

INFORMATION BULLETIN 2016-10

May 3, 2016

To: Medical Marijuana Dispensaries and Processors and Interested Parties
From: Oregon Medical Marijuana Program (OMMP)
Subject: Expansion of Early Retail Sales

In the 2016 Legislative Session, the Legislature passed SB 1511 which expanded early start sales of limited marijuana retail products from registered medical marijuana dispensaries.

The OMMP has draft temporary rules regarding limited marijuana retail sales available to view on our website: <http://www.oregon.gov/oha/mmj/Pages/rules.aspx>

Effective June 2, 2016, registered medical marijuana dispensaries that are participating in early start retail sales may sell expanded limited marijuana products. The expansion of limited marijuana retail sales include:

- Sale of one low-dose cannabinoid edible to a retail customer per day. A low-dose cannabinoid edible means an edible that has no more than 15 mg of THC.
- Sales of non-psychoactive medical cannabinoid topicals which contains not more than 6% of THC.
- Sale of one prefilled receptacle of an extract to a retail customer per day that does not contain more than 1,000 milligrams of THC.
 - Extracts may only be transferred to a dispensary from an OHA registered processing site or a processing site that is listed on the OHA [website](#) as having submitted a complete application.

<http://public.health.oregon.gov/DiseasesConditions/ChronicDisease/MedicalMarijuanaProgram/Pages/processors-pending.aspx>

Registered medical marijuana dispensaries participating in early retail marijuana sales must continue to comply with OHA rules for early retail marijuana sales. OAR 333-008-1500, Limited Marijuana Retail Sales provide that dispensaries:

- Verify that the individual purchasing the limited marijuana retail product is age 21 and older by examining the individual's photo ID.
- Only sell one quarter ounce of dried leaves and flowers to a retail customer in one day.
- Only sell four immature marijuana plants to the same individual through December 31, 2016.
- May not give away, provide free samples, or otherwise give or share any marijuana products, including concentrates, extracts, edibles and topicals, to retail customers, inside or outside of the dispensary.
- Must continue to record Oregon Medical Marijuana Program cardholder information: name, card number, expiration date and a copy of the person's picture identification.
- Must document for each limited marijuana retail product sold:
 - The limited marijuana retail product that was sold
 - The amount in metric units or number of sold
 - The birth date of the individual who bought the product
 - The sales price
 - The sales date

Medical dispensaries will not be able to sell limited retail marijuana products after December 31, 2016.

All limited retail marijuana products sold at medical marijuana dispensaries are subject to a 25% sales tax. Please contact the Oregon Department of Revenue, Marijuana Tax Program team for more information at 503-947-2597. Or visit their website at:

www.oregon.gov/dor/marijuana

All dispensaries and processors should be aware of the October 1, 2016 compliance date for labeling, packaging, concentration limits and testing for medical and retail products that are not part of the early retail sales. For a detailed compliance timeline, please see the attached table.

Rules related to medical marijuana patients, caregivers, growers, dispensaries and processors may be reviewed at: <http://www.oregon.gov/oha/mmj/Pages/rules.aspx>

Medical Marijuana Compliance Timeline

Requirement	Compliance Date	Rule Reference
OMMP grower online registration and payment system	On and after April 1, 2016	OAR 333-008-0021(4), 333-008-0021(6) and 333-008-0033(3)
Quarterly reporting by dispensaries for early retail sales and tax payments made to DOR	Starting April 10, 2016 and quarterly after that	OAR 333-008-1505
Inventory reporting for growers, dispensaries and processors	On and after June 1, 2016, by the 10 th of each month	OAR 333-008-0630, 333-008-1248 and 333-008-1830
Dispensary that sells or handles food or cannabinoid edibles must be licensed by ODA	On and after October 1, 2016	OAR 333-008-1200(9)
Dispensary may only accept transfers of cannabinoid products, concentrate and extract from a registered processing site	On and after October 1, 2016	OAR 333-008-1230(2)
Labeling	Until October 1, 2016	OAR 333-008-1220
	On and after October 1, 2016	OAR 333-007-0010 to 333-007-0100 <i>See also</i> OAR 333-008-1200(8), 333-008-1740(10)
Packaging	Until October 1, 2016	OAR 333-008-1225
	On and after October 1, 2016	OAR 845-025-7000 to 845-025-7060 <i>See also</i> OAR 333-008-1200(8), 333-008-1740(10)
Concentration Limits	On and after October 1, 2016	OAR 333-007-0200 to 333-007-0220
Testing	Until October 1, 2016	OAR 333-008-1190 <i>See also</i> OAR 333-008-1200(7), 333-008-1740(9)
	On and after October 1, 2016	OAR 333-007-0300 to 333-007-0490