

CBD & ALCOHOL: LIQUOR STORE RETAIL AGENTS

Liquor Store Retail Agents are any agent who was appointed by the Commission to operate a liquor store.

ALCOHOLIC BEVERAGES

Retail sales agents operating liquor stores are prohibited from distributing, offering to sell, or selling any alcoholic beverage manufactured with cannabidiol (CBD).

NON-ALCOHOLIC BEVERAGES AND PRODUCTS

The Oregon Department of Agriculture (ODA) regulates non-alcoholic, hemp-derived CBD products and requires that any hemp item intended for human consumption be tested prior to consumer sale.

If a hemp-derived, non-alcoholic CBD product was created and tested in compliance with Oregon state law and ODA rules it may be legal for sale in liquor stores or by licensees in some circumstances.

It is NOT the responsibility of the OLCC or ODA to test CBD products or verify that the hemp products have been tested.

Prior to obtaining any hemp product, the retail sales agent must obtain from the vendor lab testing reports for the hemp product and verify that:

- The source of the product is hemp and not marijuana;
- The hemp product was properly tested for pesticides, solvents, and potency according to ODA rules;
- The hemp product does not contain more than 0.3% total THC;
- The hemp product does not contain any artificially derived cannabinoids if it will be sold on or after July 1, 2022; and
- The hemp product does not exceed the THC limits in OAR [845-026-0400](#) if it will be sold on or after July 1, 2022 (see the following page for more details).

See the OLCC [CBD Testing Requirements](#) document for specific details on testing requirements, verifying testing information, and testing record retention.

Retail sales agents should obtain and maintain records of testing performed on all non-alcoholic hemp products for at least one year.

Any hemp product that exceeds the THC limits in OAR [845-026-0400](#) or contains artificially derived cannabinoids may no longer be sold to consumers on or after July 1, 2022, even if the product contains less than 0.3% THC.



For more information contact:

The **OLCC** for questions about compliance;
olcc.alcohol@oregon.gov

The **OLCC** for questions about THC and cannabinoid limits in hemp products;
olcc.hemp@oregon.gov

The **Oregon Department of Agriculture** for questions about hemp or hemp testing.

hemp@oda.oregon.gov;
<https://oda.direct/hemp>

The **Alcohol and Tobacco Tax and Trade Bureau** Regulations & Rulings Division for questions about federal formula or label approval. 202-453-2265.



THC LIMITS IN HEMP PRODUCTS

Beginning July 1, 2022, any hemp product sold to a consumer age 21 and over must comply with the THC limits in OAR 845-:

- Up to 100 mg total THC in hemp tinctures, not to exceed 0.3% THC.
- Up to 2 mg total THC per serving and 20 mg total THC per container for hemp edibles and other cannabinoid hemp products (except tinctures and topicals), not to exceed 0.3% THC.
- Up to 0.3% total THC for all other hemp products subject to these limits (topicals, smokable flower, concentrates, or extracts).

“Total THC” is calculated to account for both Δ^9 -THC and Δ^9 -THCA in the product. Most lab testing reports will include the calculated amount or concentration of total THC. The formula used to calculate total THC is:

- $[\text{Total THC}] = [\Delta^9\text{-THC}] + (0.877 \times [\Delta^9\text{-THCA}])$.

Hemp products sold to minors under age 21 have a separate, lower limit of 0.5 mg total THC per container.

ARTIFICIALLY DERIVED CANNABINOIDS IN HEMP PRODUCTS

“Artificially derived cannabinoids” are substances that are created synthetically from a cannabis-derived starting material, like a hemp extract, rather than naturally occurring substances extracted from cannabis. Substances that are commonly created artificially include CBN (cannabinol) and Δ^8 -THC (“Delta 8”).

Beginning July 1, 2022, hemp products containing artificially derived cannabinoids cannot be sold to consumers in Oregon except by an OLCC-licensed marijuana Retailer. Retail sales agents should work with distributors or product manufacturers to confirm whether a hemp product contains any artificially derived cannabinoids.

HEMP VAPE PRODUCTS

Beginning July 1, 2022, all industrial hemp-derived vapor items sold in Oregon must comply with new testing and labeling rules in OAR [845-026-5700](#) to -7070. This includes:

- Having an OLCC-approved label; and
- Being tested by an OLCC-licensed laboratory.

OTHER STATE AND FEDERAL REGULATIONS

There may be other federal or state agencies regulating these types of products. **It is your sole responsibility to make sure hemp products are complying with all laws and regulations.** The OLCC cannot verify the source or the legal status of a CBD item. The OLCC may take action against your contract if you are selling an item derived from marijuana or are not in compliance with other state or federal regulations.

MARIJUANA

Agents should also be aware of prohibitions regarding marijuana. **Marijuana and all marijuana derivatives are prohibited from being used or sold in a retail liquor store.** Any and all products derived from marijuana, including CBD derived from marijuana, are strictly prohibited from being used, sold, or stored in a retail liquor store, even if the item does not contain alcohol. Additionally, retail agents must not permit any person to use, consume, ingest, or inhale any marijuana item in a retail liquor store. Permitting these activities may result in the OLCC taking action against your contract.