

**OREGON LIQUOR CONTROL COMMISSION
CHAPTER 845
PROPOSED AMENDMENTS**

845-025-1060

Fees

- (1) At the time of initial license or certificate application an applicant must pay a \$250 non-refundable application fee.
- (2) If the Commission approves an application and grants an annual license, the following fees must be paid, prorated for an initial license that is issued for six months or less:
 - (a) Producers:
 - (A) Micro Tier I \$1,000.
 - (B) Micro Tier II \$2,000.
 - (C) Tier I \$3,750.
 - (D) Tier II \$5,750.
 - (E) ~~Canopy for patients~~ **Medical Canopy \$100**
 - (b) Processors: \$4,750.
 - (c) Wholesalers: \$4,750.
 - (d) Micro Wholesalers: \$1,000.
 - (e) Retailers: \$4,750.
 - (f) Laboratories: \$4,750.
 - (g) Sampling Laboratory: \$2,250.
- (3) If the Commission approves an application and grants a research certificate, the fee is \$4,750 for a three-year term.
- (4) At the time of license or certificate application renewal, an applicant must pay a \$250 non-refundable application fee.
- (5) If the Commission approves a renewal application the renewal license or certificate fees must be paid in the amounts specified in subsections (2) and (3) of this rule.
- (6) If the Commission approves an initial or renewal application and grants a marijuana worker permit, the individual must pay a \$100 permit fee.
- (7) The Commission shall charge the following fees:
 - (a) Criminal background checks: \$50 per individual listed on a license application (if the background check is not part of an initial or renewal application)
 - (b) Transfer of location of premises review: \$1000 per license.
 - (c) Packaging preapproval: \$100.
 - (d) Labeling preapproval: \$100.
 - (e) Change to previously approved package or label: \$25.

Stat. Auth.: ORS 475B.025

Stats. Implemented: ORS 475B.025, 475B.070, 475B.090, 475B.100, 475B.110, 475B.218, 475B.560, 475B.610 & 475B.620 & 2016 OL Ch. 24 Sec. 1 & 2017 OL Chapter 183

845-025-2500

Medically Designated Canopy Registration

(1) Eligibility. A licensed producer may produce an extra 10 percent of their canopy licensed under ORS 475B.075, as long as:

- (a) The producer is registered in a form and manner specified by the Commission and;
- (b) Provides at least 75 percent of the annual yield of usable marijuana to identification cardholders and designated primary caregivers.

(2) In order to produce a medically designated grow canopy, a licensed producer must register in a form and manner specified by the commission and submit the fee specified in OAR 845-025-1060.

(2) To register for a medically designated canopy a producer must:

(a) Submit a control plan describing how the producer will:

(A) Identify the medical canopy and separate the medical canopy from the recreational canopy;

(B) Segregate usable marijuana harvested from the medical plants from the usable marijuana harvested from recreational plants.

(b) Provide the Commission with a scaled floor plan or map specifying where the medical production will occur on the licensed premises.

(3) Land-use Compatibility Statement.

(a) Licensed producers who have previously submitted a land use compatibility statement are not required to submit an additional land use compatibility statement when registering to produce usable marijuana for patients.

(b) Licensed producers who were exempt from submitting a land use compatibility statement under these rules at the time of licensure must submit a land use compatibility statement when registering to produce marijuana for patients if the producer's total canopy of mature medical and recreational plants exceeds 5000 square feet for outdoor producers and 1250 square feet for indoor producers.

(4) Denial. A registration request will be denied if the producer has not complied with this rule or if any information submitted by the producer is false or misleading.

