be premixed in a supply tank with water, fertilizer or other appropriate tank-mixed agricultural chemicals. Agitation is necessary. Apply to moderately moist soils. Use volumes that thoroughly wet the soil but that do not cause significant runoff or excessive drip from pots. Application should be continuous in sufficient water to apply the recommended rate evenly to the entire treated area.
- Do not apply when wind speed favors drift beyond the area intended for treatment.

### 25b – A bit of an exception

- "Minimum risk pesticides" pose little to no risk to human health or the environment
- E.g. castor oil, citronella oil, clove oil, garlic oil, peppermint oil, rosemary, thyme oil
- Inert ingredients considered low risk
- List all ingredients on label
- Cannot claim to control human health pests
- Cannot contain false or misleading statements

### **ODA jurisdiction – ORS 634**

- FIFRA compliance monitoring for EPA
  - Inspections
  - Pesticide registration and use regulation
- Oregon Pesticide Control Act
  - Sales, use, and distribution
    - Pesticide use licensing and recertification
    - Pesticide registration
    - Routine compliance monitoring
    - Pesticide use investigations





# How does pesticide enforcement work?

- Routine inspections
  - Application record inspection, dealer record inspection, marketplace inspection, workerprotection standard
- Use follow-up investigations
  - Non-ag use follow-up, ag use follow-up
- Use observations
  - Non-ag use observation, ag use observation

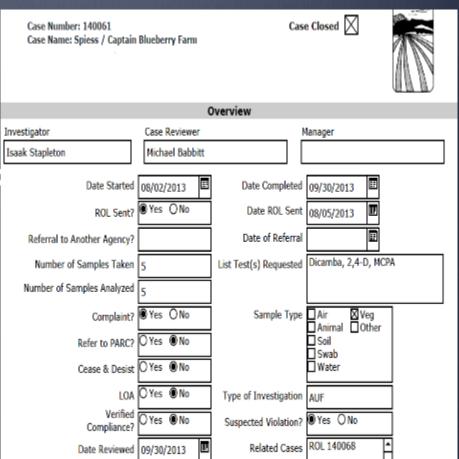
## Use follow-up investigation

- Develop evidence
  - Interviews
  - Application records
  - Product labels
  - Site visit photos
  - Samples
  - Equipment information
  - GPS records
  - Weather data



## Use follow-up investigation

- Report
  - State the facts
  - Provide evidence
  - Department conclusion



### **Enforcement actions**

- Letter of advisement
- Notice of violation
- Imposition of civil penalty
- Civil or criminal action
- Stop sale, use or removal order
- Detainment
- Referral to US EPA
- Referral to another state agency

### **Tolerances**

- Amount of pesticides that may remain in or on foods in the US
- Established for each crop use of a pesticide after developing a risk assessment that considers:
  - Aggregate, non-occupational exposure (diet, drinking water, and from pesticides used in and around the home)
  - Cumulative effects from pesticides that have a common mechanism of toxicity)
  - Increased susceptibility to infants and children or other sensitive subpopulations?
  - Endocrine disruption effects?

"a reasonable certainty that no harm will result from aggregate exposure"

### **ODA** guide list criteria

- Active ingredient is exempt from the requirement of a tolerance on all food crops
- Product label includes directions for use on:
  - Unspecified food crops (bedding plants, outdoor or enclosed facility), or
  - Unspecified home garden plants, or
  - Unspecified herbs (bedding plants, outdoor or enclosed facility), or
  - Unspecified plants or crops
- Did not fail a pyrolysis test if conducted

## **Examples of some failed tests**

Active Ingredient	Range found PPM	OHA Action Level in PPM
Abamectin	0.76 - 0.84	0.5
Etoxazole	0.22 - 2.97	0.2
Malathion	1.71 – 7.94	0.2
Myclobutanil	0.30 - 60.46	0.2
Piperonyl butoxide	3.61 – 16.24	2
Pyrethrins	6.31 – 16.31	1
Spinosad	0.21 - 42.06	0.2

# MJ compliance assistance program (MCAP)

- Temporary program to assist cannabis growers learn how to comply with pesticide law
- Consent agreement with grower
- ODA violation does not affect grower's OHA or OLCC license status
- Violation record with ODA
- Grower or representative passes ODA license test

# MJ compliance assistance program (MCAP)

- Grower provides list of products used
- Grower provides list of mj inventory either growing or in posession
- Grower agrees to a site visit from ODA
- Grower shows WPS video to employees

### **ODA listserv**

- bit.do/cannabis-email
- Additions and removals from guide list
- Adulterated products
  - Guardian abamectin
  - Mega Wash pyrethrins
  - Olivia's Cloning Gel indole-3-butyric acid
- Other ODA cannabis specific information









### CKAGES AND LABELS FOR WHOLESAND RETAIL

Jamie Dickinson,
Packaging and Labeling
Specialist
OLCC Recreational
Marijuana Program

## TOPICS COVERED TODAY

- Packages
- Labels
- Violations
- Where to find more information



pack age \'pa-kij\ n:
the immediate container
or wrapping that holds a
marijuana item for
ultimate sale to a
consumer and includes
any outer container or
wrapping used in the
retail display of any
such substance to
consumers.

### PACKA GES

### PACKAGES

### Requirements:

- Cannot be attractive to minors
- Cannot have any false or misleading statements
- Must protect the marijuana item from contamination
- Must be child-resistant when the marijuana item leaves the retail store

### Are **NOT** required to be:

- Opaque
- 4 mm thick (no required thickness)

### CHILD-RESISTANT (CR) PACKAGES

A marijuana item can either be directly packaged in a container that is child-resistant or can be placed into an approved child-resistant exit package at the point of sale.

A child-resistant package must be:

- Tested and certified as meeting the child-resistant standards by a third-party testing firm; and
- 2. Approved by the OLCC.



Resealable and continually CR



Single Use CR



Resealable and continually CR

# PACKAGING REQUIREMENTS

Type of Packaging Required	Re-sealable & Child- Resistant throughout Life of the Product	Single Use Child- Resistant	Child-Resistant Packaging Not Required
Type of Marijuana Item Sold	• Edibles, Topicals, or Tinctures with more than 15mg of THC.	<ul> <li>Edibles, Topicals, or Tinctures with 15 mg THC or fewer.</li> </ul>	<ul><li>Immature Plants</li><li>Seeds</li></ul>
	• All Concentrates and Extracts	• Usable Marijuana	

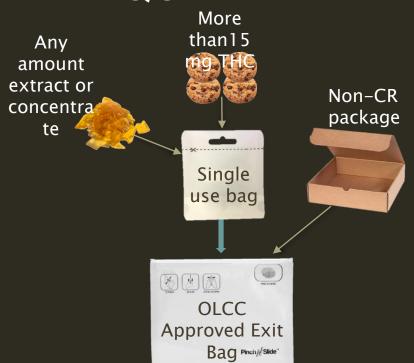
# EXIT PACKAGES

- Must be certified as child resistant by thirdparty testing firm.
  - >The OLCC does not test or certify packages
- Must be approved by OLCC by at least one licensee before use.
- Are used at the point of sale and are not used for display in store.
- Do not have product-specific label information.
- Must contain the following statement: "Keep out of reach of children"





# WHEN AN EXIT PACKAGE IS REQUIRED



- 1. If an extract or concentrate is packaged in a single use package it MUST go into a resealable, continually CR exit package prior to leaving the retail store.
- 2. If a tincture, topical, or edible has more than 15 mg THC in the package and it is packaged in a single use package it MUST go into a resealable, continually CR exit package prior to leaving the retail store.
- 3. If any marijuana item except for an immature plant or seeds is packaged in a non-child resistant package it MUST go into an approved exit package prior to leaving the retail store.

# APPROVED LISTS

#### Recreational Marijuana

Agency Overview

Recreational Marijuana

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Cannabis Tracking System

Forms & Publications

Frequently Asked Questions (FAQs)

Laws and Rules

Licensing

Marijuana Worker Permit

News Room

Packaging and Labeling

Public Involvement

Public Meeting Calendar

OLCC Website Home

Packaging and Labeling Pre-Approval



#### Overview

PLEASE NOTE: The information provided here is only a brief summary of the rules. There are additional requirements you must comply with. You are responsible for complying with OAR 845-025-7000 to 845-025-7060 and OAR 333-007-0010 to 333-007-0100.

