

For your information

The Oregon Liquor Control Commission has:

Amended
 Adopted
 Suspended

OAR 845-025-1330
PERMANENT

Effective Date: February 1, 2020

Note: **Bold and underlined** = new text; *italics and strikethrough* = deleted text

845-025-1330
Trade Samples

(1) For purposes of this rule, “cannabinoid product line” means industrial hemp cannabinoid products as defined in 845-025-1015(38)(a)(C) or marijuana cannabinoid products that may differ in flavor, color, or total THC concentration or total CBD concentration but may not differ in net quantity or any other characteristic.

~~(1)~~ **(2) The following licensees and hemp certificate holders may provide samples of marijuana items within the limits listed below to other licensees for the purpose of determining whether to purchase the product.**

(a) A producer may provide a sample of usable marijuana to a marijuana producer, wholesaler, retailer or processor licensee.

(b) A processor may provide a sample of:

(A) A cannabinoid product, concentrate, or extract to a marijuana producer, processor, wholesaler, or retailer, or

(B) A hemp concentrate, extract, or cannabinoid product to a marijuana processor, wholesaler, or retailer.

(c) A wholesaler may provide a sample of usable marijuana, ~~or~~ a cannabinoid product, concentrate or extract, **or a hemp item** to a marijuana wholesaler, retailer, or processor licensee.

(d) A hemp handler certificate holder may provide a sample of a hemp item to a marijuana wholesaler, retailer, or processor licensee.

(3) The trade samples provided under this section:

~~(2) The sample marijuana items m (a) May not be consumed or used on a licensed premises;~~

~~(3) The sample m(b) May not be sold to another licensee or consumer;~~

~~(4) Any sample provided to another licensee or received by a licensee must be recorded in CTS. (c) Must be transported in compliance with OAR 845-025-7700; and~~

~~(5) Any samples provided under this rule m (d) Must be tested in accordance with OAR 333-007-0300 to 333-007-0500.~~

(4)(6) Trade Sample limits.

(a) A licensee is limited to providing the following aggregate amounts of **trade samples marijuana items** to an individual recipient licensee in a calendar month period:

(A) ~~30 grams~~ **5 grams per strain and no more than 6 strains** of usable marijuana **or usable hemp**;

(B) 5 grams of cannabinoid or hemp concentrates or extracts; and

(C) **5 units of sale per cannabinoid product line and no more than 6 individual cannabinoid product lines.**

(b) A wholesale licensee is limited to providing the following aggregate amounts of **trade samples marijuana items** per originating licensee to an individual recipient licensee in a calendar month:

(A) ~~30 grams~~ **5 grams per strain and no more than 6 strains** of usable marijuana **or usable hemp**;

(B) 5 grams of cannabinoid or hemp concentrates or extracts; and

(C) **5 units of sale per cannabinoid product line and no more than 6 individual cannabinoid product lines.**

~~(7) (5) Any sample given to a licensee shall have a label containing the following in any legible font that is at least 1/16th of an inch in height based on the lower case "o":~~

(a) A statement that reads: "TRADE SAMPLE NOT FOR RESALE" in bold, capital letters attached to the ~~marijuana item~~ **trade sample**;

(b) The product identity;

(c) The UID; and

(d) The net weight or contents of the ~~marijuana or marijuana item~~ **trade sample**.

(6) Reconciliation in CTS.

(a) When assigning and affixing the UID tag, a licensee or hemp certificate holder must designate samples as trade samples in CTS.

(b) Notwithstanding OAR 845-025-7520(3), each cannabinoid product line intended as a trade sample must be assigned a single unique product line name in CTS and may be assigned a single UID tag.

(c) Licensees accepting trade samples may provide their employees with samples of hemp or marijuana items. *All transactions must be recorded in CTS in a manner prescribed by the Commission.*

(d) When providing an employee a sample of a hemp or marijuana item, a licensee must record the following in CTS:

(A) The reduction in quantity of the total weight or item count as applicable under the associated UID for the item;

(B) The date and time the sample was provided to the employee;

(C) The worker permit number of the employee receiving the sample; and

(D) The name of the employee as it appears on their worker permit.

Statutory/Other Authority: ORS 475B.025, 475B.070, 475B.090, 475B.100 & 475B.105

Statutes/Other Implemented: ORS 475B.025, 475B.070, 475B.090, 475B.100 & 475B.105