Stat. Auth.: ORS 475B.025

Stats. Implemented: 2017 OL Chapter 183

845-025-2550

Requirements for Producing a Medically Designated Canopy

A licensed producer who has been registered by the Commission to produce marijuana for cardholders and designated primary caregivers:

(1) Must:

- (a) Comply with all seed-to-sale tracking requirements required in these rules.
- (b) Comply with all applicable testing rules prior to transferring usable marijuana to a patient or the patient's designated primary caregiver and upon request by a patient, provide a patient with a copy of all testing results.
- (c) Comply with all applicable testing, labeling and packaging rules when transferring or selling usable marijuana to any licensee of the Commission.
- (d) In addition to subsection (a) of this section, use CTS to document the amount of usable marijuana transferred or sold to each registrant, the date of the transfer, and the registrant's OMMP number.
- (e) Provide at least 75 percent of the annual yield of usable marijuana to identification cardholders and designated primary caregivers.

(2) May:

- (a) Transfer immature marijuana plants, seeds and tissue cultures from the producer's recreational plant stock to the area used for the production of marijuana for patients.
- (b) Provide a card holder or designated primary caregiver up to 24 ounces of usable marijuana in any one transfer or three pounds in a 12 month period.

(3) May not:

- (a) Be compensated for producing or providing marijuana to a cardholder or a designated primary caregiver.
- (b) Transfer more than 25% of the total annual yield of usable marijuana from the producer's medical designated canopy to a licensee of the Commission.

Stat. Auth.: ORS 475B.025

Stats. Implemented: 2017 OL Chapter 183

845-025-2560

Cancellation of Registration; Violations

The Commission may cancel or suspend a licensed producer's registration to produce for patients or the producer's license if the producer violates these rules.

Stat. Auth.: ORS 475B.025

Stats. Implemented: 2017 OL Chapter 183

845-025-xxxx

Marijuana Processing Fees

(1) A processor licensed under ORS 475B.090 who has registered in the form and manner prescribed by the commission may receive usable marijuana from a registry identification cardholder or the designated primary caregiver of a registry identification cardholder and, for a fee, process that usable marijuana into cannabinoid products, concentrates and extracts for the cardholder subject to the following conditions:

(a) The processor cannot receive more than 24 ounces of usable marijuana from a cardholder in a single transaction and;

(b) The processor cannot receive more than three pounds from a cardholder in any 12-month period;

(c) The processor may not transfer more than the following amounts of marijuana items to a cardholder in a single transaction:

(i) One ounce of cannabinoid extracts

(ii) 16 ounces of cannabinoid concentrates

(iii) 16 ounces of cannabinoid products in solid form

(iv) 72 ounces of cannabinoid products in liquid for

(d) The processor may not transfer more than the following amounts of marijuana items to a cardholder in any 12 month period:

(i) Two ounces of cannabinoid extracts

(ii) 32 ounces of cannabinoid concentrates

(iii) 32 ounces of cannabinoid products in solid form

(iv) 148 ounces of cannabinoid products in liquid for

(e) All activity under this rule is subject to inventory tracking requirements under [cite CTS rule] and any other applicable requirements of these rules;

(f) All cannabinoid products, concentrates and extracts processed under this rule are subject to ORS 475B.550 to ORS 475B.590 and any rules adopted thereunder;

(g) All cannabinoid products, concentrates and extracts processed under this rule are subject to ORS 475B.625 and any rules adopted thereunder;

(h) All cannabinoid products, concentrates and extracts processed under this rule must be labelled with required test results and with a statement that reads “Marijuana item. Not for resale.”

(i) In addition to the requirements of (1)(c) the processor must record the registry identification card number of every cardholder from whom they receive usable marijuana and to whom they transfer cannabinoid products, concentrates and extracts;

(j) The processor may only transfer cannabinoid products, concentrates and extracts to the cardholder who provided the usable marijuana from which the cannabinoid products, concentrates and extracts were derived;

(k) The processor may not combine usable marijuana received from other cardholders or any other sources when processing cannabinoid products, concentrates and extracts for a registry identification cardholder or the designated primary caregiver of a registry identification cardholder;

(l) The processor must segregate all usable marijuana received under this rule and all cannabinoid products, concentrates and extracts processed under this rule from its other inventory.