The Oregon Liquor Control Commission (OLCC) evaluates medical and recreational marijuana packages and labels to ensure all packages and labels meet the requirements set out by the Oregon Health Authority (OHA) and the OLCC.

Only OHA Registrants and OLCC Licensees can receive package and label approval from the OLCC.

Unsure Which Package to Use?

Label Checklist and Generic Label Examples

Clarification on Marijuana Products Attractiveness to Children and Strain Names

#### OLCC Approved Packaging Lists

Approved Labels

Single Use Child-Resistant Packages

Exit Package

Resealable, Continually Child-Resistant Packages

Non-Child Resistant Packages - Exit Bag Required



#### OLCC RECREATIONAL MARIJUANA PROGRAM APPROVED LABEL LIST



This list includes all labels that have been approved.

Brisiness	Label Title	Label Description	Product Type
3LB Retail, LLC	Retail Store Exit Bag Label for Hijinx Cannabis Co	Exit Labeling for use on Approved Exit Packaging	Usable Marijuana
3Littlebirds, LLC	Hijinx Bags Labeled	Hijinx Flower bag with labels	Usable Marijuana
3Littlebirds, LLC	Little Birds Farm Marijuana Label	Marijuana label for approved packaging	Usable Marijuana
3Littlebirds, LLC	Bobby's Bodacious Buds	MJ label for approved packaging	Usable Marijuana
420 Pharm LLC	TRANSCENDENTAL MEDICATION	1 ml CO2 extracted THC cannabis oil	Concentrate
4964 BFH, LLC	Starter Kit	Strain Label	Usable Marijuana
7 Points Inc	7 Points Oregon Pre- Roll Container Label	label for pre-roll container.	Usable Marijuana



#### OLCC RECREATIONAL MARIJUANA PROGRAM APPROVED PACKAGING LIST



RESEALABLE, CONTINUALLY CHILD-RESISTANT PACKAGES

The packages listed below do not require the use of an exit package. The





la bel \'lā-bəl\' n : any written, printed, or graphic matter affixed to, applied to, attached to, embossed on, or appearing upon a package containing a marijuana item for purposes of branding, identifying, or giving any information with respect to the item or to the contents of the

LABE

# LABEL RULES (OAR 333-007-0010 - 333-007-0100)

- Label info is dependent on product type i.e. edibles must follow edible labeling requirements.
- All requirements outlined in the rules <u>must</u> be listed on the label.
- Failure to include any required information will result in a non-compliant label

#### Strain

UID

Made on 00/00/00 THC: % CBD:%

Lab Name Test Date Batch #

THC: 0 mg/serving; 000 mg/container CBD: 0 mg/serving; 000 mg/container

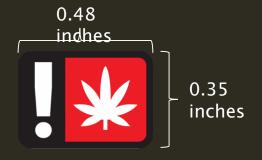
This label is **NOT** compliant

# PRINCIPAL DISPLAY PANEL

The principal display panel is the part of a label that is most likely to be displayed, or seen when on display for sale.

Three things must appear on PDP (except for plants):

- 1. Product Identity
- 2. Universal Symbol
- 3. Net Weight or Volume
  - In both US Customary and SI Units
  - In bottom 30% of label



The universal symbol must be at least 0.48 inches wide by 0.35 inches tall.

# PRINCIPAL DISPLAY PANEL

The location of the principal display panel may depend on the type of package or how the product is labeled.



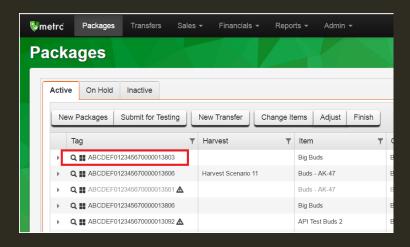


# **UID NUMBER**



The UID number is the 24-digit Metrc tag number.

- > The UID number is required on ALL labels.
- > The number you should use is the UID number at the time the product is being packaged and labeled.



## POTENCY

- The THC concentration limit listed on the label dictates whether the product is a recreational product or a medical grade product.
- If the THC concentration listed on the label is above the limit in the table, the product will be a medical grade product.
- >OAR 333-007-0090(10) allows a variance of 5%
  - Example: 51.4 mg could be labeled as 50 mg in order to sell product as a recreational product

# RETAIL ADULT USE CANNABIS CONCENTRATION & SERVING SIZE LIMIT

Type of Marijuana Item	Maximum THC Per Serving	Maximum THC in Container
Cannabinoid Product - Edibles	5 mg	50 mg
Cannabinoid Product - Topical	N/A	6%
Cannabinoid Product - Tincture	N/A	1,000 mg
Cannabinoid Product - Capsule	10 mg	100 mg
Cannabinoid Concentrates or Extracts	N/A	1,000 mg
Cannabinoid Products Other than Suppositories or Transdermal Patches	N/A	1,000 mg

# STRAIN NAMES

A label may not contain any words that refer to products that are commonly associated with minors or marketed by minors. This includes strain names.

Strain names that are prohibited may be used inside of a retail store to advertise or inform a consumer about the strain.

The strain name CANNOT be used on a label or advertising.



# SYRINGES VS. CARTRIDGES



#### Cartridges

- All cartridges must have the universal symbol printed or attached directly to the cartridge.
- This symbol is in addition to the symbol on the front of the package.

Syringes (and all other small containers)

Must have a label attached - can be a small container label



# GENERIC LABELS

Only text required by rule and the universal symbol

> Can use pictogram for activation tin

Generic labels do NOT need OLCC approval

No electronic submission is required



The label shown in this photo is a generic label. It contains no logos, pictures, or graphics.

# **GENERIC LABELS**

Any text, pictures, logos, or graphics ANYWHERE on the package is a part of the label.





# LICENSEE RESPONSIBI LITY

# **VIOLATIONS**

It is a <u>violation</u> for a Retailer or Wholesaler to sell an item that is packaged or labeled incorrectly.

- Check to make sure all product is packaged and labeled correctly prior to selling any product to a consumer.
- Educate staff on what exit packages are and how they should be used.

If a Retailer or Wholesaler receives a non-compliant product, licensee **must**:

- (1) notify the OLCC; and
- (2) return the product.

# QUESTIO NS?





Additional information available on OLCC website: www.marijuana.oregon.gov

Email: marijuana.packaging@oregon.gov







# PACKAGES AND LABELS FOR PRODUCERS AND PROCESSORS OLCC SPRING 2017

Jamie Dickinson
Packaging & Labeling
Specialist
OLCC Recreational
Marijuana Program

#### TOPICS COVERED TODAY

- Packaging
  - For sale to consumers
  - Transfers to other licensees
- Labeling
  - For sale to consumers
  - Transfers to other licensees
- Where to find additional information





pack-age \'pa-kij\ n: the immediate container or wrapping that holds a marijuana item for ultimate sale to a consumer and includes any outer container or wrapping used in the retail display of any such substance to consumers.

## **PACKAGES**

## Packaging must protect the marijuana item

Containers and packaging that hold marijuana items must protect those items from contamination and must not expose the marijuana item to any toxic or harmful substance.

## Packaging cannot have any false or misleading statements

#### Packaging cannot be attractive to minors

- No designs, brands, or names that resemble a product marketed to children
- No designs, brands, symbols, or celebrities typically used to market to minors
- No images of minors
- No cartoons

#### Product <u>must</u> leave retail store in child resistant package

❖ One exception: Immature plants and seeds do not need child resistant packaging



# CHILD-RESISTANT (CR) PACKAGES

- All marijuana items, except immature plants and seeds, must be sold in a child resistant package.
  - To be considered child resistant, a package must be tested and certified as meeting the standards set out in 16 CFR 1700 by a qualified, third-party testing firm.
  - Two types of CR packages: (1) resealable, continuously child-resistant and

Type of Packaging Required	Resealable & Child-Resistant throughout Life of the Product	Single Use Child-Resistant	Child-Resistant Packaging Not
Type of Marijuana Item Sold	<ul> <li>All Concentrates and Extracts</li> <li>Edibles, Topicals, or Tinctures with more than 15mg of THC.</li> </ul>	<ul> <li>Usable Marijuana</li> <li>Edibles, Topicals, or Tinctures with 15 mg THC or fewer.</li> </ul>	<ul><li>Immature Plants</li><li>Seeds</li></ul>

## CHILD RESISTANT (CR) PACKAGES

A marijuana item can either be directly packaged in a container that is child-resistant or can be placed into an approved child-resistant exit package at the point of sale.

