

INFORMATIONAL BULLETIN 2015-01

February 24, 2015

To: PRFs of Approved Dispensaries

Subject: Clarification of OAR 333-008-1190(5) and OAR 333-008-1220(1)(b), testing and labeling of finished products

The Medical Marijuana Dispensary (MMD) program has seen a number of issues lately regarding testing, edibles, and immature plants. The program is reaching out to clarify the rules regarding these items to ensure PRFs understand what they need to look for when accepting transfers of these products to the facility.

Be advised that if, during your inspection or an unannounced site visit, a product does not have complete test results or labels, you will be cited, asked to pull the product, and the product will not be allowed to be transferred to patients or caregivers.

1. The following information must be included on labels for finished products (OAR 333-008-1220(1)(b)). Finished products are defined as edibles, waxes, concentrates, ointments, tinctures and other pre-packaged products:
 - The THC and CBD potency
 - The weight or volume of total usable marijuana in the finished product, in metric units (example: if 1000 grams of usable marijuana were used to make 1000 brownies, there would be 1 gram per brownie)
 - The name of the laboratory that performed the testing
 - The test batch ID
 - The testing date
 - A warning label for edibles which states: "WARNING: MEDICINAL PRODUCT – KEEP OUT OF REACH OF CHILDREN" in bold capital letters, in a font size that is larger than the font size of the other printing on the label, such that it is easy to read and prominently displayed on the product
2. When receiving a transfer of edibles or other pre-packaged products to the dispensary, ensure you receive the test results at the same time, and that test results are able to be tracked to the test batch number on the product. As the PRF, you are responsible for making sure pre-packaged products entering the dispensary are tested.

3. As indicated in OAR 333-008-1190(5)(c), finished products should have test results presented in one of two ways:
 - a. The usable marijuana used in the finished product must be tested for pesticides, mold, and mildew. If the usable marijuana passes, it may be used to create the finished product, and then the finished product must be tested for an analysis of the levels of THC and CBD (potency).

NOTE: The same batch number should be used to track the usable marijuana to the finished product. This method will result in two separate test reports, two batch numbers, and two test dates, all of which need to be on the label for the finished product.
 - b. The finished product must be sent to the lab to be analyzed for pesticides, mold, mildew and THC and CBD levels. This second method will result in one test report.

The person authorized to perform the transfer should be able to explain to you the test results they are providing, and be able to prove to you that the test results correspond with the finished product. Also, lab results must be from Oregon labs, as it is against Federal law to transfer product across state lines.

Please see the last page for example labels.

4. Batch testing. A batch of edibles is a group of the same type of food (cookies, for example) made from the same batch of usable marijuana. Usable marijuana is defined as dried flower or leaves or any mixture or preparation thereof, that are appropriate for medical use.
5. Documentation for immature plant testing must be able to track each immature plant to valid test results. This may be done by assigning each clone a tracking number that can be traced back to a test result. Also, ensure you obtain a copy of the degree of the person performing the testing. As stated in OAR 333-008-1190(7), "Macroscopic or microscopic screening of immature plants must be conducted by a person who has a minimum of a bachelor's degree in horticulture, botany, plant pathology, microbiology, but is not required to be done by a laboratory."

Finally, the dispensary program would like to reinforce that no patient or caregiver may enter a dispensary if they do not have their valid OMMP card on them. **"Safety packets" are not acceptable.** ID must be checked every time before being allowed to enter the dispensary, and the names on the OMMP card and the ID must match. Growers may not enter the dispensary unless they are there to transfer product to a dispensary and are authorized to do so by their patient.

Example Labels:

A batch of dried leaves and flowers is used to make cannabutter. The result is 24 oz of marijuana infused butter. This batch of butter is then used to make brownies and yields 48 brownies. Therefore it can be said that each brownie includes .5 oz of usable marijuana.

Testing information can be presented in one of two ways. The usable marijuana used to make the cannabutter can be tested for pesticides, mold and mildew, and after the brownie is made it is sent to a lab for potency testing. This results in two test reports. The other way testing may be shown is to test a sample brownie from the batch for pesticides, mold, mildew and potency. This results in one test report.

The label for one sealed package of brownie(s) should include the following information in a format similar to one of the following examples:

