

For your information

The Oregon Liquor Control Commission has:

Amended
 Adopted
 Repealed

OAR 845-025-3505 **TEMPORARY RULE**

Effective Dates: October 4, 2017 through December 27, 2017

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

845-025-3505

Wholesaler For-Hire Trimming Privilege

(1) Eligibility.

(a) A licensee that holds a wholesaler license under ORS 475b.100 may apply for a for-hire trimming privilege.

(b) This rule does not apply to entities solely providing worker permittee staffing services for trimming operations.

(2) Definitions.

(a) "For-hire trimmer" means any wholesale licensee who has applied for and received the privilege to trim marijuana on behalf of a producer licensee.

(b) "Mobile trimming equipment" is equipment that will alter the licensed premises or the usage of the licensed premises from the plans originally approved by the Commission.

(c) "Trim" means the process of separating marijuana usable flower from usable marijuana leaves.

(3) Application Requirements.

(a) A wholesale licensee must receive approval from the Commission prior to providing for-hire trimming services of marijuana, on a form prescribed by the Commission.

(b) The application for a for-hire trimmer privilege under this rule shall include a description of any mobile equipment that will be transported to the producer's licensed premises and a written control plan on a form prescribed by the Commission. The control plan shall include:

(A) The names of the individuals to be employed by the licensee and their worker permit numbers issued under OAR 845-025-5500;

(B) Procedures that prevent unlawful activity and violations; and

(C) Procedures that prevent any person under 21 years to be admitted to the areas where marijuana will be trimmed.

(c) The Commission may require additional forms, documents or information as part of the application.

(d) The Commission may require an inspection of the wholesale licensee's mobile trimming operation at any time.

(e) The Commission may refuse to process any application not complete, not accompanied by the documents or disclosures required by the form or the Commission.

(4) Operations Requirements.

(a) The approved wholesaler must notify the Commission at least 3 business days in advance before transporting the mobile trimming equipment to the producer's licensed premises.

(b) The approved wholesaler and producer must:

(A) Ensure that all trimming activities are captured on video and meet the requirements of OAR 845-025-1450;

(B) Capture and maintain surveillance video as set forth in 845-025-1450. If the activity is captured on video by the wholesaler, the wholesaler license must provide a copy of the video to the producer before leaving the licensed premises; and

(C) Maintain a log of all activity allowed under this rule. The log must contain the first and last name and date of birth of every visitor and the date they visited.

(5) The Commission may deny any application for a for-hire trimmer that does not meet the requirements of this rule.

(6) The Commission may deny, cancel or restrict an application for a for-hire trimmer privilege for any reason for which the Commission may deny, cancel or restrict a regular license or if the Commission, in its discretion, determines that approving the privilege would present a risk to public health and safety.

(7) The Commission may deny or restrict an application for a for-hire trimmer privilege if any participating licensee has been found to have violated ORS 475B.010 to 475B.395 or any rules adopted there under in the past 24 months.

(8) When the Commission approves a control plan required under this rule, the licensee(s) must follow that written plan. Failure to follow that written plan is a Category III violation. An intentional violation of this rule is a Category I violation and may result in license revocation.

(9) The Commission may immediately revoke for-hire trimmer privilege if the Commission has reasonable grounds to believe continued operation of the event presents a risk to public health and safety.

(10) The wholesaler and the producer are jointly liable for any violation of ORS 475B.010 to ORS 475.390 or any rules adopted thereunder that occur on the producer's licensed premises while the wholesaler is present and exercising the for-hire trimmer privilege.

Stat. Auth. ORS 475B.025

Stat. Implemented: ORS 475B.100

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