A child-resistant package must be:

- Tested and certified as meeting the child-resistant standards by a third-party testing firm; and
- Approved by the OLCC.



Resealable and continually CR



Single Use CR



Resealable and continually CR

## **EXIT PACKAGES**

- Must be certified as child resistant by third-party testing firm.
- Must be approved by OLCC by at least one licensee before use.
- Are used at the point of sale and are not used for display in store.
- Do not have product-specific label information.
- Must contain the following statement: "Keep out of reach of children"



Exit Package



**Not** an Exit Package

### WHEN AN EXIT PACKAGE IS REQUIRED



- If an extract or concentrate is packaged in a single use package – it <u>MUST</u> go into a resealable, continually CR exit package prior to leaving the retail store.
- If a tincture, topical, or edible has more than 15 mg THC in the package and it is packaged in a single use package – it <u>MUST</u> go into a resealable, continually CR exit package prior to leaving the retail store.
- If any marijuana item except for an immature plant or seeds – is packaged in a non-child resistant package – it <u>MUST</u> go into an approved exit package prior to leaving the retail store.

## **APPROVED LISTS**

#### Recreational Marijuana

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Frequently Asked Questions (FAQs)

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Packaging and Labeling Pre-Approval



Packaging & Labeling

#### Overview

PLEASE NOTE: The information provided here is only a brief summary of the rules. There are additional requirements that you must comply with. You are responsible for complying with OAR 845-025-7000 to 845-025-7060 and OAR 333-007-0010 to 333-007-0100.

The Oregon Liquor Control Commission (OLCC) evaluates medical and recreational marijuana packages and labels to ensure all packages and labels meet the requirements set out by the Oregon Health Authority (OHA) and the OLCC.

Only OHA Registrants and OLCC Licensees can receive pactage and label approval from the OLCC.

Unsure Which Package to Use?

Label Checklist and Generic Label Example

Clarification on Marijuana Products Attractiveness to Children and Strain Names

#### OLCC Approved Packaging Lists

Approved Labels

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Exit Package

Resealable, Continually Child-Resistant Packages

Non-Child Resistant Packages - Exit Bag Required



#### OLCC RECREATIONAL MARIJUANA PROGRAM APPROVED LABEL LIST



This list includes all labels that have been approved.

Business	Label Title	Label Description	Product Type
3LB Retail, LLC	Retail Store Exit Bag Label for Hijinx Cannabis Co	Exit Labeling for use on Approved Exit Packaging	Usable Marijuana
3Littlebirds, LLC	Hijinx Bags Labeled	Hijinx Flower bag with labels	Usable Marijuana
3Littlebirds, LLC	Little Birds Farm Marijuana Label	Marijuana label for approved packaging	Usable Marijuana
3Littlebirds, LLC	Bobby's Bodacious Buds	MJ label for approved packaging	Usable Marijuana
420 Pharm LLC	TRANSCENDENTAL MEDICATION	1 ml CO2 extracted THC cannabis oil	Concentrate
4964 BFH, LLC	Starter Kit	Strain Label	Usable Marijuana
7 Points Inc	7 Points Oregon Pre- Roll Container Label	label for pre-roll container.	Usable Marijuana



#### PACKAGING FOR TRANSFER TO ANOTHER LICENSEE

- Bulk packages transferred from one licensee to another <u>do not need to have packages or labels approved</u>
- This is different than products packaged for ultimate sale to a consumer, which <u>must have</u> <u>packages and labels approved</u>.
- Bulk transfers must follow OAR 845-025-7700
  - Should be packaged in shipping containers and labeled with UID tag prior to transport

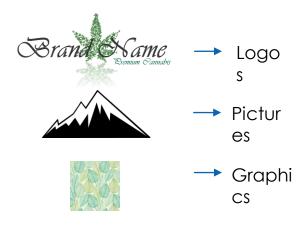




la·bel \'lā-bəl\ n : any written, printed, or graphic matter affixed to, applied to, attached to, embossed on, or appearing upon package containing a marijuana item for purposes of branding, identifying, or giving any information with respect to the item or to the contents ARP the

#### LABEL VS. PACKAGE

Label = anything written or printed <u>anywhere</u> on the package, includes:



Package = the physical structure that holds the marijuana item NOT the information that is printed on it



\*\*The information printed directly on a package is a part of the label and <u>not</u> a part of the package.

## Label information is dependent on product type – i.e. edibles must

 All requirements outlined in the rules <u>must</u> be listed on the label.

follow edible labeling requirements.

 Failure to include any required information will result in a noncompliant label

#### Strain

UID

Made on 00/00/00 THC: % CBD:% Lab Name

Test Date Batch #

THC: 0 mg/serving; 000 mg/container CBD: 0 mg/serving; 000 mg/container

This label is **NOT** compliant

### Labels cannot have any false or misleading statements

- No claims that are deceptive or false
  - Organic
  - > Health claim involving symptoms or conditions
  - Mislabeling product

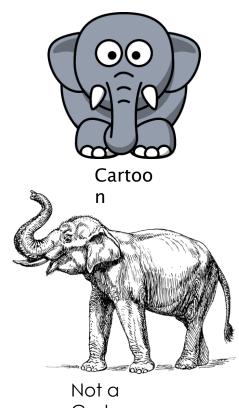
#### Labels cannot be attractive to minors

- No designs, brands, or names that resemble a product marketed to children
- No designs, brands, symbols, or celebrities typically used to market to minors
- No images of minors
- No cartoons



## **CARTOONS**

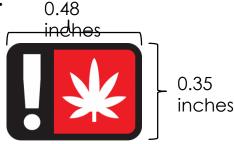
- Any drawing or other depiction of an object, person, animal, creature or any similar caricature that satisfies any of the following criteria:
  - (1) The use of comically exaggerated features;
  - (2) The attribution of human characteristics to animals, plants or other objects, or the similar of use anthropomorphic technique; or
  - (3) The attribution of unnatural or extrahuman abilities, such as imperviousness to pain or injury, X-ray vision, tunneling at very high speeds or transformation.



Cartoon

#### PRINCIPAL DISPLAY PANEL

- The principal display panel is the part of a label that is most likely to be displayed, or seen when on display for sale.
- Three things must appear on PDP (except for plants):
  - 1. Product Identity
- 2. Universal Symbol
- 3. Net Weight or Volume
  - In both US Customary and SI Units
  - In bottom 30% of label



The universal symbol must be at least 0.48 inches wide by 0.35 inches tall.

### PRINCIPAL DISPLAY PANEL

The location of the principal display panel may depend on the type of package or how the product is labeled.



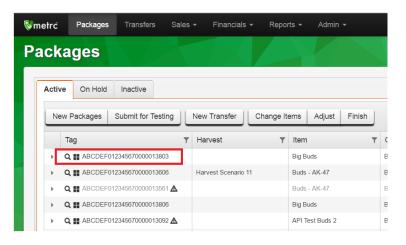


#### **UID NUMBER**

The UID number is the 24-digit Metrc tag number.

- > The UID number is required on ALL labels.
- The number you should use is the UID number at the time the product is being packaged and labeled.





