

OREGON LIQUOR CONTROL COMMISSION
CHAPTER 845
PROPOSED AMENDMENTS

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

845-025-
Transfer of Medical Marijuana Grower Inventory

- (1) For purposes of this rule:
- (a) "Person responsible for a marijuana grow site" or "PRMG" has the meaning given that term in OAR 333-008-0010.
 - (b) "Registry identification cardholder" or "patient" has the meaning given that term in ORS 475B.410.
- (2) An individual applicant listed on an application for a producer license under ORS 475B.070 that is also a PRMG, may submit a transfer request to the Commission, on a form prescribed by the Commission, to transition a medical marijuana grow site from being registered with the Authority to being licensed by the Commission. The request must include, at a minimum, the following information:
- (a) The names, contact information, and Authority issued registry identification number for each PRMG currently registered at the grow site address that is the proposed premises to be licensed;
 - (b) The number of patients each PRMG is producing marijuana for at the grow site address that is the proposed premises to be licensed.
 - (c) Copies of all personal agreements entered into under ORS 475B.425 that specify whether a patient has authorized the transfer of marijuana plants or usable marijuana to the Commission license and if so, how much may be transferred.
 - (d) An authorization that permits the Authority to disclose to the Commission the PRMG's registration information.
- (3) Upon receipt of a request under section (2) of this rule the Commission must verify with the Authority:
- (a) The registration status of each PRMG identified in the transfer request;
 - (b) The number of PRMGs registered at the grow site address that is the proposed premises to be licensed; and
 - (c) The number of patients each PRMG is producing marijuana for at that grow site address.
- (4) The Commission will deny a transfer request if an applicant has not complied with this rule or if a license is denied under OAR 845-025-1115.
- (5) If the information in the transfer request is verified by the Authority and the Commission approves a license application under ORS 475B.070, the Commission must notify the applicant of the number of marijuana plants and usable marijuana permitted to be transferred. Information regarding the marijuana plants and usable marijuana transferred must be recorded in CTS on the initial date of licensure.
- (a) The number of marijuana plants and amount of usable marijuana that is permitted to be transferred will be based on the number of patients whose registration status has

been verified by the Authority in accordance with section (3) of this rule and who have authorized the transfer of marijuana items to the Commission license.

(b) There is no limit on immature plants that may be transferred to the Commission license, subject to subsection (a) of this section.

(c) No more than six mature plants per patient may be transferred to the Commission license, subject to subsection (a) of this section.

(c) No more than 24 ounces of usable marijuana per patient may be transferred to the Commission license, subject to subsection (a) of this section.

(d) Any marijuana plants or usable marijuana that exceed the amount permitted by the Commission to be transferred must be removed from the premises by the applicant prior to the initial date of licensure and lawfully transferred or disposed of.

(6) The licensee must notify the Commission once the marijuana plants and usable marijuana are entered into CTS and the Commission may inspect the premises to verify the information the licensee entered into CTS.

(7) Once the transfer of inventory under this section is complete the Commission must notify the Authority that the grow site address is now a licensed premises and that the licensed premises may not be registered as a grow site address under ORS 475B.420.

(8) The Commission may deny a transfer request if it cannot verify the information in the request or if the applicant submits incomplete information to the Commission.

(9) Any usable marijuana transferred from a medical marijuana grow site to the licensed premises under this rule must be tested, labeled and packaged, in accordance with OAR 845-025-7000 to 845-025-7060 and 845-025-5700 as applicable, before transferring the usable marijuana to another licensee.

845-025-

Transfer of Medical Marijuana Processing Site Inventory

(1) For purposes of this rule:

(a) "Marijuana processing site" means a marijuana processing site registered under ORS 475B.435.

(b) "Person responsible for the marijuana processing site" or "PRP" has the meaning given that term in OAR 333-008-0160.

(c) "Primary PRP" has the meaning given that term in OAR 333-008-0160.

(2) An applicant for a processor license under ORS 475B.090 that is also an owner of a marijuana processing site registered under ORS 475B.435, may submit a transfer request to the Commission, on a form prescribed by the Commission, to transition from being registered with the Authority to being licensed by the Commission. The request must include, at a minimum, the following information:

(a) The name of the marijuana processing site, address, and Authority issued registration number for the marijuana processing site;

(b) The name and contact information of the owner of the marijuana processing site;

(c) The names and contact information for each PRP;

(d) Identification of the primary PRP.

(e) The endorsements of the marijuana processing site.

(f) An authorization that permits the Authority to disclose to the Commission any information necessary to verify the information submitted in the request.

