

A serene landscape featuring a calm lake in the foreground that perfectly reflects the surrounding environment. In the background, there are misty, rolling mountains under a bright, hazy sky. The overall color palette is soft and natural, dominated by blues, greens, and whites, creating a peaceful and scenic atmosphere.

Cannabis Testing in Oregon

A Brief Historical Overview

Authority for Cannabis Testing

- ORS 475B.555 – Directs the Oregon Health Authority (OHA) to adopt cannabis testing rules “as is necessary to protect the public health and safety:”
 - In consultation with OLCC and ODA;
 - Setting standards for testing and setting minimum product standards;
 - Establishing procedures for batch sizes and sampling;
 - Testing for (including but not limited to):
 - Pesticides;
 - Microbiological contaminants;
 - Other contaminants;
 - Residual solvents; and
 - Potency.

Authority for Cannabis Testing

- ORS 475B.555(7) – Testing must be conducted by OLCC licensed lab that is accredited by ORELAP (ORS 438.605 to 438.620.)
- ORS 475B.555(8) – creates sideboards:
 - OHA must consider the cost of testing and how it will affect the cost to the end user in promulgating rules;
 - Rules may not be adopted that are more restrictive than is reasonably necessary to protect the public health and safety.

Cannabis Lab Testing Prior to October 1st

- Labs were not accredited by ORELAP or licensed by OLCC;
 - No check to make certain processes were correct;
 - Allowed for “lab shopping;”
 - Zero oversight of the lab system.
- Lack of badly needed advanced equipment, especially in the context of pesticide testing;
- No training or resources for labs;
- Lack of confidence in testing results;
- Cheaper testing.

Cannabis Lab Testing After October 1st

- Labs accredited to TNI standard by ORELAP and licensed by OLCC;
- More confidence in processes and thus, results:
 - Requirement of advanced testing equipment;
 - Nationally recognized accreditation;
 - Training available for labs.
- **HOWEVER:**
 - Process validation expensive and cumbersome;
 - Bottleneck created by lack of licensed and accredited labs;
 - More sampling and testing meant significantly increased cost.

475B.555(8) – OHA “shall” consider costs

December 2nd, 2016 Temporary Rules vs. October 1st, 2016 Rules

December 2nd Rules

- Replace process validation with one round control study;
- Removes certain solvents;
- +/- 5 % labeling for potency;
- Eases sampling requirements:
 - Combining batches for potency provided same strain;
 - Combining batches for pesticides.

October 1st Rules

- Process validation requires three rounds;
- Testing for alcohol based solvents;
- Difficulty with labeling, especially for edible products;
- Expensive and cumbersome sampling.

Temporary rules valid until May 30, 2017

Contact Information:

Jeff Rhoades

Marijuana Policy Advisor | Office of Governor Kate Brown

ph: (503) 378-6335 | jeffrey.rhoades@oregon.gov

Scheduling: Interim Assistant Michele Castro | ph: 503-378-5884

900 Court Street NE, Suite 160, Salem, OR 97301

governor.oregon.gov