#### **POTENCY**

- The THC concentration limit listed on the label dictates whether the product is a recreational product or a medical grade product.
- If the THC concentration listed on the label is above the limit in the table, the product will be a medical grade product.
- OAR 333-007-0090(10) allows a variance of 5%
  - Example: 51.4 mg could be labeled as 50 mg in order to sell product as a recreational product

# RETAIL ADULT USE CANNABIS CONCENTRATION AND SERVING SIZE

Type of Marijuana Item	Maximum THC Per Serving	Maximum THC in Container
Cannabinoid Product - Edibles	5 mg	50 mg
Cannabinoid Product - Topical	N/A	6%
Cannabinoid Product - Tincture	N/A	1,000 mg
Cannabinoid Product - Capsule	10 mg	100 mg
Cannabinoid Concentrates or Extracts	N/A	1,000 mg
Cannabinoid Products Other than Suppositories or Transdermal Patches	N/A	1,000 mg

#### SYRINGES VS. CARTRIDGES



#### Cartridges

- All cartridges must have the universal symbol printed or attached directly to the cartridge.
- This symbol is in addition to the symbol on the front of the package.
- Syringes (and all other small containers)
  - Must have a label attached can be a small container label



#### GENERIC LABELS

- Only text required by rule and the universal symbol
  - Can use pictogram for activation time 45
- Generic labels do NOT need OLCC approval
  - No electronic submission is required



The label shown in this photo is a generic label. It contains no logos, pictures, or graphics.

#### **GENERIC LABELS**

Any text, pictures, logos, or graphics ANYWHERE on the package is a part of the label.



Strain: Blue Dream Harvest Date: 12/12/18 UID # 123456789123456789123456 Licensed Lab. 12/12/18. 123456789

Preroll

For use only by adults 21 and older. Keep out of reach of children. It is illegal to drive a motor vehicle while under the influence of marijuana. Produced by: Super Fresh Farms, #10384675938 Packaged by: Lotus Industries, LLC, reach of children. It is illegal to drive a motor vehicle while under the influence of marijuana For use only by adults 21 and older. Keep out of

FARMS Preroll 1.0 g (0.035 oz)

**NOT** 

Generic

Strain: Blue Dream Activation: Immediate Harvest Date: 12/12/18 UID# 123456789123456 Licensed Lab, 12/12/18, 123456789

Produced by: Super Fresh Farms, #10384675938 Packaged by: Lotus Industries, LLC,

**NOT** Generic Contains: Product Identity Activation Time: 40 min Net wt 1 g (0.035 oz)

Ingredient List: Nutrition Facts: Serving Size # gf Servings **UID** number THC/ serving, container CBD/serving, container Lab Name, Test Date, Test Batch # Processor Name OLCC License # Place of Address

#### LABELING FOR TRANSFER TO ANOTHER LICENSEE

- Bulk packages transferred from one licensee to another do not need to have packages or labels approved
- Must follow OAR 845-025-7700
  - Must have the UID number on the shipping container.
  - Also helpful to include:
    - Business Name and License Number
    - Date Harvested or Processed

#### WHERE TO FIND ADDITIONAL INFORMATION

- OLCC Packaging and Labeling Website:
   <a href="http://www.oregon.gov/olcc/marijuana/Pages/PackagingLabelingPreApproval.aspx">http://www.oregon.gov/olcc/marijuana/Pages/PackagingLabelingPreApproval.aspx</a>
- Packaging and Labeling Guide
- Approved Lists
- Updates and More Information

Email: <u>marijuana.packaging@oregon.gov</u>

Phone: (503) 872-5459



### **QUESTIONS?**

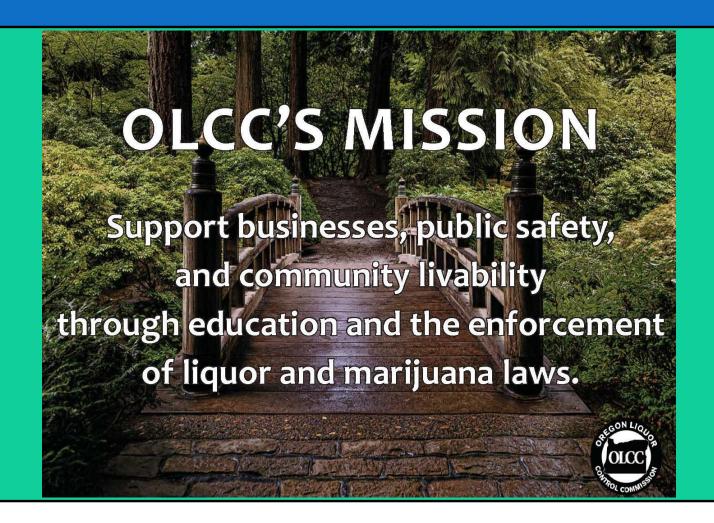




### OREGON RECREATIONAL

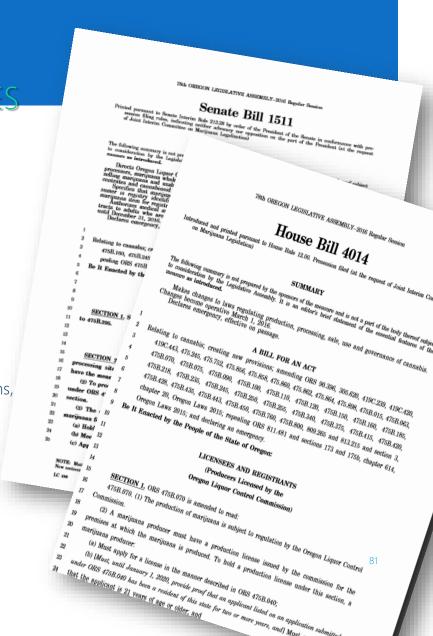


AMANDA BORUP, POLICY ANALYST – OREGON LIQUOR CONTROL COMMISSION SPRING 2017 WORKSHOP – PRODUCER & PROCESSOR UPDATE



### STATE 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



#### RENEWALS

#### Be patient

The same staff that is processing renewals is also processing all new applications

#### Help your investigators

 Create diagrams of complex business structures, provide clear drawings of any premises changes

#### Renew Early

- Particularly if you are making changes to your business structure or premises
- Early or on time renewal applications can continue to operate, late renewal applications cannot, and will pay a late fee
- Help us spread out renewals work benefits the agency and the industry

















#### **Testing requirements**

Product Type	Testing Requirement	
	If intended for sale from a retail shop or dispensary	If intended for further processing
Usable marijuana	Pesticide     Water activity/moisture content     THC / CBD     Micro (random)	Water activity/moisture content (unless processor uses sterilization method)     Micro (random)
Extract / concentrate	<ul> <li>Pesticides</li> <li>Solvents [exempt if meets requirements in 333-007-0330(3)]</li> <li>THC / CBD</li> <li>Micro (random)</li> </ul>	Pesticides     Solvents [exempt if meets requirements in 333-007-0330(3)]     Micro (random)
Cannabinoid Products Intended for Human Consumption or Ingestion and Cannabinoid Suppositories, Topicals and Transdermal Patches	THC / CBD  Micro (random)	

### OLCC ADMINISTRATIVE RULES – DIVISION

25



- Definitions
- Application Process
- Security
- Health
- Producers
- Retail

- Processor
- Wholesale
- Labs (majority of rules with OHA)
- Research
- Workers Permit
- Testing (majority of rules with OHA)

- Packaging
- CTS
- Transportation
- Waste Disposal
- Advertising
- Compliance



















## PRODUCERS HELPELL REMINDERS



- You can establish a new canopy size at recertification, this includes adding mixed cultivation
- ODA has a guide list available on their website for pesticides that are labeled broadly enough to be used on marijuana. Please call or email ODA if you have questions about best practices or using pesticides on your crop
- Once you harvest you have 45 days to segregate your harvest into lots and tag with METRC tags. It is very important you do this so your inventory is correct in the system

# PRODUCERS WHO CAN YOU SELL AND TRANSFER PRODUCT



- Usable marijuana to a processor, wholesaler, retailer, laboratory, nonprofit dispensary, or research certificate holder;
- Whole, non-living marijuana plants that have been entirely removed from any growing medium to a processor, wholesaler, non-profit dispensary or research certificate holder;
- Immature marijuana plants and seeds to a producer, wholesaler, retailer or research certificate holder;
- Marijuana waste to a producer, processor, wholesaler, or research certificate holder