(2) Violations. The Commission may cancel or suspend a licensed processor’s registration under this rule or the processor’s license if the processor violates these rules.

845-025-XXXX

Medical Grower Registration

A registrant that is subject to tracking in the Commission’s seed to sale tracking system, under OAR 333, Division 8 must:

(1) Register in a form and manner specified by the commission; and

(2) Activate the assigned CTS account within 10 business days of notification by the Commission.

845-025-XXXX

Medical Grower Requirements

(1) Grower. A medical registrant that has applied for and received approval from the Commission must use the CTS as set forth in OAR 845-025-7500, 845-025-7520, 845-025-7540, 845-025-7560, 845-025-7570 and 845-025-7580.

(2) Harvesting. A medical grower that has applied for and received approval from the Commission must:

(a) Within 45 days of harvesting a harvest lot, physically segregate the harvest lot from other harvest lots, place the harvest lot in a receptacle or multiple receptacles and assign a UID tag to each receptacle that is linked to each plant that was harvested; and

(b) Except as allowed under OAR 333-007-0300 to 333-007-0490 for purposes of sampling, or when providing usable marijuana to a processor a producer may not combine harvest lots that are of a different strain, were produced using different growing practices or harvested at a different locations or at different times.

845-025-XXXX

Medical Marijuana Transfers

(1) Transfers to Licensees of the Commission.

(a) Eligibility. A registrant that has received approval from the Commission may transfer limited quantities of usable marijuana to licensees of the Commission licensed under ORS 47B.090 (processor) or 475B.100 (wholesaler).

(b) Testing Requirements. A medical grower transferring usable marijuana to a licensee of the Commission must comply with the Authority's testing rules in OAR 333-007-0300 to 333-007-0490 and OAR 333, division 64 prior to the sale or transfer of a marijuana item, as specified in those rules.

(c) Manifest. A medical grower transferring usable marijuana to a licensee of the Commission must generate a manifest in CTS that contains the following information:

(A) The name, contact information of a licensee representative, licensed premises address and license number of the licensee transporting the marijuana items;

(B) The name, contact information of the licensee representative, licensed premises address, and license number of the licensee receiving the delivery;

(C) Product name and quantities (by weight or unit) of the usable marijuana contained in each transport, along with the UIDs for every item;

(D) The date of transport and approximate time of departure;

(E) Arrival date and estimated time of arrival;

- (F) Delivery vehicle make and model and license plate number; and
- (G) Name and signature of the licensee's representative accompanying the transport.

(d) Prohibitions. An OHA registered grower may only transfer an aggregate of 20 pounds per year of usable marijuana to licensees of the Commission licensed under ORS 47B.090 (processor) or 475B.100 (wholesaler).

(3) Transfers to cardholders or designated primary caregivers.

(a) Tracking. A grower registered with the Commission must:

(A) Verify that the individual who is receiving a marijuana item for medical purposes is currently registered with the Authority by viewing the individual's government issued photo identification and Authority issued registry identification card or designated primary care giver card, or a receipt issued by the Authority under OAR 333-008-0023 or 333-008-0040 and making sure the identities match and that the card is current or the receipt has not expired.

(B) Use the CTS to document the amount of usable marijuana transferred to each registrant, the date of the transfer, and the registrant's OMMP number.

(b) Limits. A grower registered with the Commission may not:

(A) Provide a card holder or designated primary caregiver more than 24 ounces of usable marijuana in any one transfer or three pounds in a 12 month period.

(B) Transfer a medical grade product to a registry identification cardholder or designated primary caregiver that exceeds the concentration limits in OAR 333-007-0220.

845-025-XXXX

Medical Marijuana Inspections and Compliance

(1) A registrant that is subject to tracking in the Commission's seed to sale tracking system, under OAR 333, Division 8 must admit Commission staff to conduct inspections of the grow site.

(2) The Commission will send all compliance issue to the Oregon Medical Marijuana Program for their enforcement staff to take action upon.