- (g) The amount and types of marijuana items proposed to be transferred.
- (3) Upon receiving a request under section (2) of this rule the Commission must verify with the Authority:
- (a) The registration status of the marijuana processing site; and
 - (b) The ownership of the processing site and the identification of each PRP and the primary PRP;
- (4) A transfer request will be denied if an applicant has not complied with this rule or if a license is denied under OAR 845-025-1115.
- (5) If the information in the transfer request is verified by the Authority and the Commission approves a license application under ORS 475B.090, the Commission must notify the applicant of the amount and type of marijuana items permitted to be transferred.
- (a) The Commission may not permit the transfer of a marijuana cannabinoid product or cannabinoid concentrate or extract packaged for ultimate sale to the consumer that exceeds the concentration limits established for retail adult use under OAR 333-007-0210 unless the licensee has been registered to process medical grade cannabinoid concentrates, extracts or products.
 - (b) Prior to licensure the marijuana processing site must return any marijuana item that is the lawful property of a patient.
 - (c) Any marijuana items that have not been approved by the Commission for transfer or returned to a patient as described in section (5)(b) of this rule must be removed from the premises by the applicant prior to the initial date of licensure and lawfully transferred or disposed of.
- (6) Information regarding the usable marijuana, cannabinoid concentrates, extracts or products transferred must be recorded in CTS on the initial date of licensure.
- (7) The licensee must notify the Commission once the usable marijuana, cannabinoid concentrates, extracts or products are entered into CTS and the Commission may inspect the premises to verify the information the licensee entered into CTS.
- (8) Once the transfer of inventory under this section is complete the Commission must notify the Authority that the marijuana processing site is now a licensed premises and that the licensed premises may not be registered as a marijuana processing site address under ORS 475B.435.
- (9) The Commission may deny a transfer request if:
- (a) It cannot verify the information in the request or the applicant submitted incomplete information to the Commission; or
 - (b) The processor has not been granted an endorsement for the type of marijuana item requested for transfer.
- (10) Any usable marijuana, cannabinoid concentrates, extracts or products transferred from a medical marijuana processing site to the licensed premises under this rule must be:
- (a) Tested in accordance with OAR 845-025-5700 before being used or transferred; and
 - (b) Labeled and packaged in accordance with OAR 845-025-7000 to 845-025-7060 before being transferred to another licensee.

**845-025-
Transfer of Medical Marijuana Dispensary Inventory**

- (1) For purposes of this rule:
 - (a) "Medical marijuana dispensary" means a medical marijuana dispensary registered under ORS 475B.450.
 - (b) "Person responsible for the medical marijuana dispensary" or "PRD" has the meaning given that term in OAR 333-008-1010.
 - (c) "Primary PRD" has the meaning given that term in OAR 333-008-1010.
- (2) An applicant for a retail license under ORS 475B.110 that is also an owner of a medical marijuana dispensary registered under ORS 475B.450, may submit a transfer request to the Commission, on a form prescribed by the Commission, to transition from being registered with the Authority to being licensed by the Commission. The request must include, at a minimum, the following information:
 - (a) The name of the marijuana dispensary site, address, and Authority issued registration number for the medical marijuana dispensary;
 - (b) The name and contact information of the owner of the medical marijuana dispensary;
 - (c) The names and contact information for each PRD;
 - (d) Identification of the primary PRD.
 - (e) An authorization that permits the Authority to disclose to the Commission any information necessary to verify the information submitted in the request.
 - (f) The amount and type of marijuana items proposed to be transferred.
- (3) Upon receiving a request under section (2) of this rule the Commission must verify with the Authority:
 - (a) The registration status of the medical marijuana dispensary; and
 - (b) The ownership of the dispensary and the identification of each PRD and the primary PRD;
- (4) A transfer request will be denied if an applicant has not complied with this rule or if a license is denied under OAR 845-025-1115.
- (5) The Commission may inspect the marijuana items proposed for transfer to determine if they:
 - (a) Have been packaged, labeled and tested in accordance with OAR 845-025-7000 to 845-025-7060 and 845-025-5700; and
 - (b) Meet the applicable concentration limits in OAR 333-007-0210 or 333-007-0220.
- (6) If the information in the transfer request is verified by the Authority and the Commission approves a license application under ORS 475B.090, the Commission must notify the applicant of the amount and type of marijuana items permitted to be transferred.
 - (a) The Commission will deny the request to transfer any marijuana item that:
 - (A) Was not identified in the request to transfer;
 - (B) Was not in the dispensary's inventory at the time of the request to transfer; and
 - (C) Does not comply with the applicable packaging, labeling and testing rules in OAR 845-025-7000 to 845-025-7060 and 845-025-5700.
 - (b) The Commission may not permit the transfer of a cannabinoid concentrate, extract or product that exceeds the concentration limits established for retail adult use under OAR 333-007-0210 unless the licensee has been registered to sell medical grade cannabinoid concentrates, extracts or products.

(c) Any marijuana items that have not been approved for transfer must be lawfully disposed of and removed from the premises prior to the initial date of licensure.

(7) Information regarding the seeds, immature plants, usable marijuana, cannabinoid concentrates, extracts or products transferred must be recorded in CTS on the initial date of licensure.

(8) The licensee must notify the Commission once the seeds, immature plants, usable marijuana, cannabinoid concentrates, extracts or products are entered into CTS and the Commission may inspect the premises to verify the information the licensee entered into CTS.

(9) Once the transfer of inventory under this section is complete the Commission must notify the Authority that the medical marijuana dispensary is now a licensed premises and that the licensed premises may not be registered as a medical marijuana dispensary address under ORS 475B.450.

(10) The Commission may deny a transfer request if it cannot verify the information in the request or the applicant submitted incomplete information to the Commission.

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