## PRODUCERS WHO CAN YOU RECEIVE PRODUCT FROM?



- Immature marijuana plants and seeds from a producer, wholesaler, or research certificate holder;
- Marijuana waste from a producer, processor, wholesaler, retailer, laboratory, or research certificate holder; and
- Usable marijuana you produced that has been stored by a wholesaler on your behalf.
- Reminder: Immaculate conception expires

### HELPFUL REMINDERS



- You need an endorsement for the type of processing you are engaging in (concentrates, extracts, edibles and/or topicals)
- Testing needs to be performed at the appropriate time even if you are vertically integrated
- To make medical grade products for sale at OLCC retail stores you need to have the medical grade form approved by OLCC
- You cannot process CBD derived from hemp at an OLCC licensed location

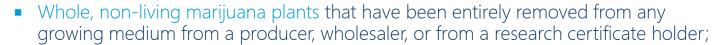
# PROCESSORS WHO CAN YOU SELL AND TRANSFER PRODUCTS



- Cannabinoid concentrates, extracts, and products for which you have an endorsement to a processor, wholesaler, retailer, non-profit dispensary, or research certificate holder; and
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#### PROCESSORS

#### WHO CAN YOU RECEIVE PRODUCTS FROM?



- Usable marijuana from a producer, wholesaler, or from a research certificate holder;
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#### OLCC — OAR DIVISION 25

#### MARIJUANA WORKER PERMITS



- Anyone participating in the possession, securing or selling of marijuana, recording possession, securing or selling, verifying age of purchasers, or supervising any of these activities
- Permits are applied for much like a license, permit holder must be 21 or older, pass a background check, and pass a knowledge-based test.
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- Approximately 11,150 issued; 18,000 applications submitted
- All employees must be entered into METRC with their permit number.

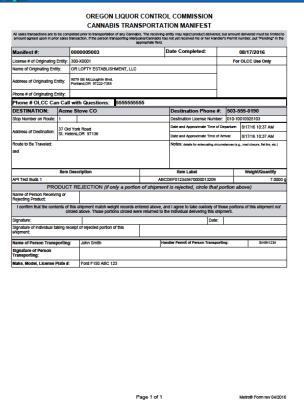
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  - Promotes illegal activity: such as transporting over state lines
  - Contain deceptive, false or misleading statements: asserting that marijuana is safe because it because it is regulated/tested, has therapeutic or curative effects
- Prohibited Modes of Advertising:
  - No handbills
  - No TV, radio, billboards, print or internet unless licensee can show that no more than 30% of 30% of the audience is reasonably expected to be under 21



TRANSFER MANIFES

- Allows licensees to transfer product to other licensees within regulated supply chain
- Generated by Metrc CTS
  - Lists product being transported, origination, destination, travel route, vehicle/license plate
- Working on process for OSP Dispatch to be able to access CTS to verify manifest





#### COMPLIANCE EDUCATION BULLETINS

- Industry wide mistakes
  - Using METRC the OLCC can see if there are industry wide issues that can be addressed through education
- Rule Changes
  - An easy way to link updates to the state law and rules on a one page document
- Step by Step procedures
  - Many bulletins will help a licensee correct an action with step by step instructions















#### **UPCOMING CHANGES**



#### Bump-up canopy

- Allows recreational producers grow a small amount of medical product on the licensed premises
  - All product will go to the medical supply chain
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 Legislative changes that relate to the recreational law will be implemented through a transparent rulemaking process















#### RESOURCES

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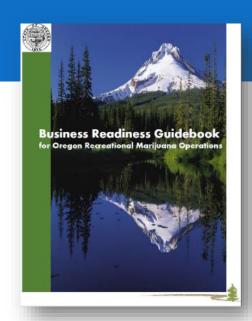
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 Industry campaign to recognize legal market (vs. illegal market)



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Cities/Counties Prohibiting Licensed Recreational Marijuana Facilities



#### Recreational Marijuana

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Frequently Asked Questions (FAQs)

Laws and Rules

Rules Advisory Committee & Technical Subcommittees

Licensing Packaging and Labeling

Marijuana Worker Permit

Cannabis Tracking System

Forms & Publications

News Room Public Involvement

Public Meeting Calendar

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Online Application

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The list of cities or counties that have prohibited the establishment of licensed recreational marijuana producers, processors, wholesalers, and/or retailers.

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Dept. of Revenue News Release on Marijuana Tax

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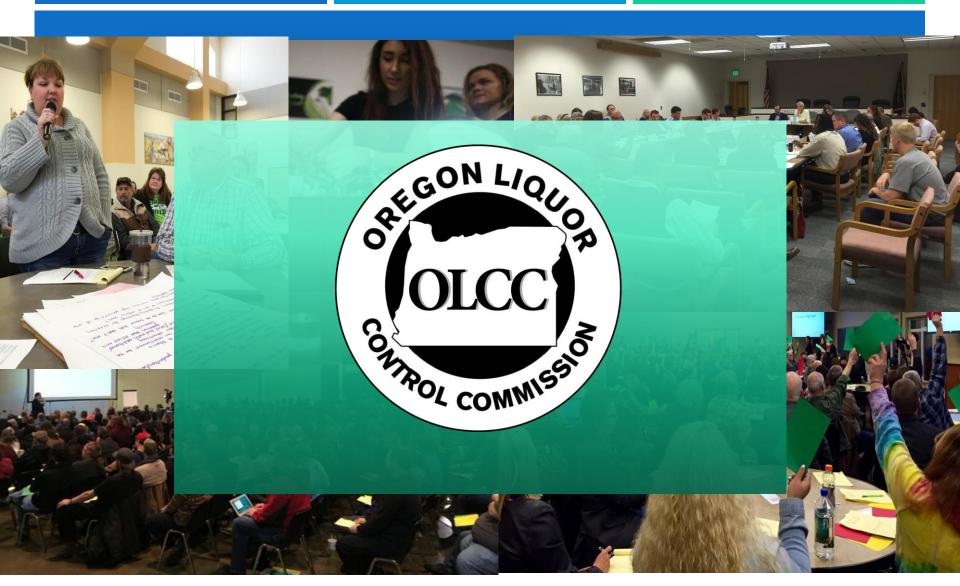










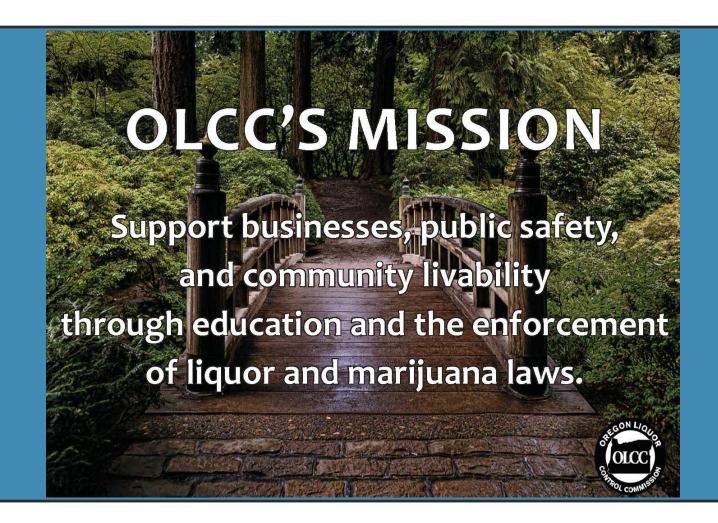


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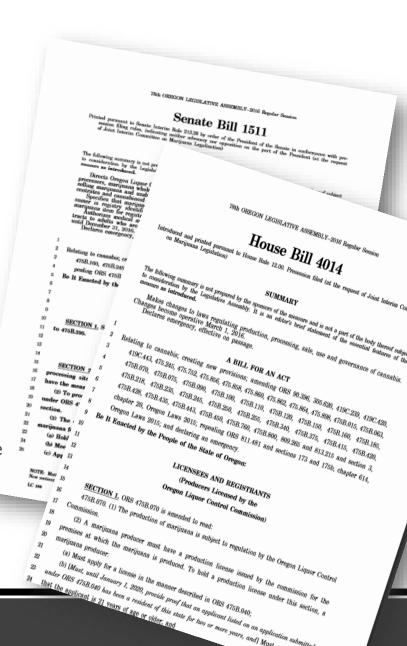
Amanda Borup, Policy Analyst - Oregon Liquor Control Commission

