

Bulletin Number: OR_IB_00210316	Distribution Date:	Effective Date: 10/3/16
Contact Point:	Subject: Program update – OLCC Testing Requirements	
Reason: Temporary rule guidance		

The following is guidance from the OLCC.

In order to ensure essential pesticide testing of usable marijuana (buds and shake/trim), the Oregon Liquor Control Commission on September 30, 2017 passed a temporary rule creating a temporary process it can activate to facilitate the throughput of pesticide tested usable marijuana.

This bulletin describes the process that the OLCC may choose to undertake in the event the Commission staff determine a shortage exists of certified lab capacity to test for pesticides.

Effective September 30, 2016 until March 1, 2017, the OLCC, under OAR 845-025-5700, may issue an order to limit pesticide testing of usable marijuana meant for retail sale to consumers if OLCC staff finds there is insufficient lab capacity for 100% batch testing for pesticides.

On October 3, 2016, the OLCC issued such an order that lifts the requirement for universal testing of pesticides and instead requires a minimum of 33.3% of batches per harvest lot to be tested. If one batch fails pesticide testing, it triggers pesticide testing for all batches in the harvest lot.

The number of batches required for testing is based on the size, in pounds, of the source harvest lot:

Harvest lot size in pounds	Number of batches required for testing pesticides only
0-30	1
31-60	2
61-90	3
91-120	4
121-150	5
151-180	6
181-210	7

(each 30 pound increment results in an additional batch required to be tested for pesticides)

All batches of usable marijuana intended for retail sale to consumers must still be tested for all other state-required tests (potency, moisture content, and water activity).

The full text of the OLCC's order is available on their [website](#). OLCC has also provided a [guide](#) for how labs should enter pesticides test results in Metric under this order.

What does this rule actually change?

OAR 845-025-5700 previously required all batches to be tested for pesticides. This change permits OLCC to limit the number of batches per harvest lot tested for pesticides if the OLCC finds that there is insufficient lab capacity for universal pesticide testing. If a batch fails pesticide testing, however, all other batches in the lot must be tested for pesticides.

What products are affected by this rule change?

Only usable marijuana (buds and shake/trim) intended for retail sale to consumers is affected by this rule. This rule does not affect any other products (e.g. concentrates, extracts, edibles, etc.) or usable marijuana intended for further processing.

Do I still need to test all batches for other tests?

Yes. This rule only changed the requirement for pesticide tests.

When does OAR 845-025-5700 expire?

The rule allowing the OLCC to limit pesticide testing to less than 100% of batches if the agency finds insufficient lab testing capacity expires on March 1, 2017. However, under the rule the OLCC has the authority to order universal pesticide testing at any time (with ten days' notice) if it finds that testing capacity is sufficient prior to March 1.