

## INFORMATION BULLETIN 2016-08

April 8, 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 #2

**This bulletin is OHA's reissuance of the update regarding 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 will be exempted from criminal liability pursuant to ORS 475B.475 if they have submitted a complete application for registration with OHA. In order to ensure that a processor has submitted a complete application, OHA will review the submitted application for completeness and then list the processing site on the OHA website. The registration process with OHA opened 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 OHA determined as having submitted a complete application, including the fee for registration, is exempt from criminal liability for marijuana related crimes (See ORS 475B.475)

### Registration of Extract Processors

- The processor application process opened with OHA on April 1, 2016. Please check the processor page for more information.  
<http://public.health.oregon.gov/DiseasesConditions/ChronicDisease/MedicalMarijuanaProgram/Pages/processors-how-to-apply.aspx>

- OHA will provide a list of processing sites on the OMMP Medical Marijuana Processors website that have been determined to have submitted a complete application.  
<http://public.health.oregon.gov/DiseasesConditions/ChronicDisease/MedicalMarijuanaProgram/Pages/processors.aspx>
- If a processor is listed on the website, it does not mean that they have received final approval for registration with 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](http://www.oregon.gov/ODA/agriculture/Pages/Cannabis.aspx) to start the process for permitting a commercial kitchen license.  
<http://www.oregon.gov/ODA/agriculture/Pages/Cannabis.aspx>

### **Dispensaries and Extracts and All Other Marijuana Products**

- All marijuana products, except extracts, that come from an unregistered processor may continue to be transferred to registered dispensaries. Dispensaries may continue to sell these products to OMMP patients and primary caregivers only.
- After April 1, 2016, a dispensary may only accept the transfer of extracts from a registered processing site or a processing site that is listed on the website as having submitted a complete application.
- Dispensaries may continue to sell or transfer extracts that they had in stock as of March 1, 2016, to OMMP patients with a valid registry identification card.
- Processors making extracts that are an ingredient of edibles or other cannabinoid products should apply for registration with OHA in order to be eligible for exemption from criminal liability under 475B.475.
- On and after October 1, 2016, all marijuana 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.

**As a reminder, only OMMP patients and caregivers may purchase concentrates, extracts, edibles, topicals and other marijuana products from dispensaries at this time.**