Spring 2017 Workshop - Producer & Processor Update



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

 The same staff that is processing renewals is also processing all new applications



#### Help your investigators

 Create diagrams of complex business structures, provide clear drawings of any premises changes

#### Renew Early

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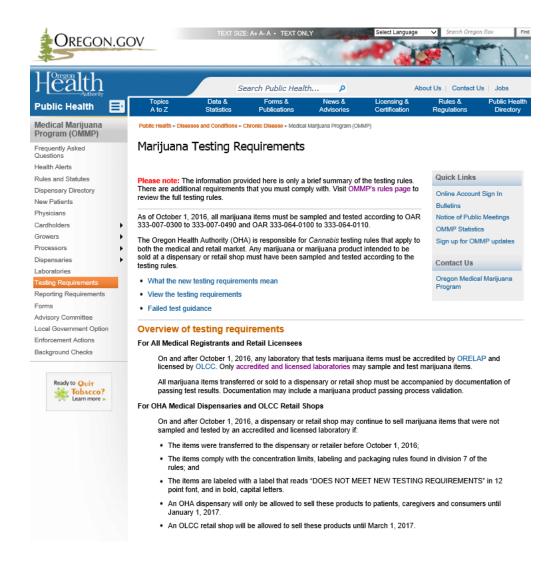












#### **Testing requirements**

Product Type	Testing Requirement	
	If intended for sale from a retail shop or dispensary	If intended for further processing
Usable marijuana	<ul> <li>Pesticide</li> <li>Water activity/moisture content</li> <li>THC / CBD</li> <li>Micro (random)</li> </ul>	Water activity/moisture content (unless processor uses sterilization method)     Micro (random)
Extract / concentrate	<ul> <li>Pesticides</li> <li>Solvents [exempt if meets requirements in 333-007-0330(3)]</li> <li>THC / CBD</li> <li>Micro (random)</li> </ul>	<ul> <li>Pesticides</li> <li>Solvents [exempt if meets requirements in 333-007-0330(3)]</li> <li>Micro (random)</li> </ul>
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OLCC OMMESS

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- Health
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- Retail

- Processor
- Wholesale
- Labs (majority of rules with OHA)
- Research
- Workers Permit
- Testing (majority of rules with OHA)

- Packaging
- CTS
- Transportation
- Waste Disposal
- Advertising
- Compliance



















## **Producers**Helpful Reminders



- You can establish a new canopy size at recertification, this includes adding mixed cultivation
- ODA has a guide list available on their website for pesticides that are labeled broadly enough to be used on marijuana. Please call or email ODA if you have questions about best practices or using pesticides on your crop
- Once you harvest you have 45 days to segregate your harvest into lots and tag with METRC tags. It is very important you do this so your inventory is correct in the system

## Producers Who can you sell and transfer product to?

- Usable marijuana to a processor, wholesaler, retailer, laboratory, non-profit dispensary, or research certificate holder;
- Whole, non-living marijuana plants that have been entirely removed from any growing medium to a processor, wholesaler, non-profit dispensary or research certificate holder;
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- Reminder: Immaculate conception expires



# **Processors**Helpful Reminders



- You need an endorsement for the type of processing you are engaging in (concentrates, extracts, edibles and/or topicals)
- Testing needs to be performed at the appropriate time even if you are vertically integrated
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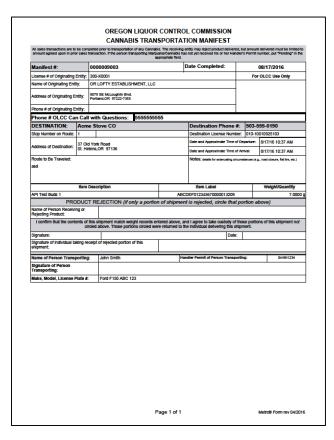
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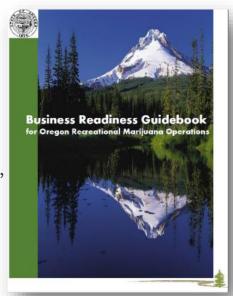
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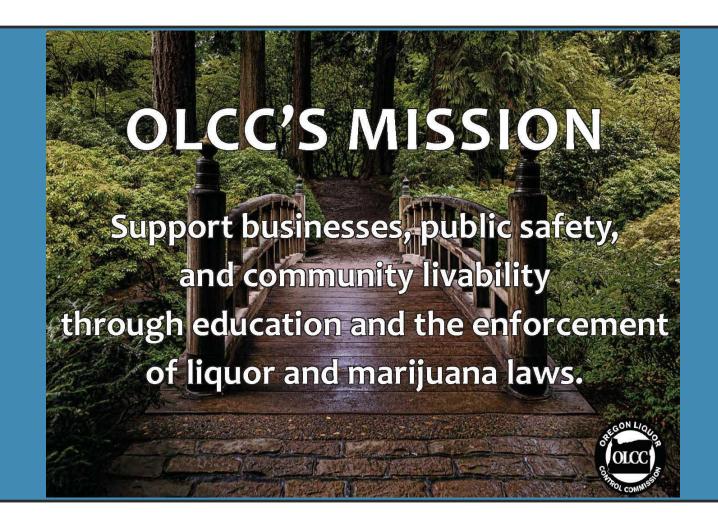


Oregon Recreational Marijuana Program



Amanda Borup, Policy Analyst - Oregon Liquor Control Commission

Spring 2017 Workshop - Wholesaler & Retailer Update



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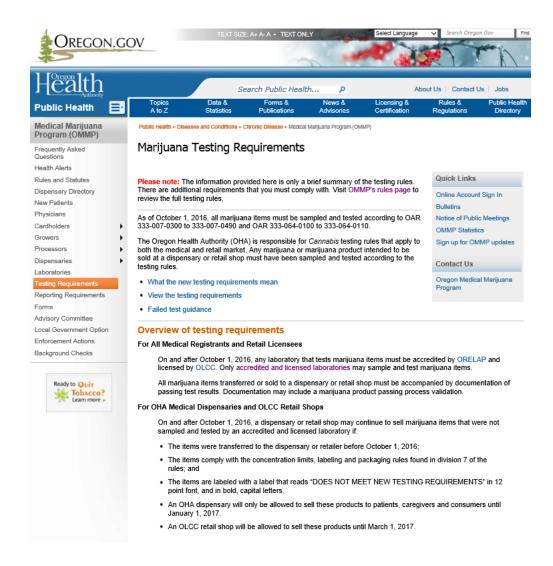












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## Wholesalers

### Who can you sell and transfer to?



- Any type of marijuana item to a retailer, wholesaler, non-profit dispensary or research certificate holder,
  - whole, non-living marijuana plants may not be transferred to a retailer or to a non-profit dispensary;
- Immature marijuana plants and seeds to a producer;
- Usable marijuana back to the producer you were storing the usable marijuana for;
- Usable marijuana, cannabinoid extracts and concentrates to a processor licensee; and
- Marijuana waste to a producer, processor, wholesaler or research certificate holder.

## **Wholesalers**

### Who can you receive products from?



- Any type of marijuana item from a wholesaler;
- Cannabinoid concentrates, extracts, and products from a processor with an endorsement to manufacture the type of product received;
- Seeds, immature plants or usable marijuana from a producer;
- Whole, non-living marijuana plants that have been entirely removed from any growing medium from a producer; and
- Marijuana waste from a producer, processor, wholesaler, retailer, laboratory, or research certificate holder.

## **Wholesalers**Helpful Reminders



- Can store and transport on behalf of other licensees
- Hold auctions and sell product to other licensees

### Retailers

## Who can you sell or transfer to?



- Marijuana items to a consumer 21 years of age or medical card holders 18 years and older
- Marijuana waste to a producer, processor, wholesaler, or research certificate holder.
- Return marijuana items to a producer, processor or wholesaler who transferred the item to the retailer.

### Retailers

## Who can you receive product from?

- Usable marijuana, immature marijuana plants, and seeds from a producer or from a research certificate holder;
- Cannabinoid concentrates, extracts, and products from a processor with an endorsement to manufacture the type of product received or from a research certificate holder;
- Any marijuana item, except for whole, non-living marijuana plants, from a wholesaler; and
- Any marijuana item from a laboratory



### Retailers

- SB 863 prohibits marijuana retailers from recording, retaining or transferring information contained on a passport, driver's license, military identification card or other identification card.
  - Must check ID to make sure customer is over 21
  - Must enter all needed inventory and sales into METRC
- Going forward a retailer may retain the name and the contact information of a customer for marketing purposes only, if the retailer:
  - Asks the consumer if they may record the information for marketing purposes
     AND
  - The consumer agrees in writing to the information being used for marketing purposes.
- This consumer consent does NOT authorize the retailer to sell or transfer the consumer's personal information.



## **Retailers**Helpful Reminders



- Cannot sell or give away materials used for home extraction
- Cannot give discounts if conditioned on sale of other items (i.e. no "buy two joints, get the third 1/2 off")
- Cannot sell without verifying age of every customer
- If selling a hemp based CBD item for human consumption it must be packaged, labeled and tested according to the rules
- Need to have approval from the OLCC prior to making any customer deliveries
- If selling Medical Grade products, you must verify the products are only being sold to OMMP cardholders

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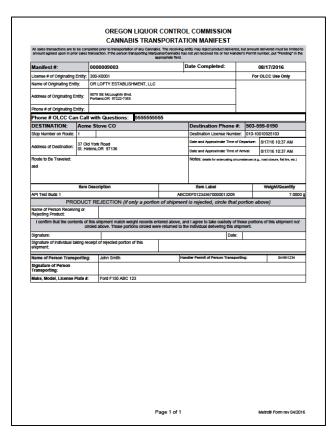
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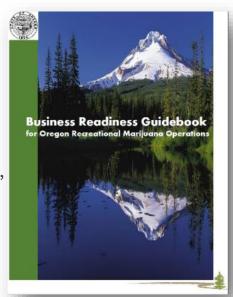
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www.whatslegaloregon.com

#### Go Legal

- B2B campaign to engage industry on value of licensed environment
- www.golegaloregon.com

#### **Buy Legal**

 Industry campaign to recognize legal market (vs. illegal market)





TEXT SIZE: A+ A-A . TEXT ONLY TRANSLATE - Google" Custom Search

#### Recreational Marijuana

Agency Overview

Recreational Marijuana Program Home Contact Us

Frequently Asked Questions (FAQs)

Laws and Rules

Rules Advisory Committee & Technical Subcommittees

Licensing Packaging and Labeling

Marijuana Worker Permit

Cannabis Tracking System

Forms & Publications

News Room Public Involvement

Public Meeting Calendar

Cannabis Environmental Best Practices Task Force

Public Safety, Education. & Enforcement Committee

OLCC Website Home

OLCC Accepting Recreational Marijuana License Applications

OLCC is now accepting applications for Recreational Marijuana Licenses. Prospective applicants are encouraged to use reference materials and tools available on this website to ensure their application is accurately submitted.

Apply online here: https://apps.oregon.gov/OLCC/Marijuana/elicense

< II > 1 of 2

Marijuana License Application Statistics Up-to-date report of applications received, organized by county of the proposed premises. Also includes a summary of total license applications.

Recreational Marijuana Licensing

Marijuana Licenses (as of 12/30/2016)

This is the list of currently approved recreational marijuana licenses.

Approved Marijuana Licenses (PDF) Approved Marijuana Licenses (Excel)

Approved Marijuana Licensed Retailers (as of 12/30/16)

Recreational Marijuana Licensing Timeline Important dates and milestones for implementation.

Online Application & Forms for Recreational Marijuana License OLCC is now accepting recreational marijuana license applications through the online licensing system. Online Application

Licensing Forms and Documents

Business Readiness Guidebook for Oregon Recreational Marijuana Operations

The guidebook is intended to provide applicants and licensees with knowledge and tools for establishing and operating OLCC-licensed recreational marijuana businesses.

Cities/Counties Prohibiting Licensed Recreational Marijuana Facilities

The list of cities or counties that have prohibited the establishment of licensed recreational marijuana producers, processors wholesalers, and/or retailers.

Pesticides (Dept. of Agriculture - ODA)

\*\*ODA, OHA, OLCC Guidance on Pesticide Use\*\*

ODA's Marijuana Overview

Cannabis and Pesticides ODA News Release for Marijuana Pesticide Guidelist

ODA News Release: ODA issues stop sale and removal orders on 12 horticultural products

Taxes (Dept. of Revenue)

Dept. of Revenue News Release on Marijuana Tax

Marijuana Tax Implementation Timeline

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

Limited amounts of recreational marijuana are now available for purchase through medical marijuana dispensaries to adults 21 and older. The Oregon Health Authority has regulatory oversight of recreational marijuana sales through medical dispensaries. June 2, 2016 Expansion of Limited Retail Marijuana Products

Registered Medical Marijuana Dispensaries Frequently Asked Questions About Early Sales

State Agencies Regulating Marijuana

This infographic shows which state agency to contact with your questions about marijuana in Oregon.

State Resources by Topic - Infographic

What's Legal: Educate Before You Recreate

Recreational marijuana is now legal in Oregon. Adults 21 and older can legally possess and use recreational marijuana, but there are limits. It's important to know what's legal and what's not. Go to

whatslegaloregon.com for more information.

Fact Sheet - Consumption, Gifting, and Giveaways

Medical Marijuana (Oregon Health Authority)

Medical Marijuana Program (OMMP)

Medical Marijuana Dispensary Directory

Medical Marijuana Concentration Limits

Medical Marijuana Program Implementation Timeline

Poison Control Help

Oregon

Oregon Poison Control: 1-800-222-1222

Pet Emergencies: Emergency Animal Hospitals and Clinics

Public/Consumer Resources

Local Option Opt-Out Form Cities/Counties Prohibiting Licensed Recreational Marijuana Facilities

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Job Opportunities

Government Resources











# OLCC Spring 2017 Workshop Metrc Update

Scott Denholm Executive Director, Metrc



### Workshop Overview

- Common Errors
- Testing Errors
- New Features
- Training
- Our Support
- OLCC Rules



or.metrc.com

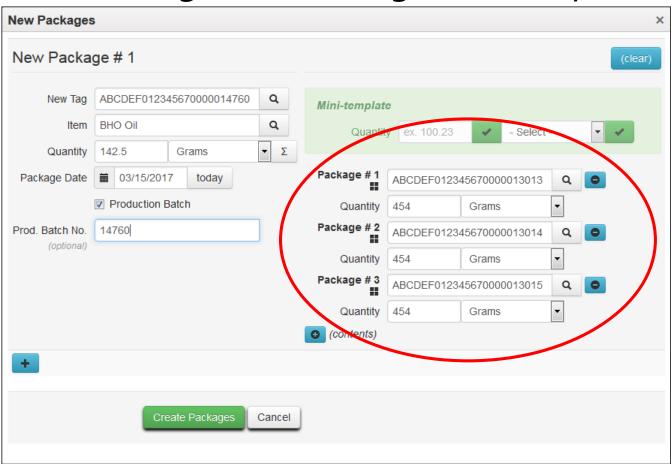


## **Common Errors**

#### Packages with No Chain of Custody

 Creating packages from Thin Air - All packages must have a Content's section (Showing chain of custody)

