

INFORMATION BULLETIN 2016-06

March 23, 2016

To: OMMP Registered Patients, Caregivers and Growers; Medical Marijuana Dispensaries and Processors; and Other Interested Parties

From: André Ourso, Manager, Oregon Medical Marijuana Program

Subject: Extract Processing and Transfers Update

This bulletin is OHA's update to the current regulatory issues surrounding cannabinoid extracts. Please be sure to check our website and look for additional email communications: <http://www.oregon.gov/oha/mmj/Pages/Bulletins.aspx>

A medical marijuana processing site that has submitted a complete application for registration with OHA is exempted from criminal liability pursuant to ORS 475B.475. The registration process with OHA opens on April 1, 2016.

Legality of Extracts

- The unlicensed manufacture of cannabinoid extracts is illegal. In the 2016 Legislative Session, the Legislature passed HB 4014, which makes the unlicensed manufacture of marijuana extracts illegal (See Sections 38 and 42 of HB 4014, <https://olis.leg.state.or.us/liz/2016R1/Downloads/MeasureDocument/HB4014/Enrolled>).
- A medical marijuana processing site, operating in compliance with the provisions of the Oregon Medical Marijuana Act, that has submitted a complete application including the fee for registration with OHA is exempt from criminal liability for marijuana related crimes (See ORS 475B.475)

Dispensaries and Extracts, Concentrates and Edibles

- Concentrates and edibles that come from an unregistered processor may continue to be transferred to registered dispensaries. Dispensaries may continue to sell concentrates and edibles to OMMP patients and primary caregivers.

- After April 1, 2016, a dispensary may accept the transfer of extracts from a registered processing site or a processing site that has submitted a complete application to OHA. An application will be considered complete, for purposes of allowing the continued transfer of extracts, when all required documents outlined on the [How to Apply](#) page for a new processor application is received.
- After April 1, 2016, OHA will provide a list of processing sites that have submitted a complete application on the OMMP Medical Marijuana Processors website: <http://public.health.oregon.gov/DiseasesConditions/ChronicDisease/MedicalMarijuanaProgram/Pages/processors.aspx>
- Dispensaries may continue to sell or transfer extracts that they have in stock as of March 1, 2016, to OMMP patients with a valid registry identification card. Dispensaries may not accept new transfers of extracts unless the processor is registered with OHA or the processor is listed on the website as having submitted a complete application.
- Processors making extracts that are an ingredient of edibles or other cannabinoid products should apply for registration with OHA on or after April 1, 2016, in order to be eligible for exemption from criminal liability under 475B.475.
- On and after October 1, 2016, all products, including concentrates and edibles, transferred to a dispensary must be from a registered processor (See OAR 333-008-1230(2)(a)). Processors with a pending application will not be able to transfer products to a dispensary starting October 1, 2016.
- The processor and the dispensary have the responsibility to comply with all applicable laws.

Registration of Extract Processors

- Processors may begin to apply with OHA on April 1, 2016. Please check the processor page for more information. www.healthoregon.org/ommp
- The processors listed on the website that have submitted a complete application does not mean that the processor has received final approval for registration from OHA. In order to be registered, OHA will review the materials submitted, perform an initial inspection and make a final decision regarding approval that will be noticed to the Person Responsible for the Processing site (See OARs 333-008-1620 to 333-008-1700).
- If you plan to produce edibles, or produce concentrates or extracts that will be used in edibles, contact the [Oregon Department of Agriculture](#) to start the process for permitting a commercial kitchen license. <http://www.oregon.gov/ODA/agriculture/Pages/Cannabis.aspx>