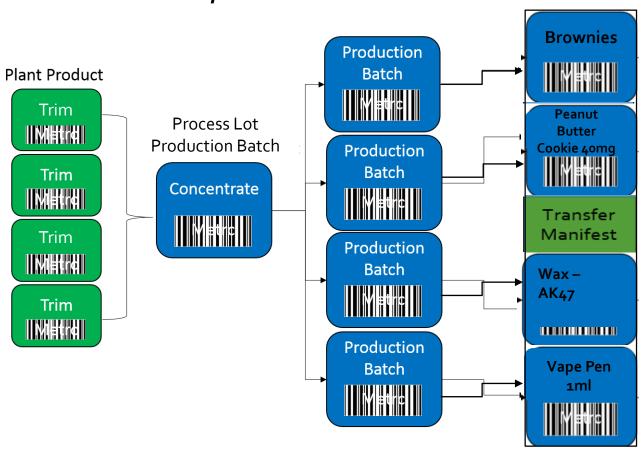
#### Creating New Package Correctly



#### Packaging & Transferring Errors

- Creating packages while product is being tested
  - Wait for ALL test results to be entered into Metrc before repackaging or transferring product

#### Edible/Non-Edible Process

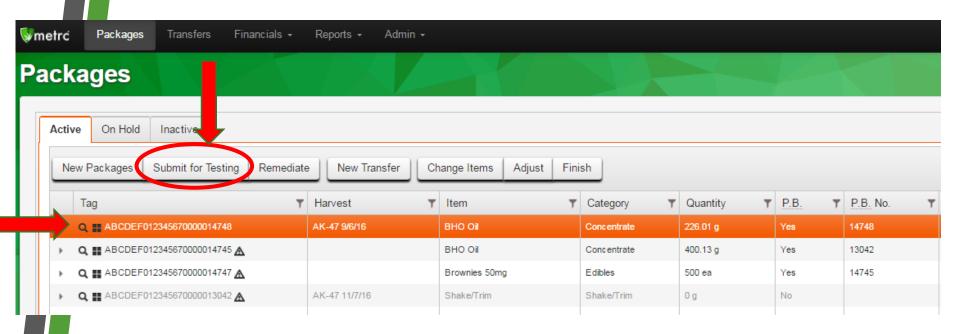




# **Testing Errors**

#### **Testing Errors**

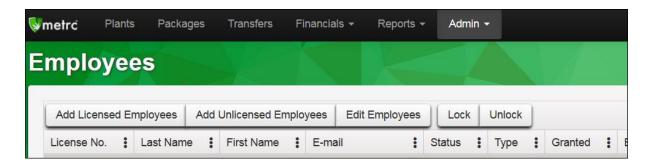
- How to Creating Test Samples Correctly
  - Click package(s) or production batch
  - Click Submit for Testing
  - Create Test Sample with Chain of Custody of where it was pulled from properly





## New Features

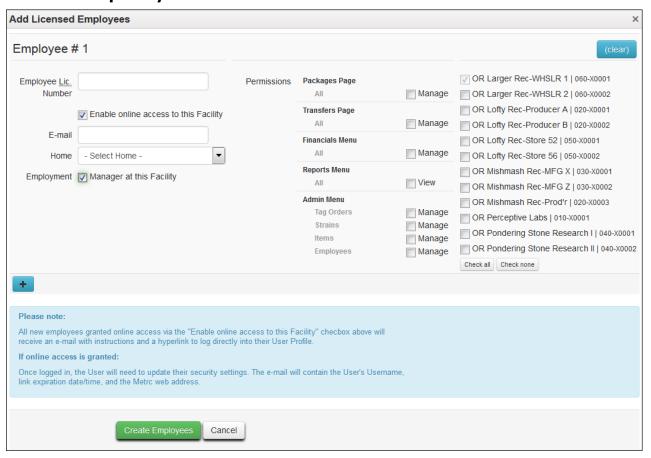
#### Adding Employees



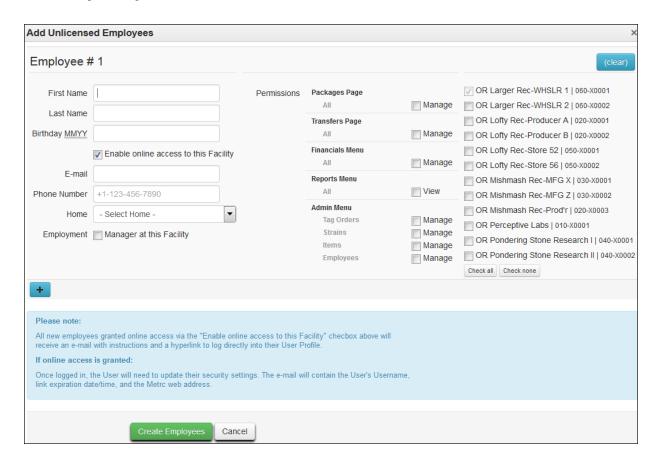
Licensed Employees – Employees who have Marijuana Handler Permits (Their username will be their MJ Handler Permit)

Unlicensed Employees – Employees who do not have Marijuana Handler Permit (Their username will be their Last Name and their birthday MMYY)

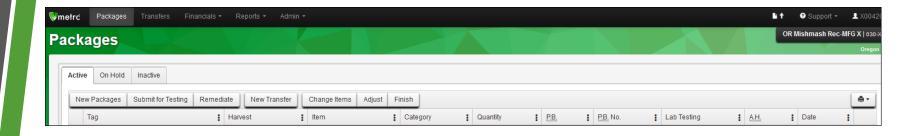
#### **Employees with MJ Handler Permits**



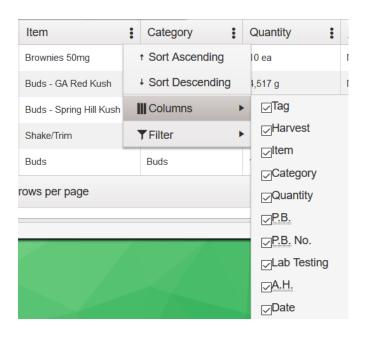
#### **Employees without MJ Handler Permits**

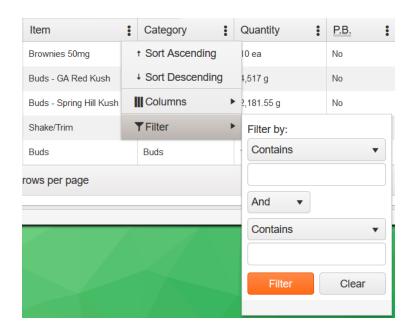


#### Sort, Filter, View & Print

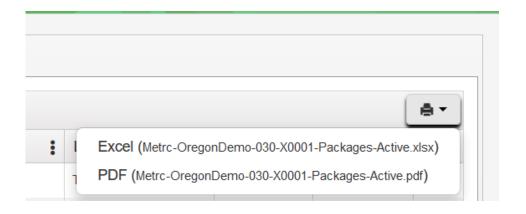


#### Sort, Filter, View & Print





#### Print



OR Metrc Workshop



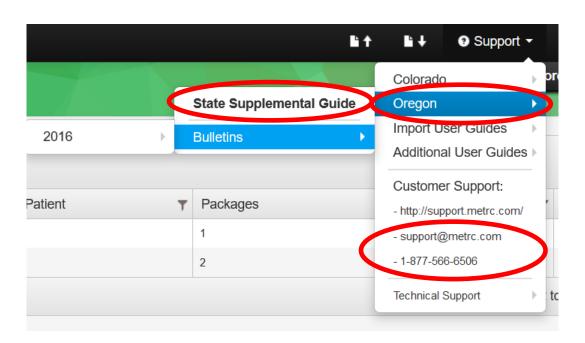
# Training

#### **New and Existing Metrc Training Classes**

- OR New Business Level 1
- Advanced Producer Level 2
- Advanced Retailer Level 2
- Advanced Processor Level 2
- Advanced Wholesaler Level 2

<u>www.metrc.com/oregon</u>

#### **Support Resources**





# Our Support

#### Interactive Support

- Interactive Support
  - ▶ E-mail
    - support@metrc.com
  - ▶ Phone
    - Metrc support line 877-566-6506
    - Hours:
      - M-F 7:00am to 6:00pm PST
      - ▶ Saturday 7:00am to 5pm PST
      - ▶ Sunday (Check VM & Email)





## **OLCC** Rules

TJ Sheehy, Data Analyst

OLCC Recreational Marijuana Program





#### www.metrc.com