

# Recreational Marijuana Program Compliance Education Bulletin

**Bulletin CE2020-05**  
**October 1, 2020**



The Oregon Liquor Control Commission is providing the following information to:

- Recreational Marijuana Licensees
- The bulletin is part of OLCC's compliance education. It is important that you read it, and understand it. If you don't understand it please contact the OLCC for help.

Failure to understand and follow the information contained in this bulletin *could result in an OLCC rules compliance violation affecting your ability to work or operate your business.*

Bulletin CE2020-05 covers the following issues:

- [Verification of Compliance](#)

Questions regarding the contents of this bulletin may be sent to [marijuana@oregon.gov](mailto:marijuana@oregon.gov).

## Verification of Compliance (VOC)

In meetings with the industry during the summer of 2020, the OLCC received recommendations to streamline compliance actions, focusing on education rather than penalties. The Verification of Compliance (VOC) program, launched on October 1, 2020, is the latest result of the ongoing collaboration between the Oregon marijuana industry and the OLCC to revise the administration of compliance actions.

The OLCC is updating its Recreational Marijuana Program policies to establish the VOC program, which is being designed to accommodate future modifications in the compliance process. The program will allow OLCC inspectors to issue VOC paperwork to licensees for a select number of specific types of violations; this is similar to a traffic fix-it-ticket. If a licensee is able to fix the problem within the required timeframe, the licensee will not receive a violation.

It is important to note, if a licensee shows general disregard for laws and rules, an inspector will still have discretion to issue a violation, instead of a VOC. The purpose of the VOC program is to allow licensees that are acting in good faith to be able to come into compliance with educational guidance, as an alternative to enforcement action.

## VOC Program Framework

The VOC program keeps to the following principles to determine what potential violations could be considered for the VOC compliance track:

- **The violations are potentially fixable, or they have the capability of being fixed, or corrected.** Some violations are errant actions which cannot be undone or corrected. In those situations, licensees will not be able to utilize the VOC program. A list of the violations eligible for the VOC program are listed below.

- For example: a sale of marijuana to a visibly intoxicated person cannot be corrected a day or a week after the violation occurs, so that type of violation is not considered for this policy.
- **Corrective action to address the VOC issue should be measurable**  
Licensees and OLCC Regulatory Specialists should both be able to point to a tangible or concrete action to show proof of compliance. The corrective action can't be an approximation or left to individual interpretation.
  - For example: If an inspector visits a licensed premises and sees where additional camera coverage is needed, the inspector can identify where the additional coverage is needed and the licensee can correct the situation by placing a camera in that area, or changing the positions of established cameras to ensure proper coverage and become compliant.
- **The list of violations eligible for the policy should be teachable, learnable, and executable.**  
This list is relatively short in order to facilitate training to implement the policy in a limited fashion. In the future, if the policy implementation is successful, expanding the number of violations eligible for the program will be re-evaluated.
  - For example: All of the violations (listed in the section below) are common violations that are easily fixed. The Commission expects a licensee to use the VOC as an opportunity to learn and not make the same mistake again. However if the OLCC continues to see this type of problem as an industry wide compliance issue, OLCC staff will work to provide additional licensee training or consider addressing the issue via rulemaking.
- **There should be a positive impact from implementation of this policy, both for licensees and Commission staff.**  
The violations identified here are relatively common, indicating that licensees may need more education in these areas. Additionally, verification of compliance notices for these violations may reduce the large volume of enforcement cases currently routed through the Administrative Hearings Division.

## VOC Program Categories & Applicable OLCC Rules

**Video Recordings:** [845-025-1450\(2\)\(a-g\) k](#). Possible fixes may include increasing storage capacity, reformatting storage drives, or adjusting system settings to allow for proper storage, and then demonstrating that such changes result in adequate video retention. **Note: not all subsections of -1450(2) are eligible for a "Fix-It Ticket"**, including the requirements to archive recordings in a format that ensures authentication, make recordings available immediately upon request, and immediately notify the Commission of equipment failures (-1450(2)(h) – (j)).

**Cameras:** [845-025-1440](#). Possible fixes may include proper installation or placement of cameras, or adjustment of system settings.

**Seed-to-Sale Tracking w/ CTS:** [845-025-7540](tel:845-025-7540) (1) and (2). Possible fixes may include accurately updating CTS to fully and transparently reflect inventory tracking activities. Fixing this type of violation may not be appropriate if CTS cannot be updated with accurate information.

**Reconciliation w/ Inventory (CTS):** [845-025-7580](tel:845-025-7580). Similar to the CTS violation above, possible fixes may include accurately updating CTS to fully and transparently reflect inventory tracking activities. Fixing this type of violation may not be appropriate if CTS cannot be updated with accurate information.

**Security Requirements:** [845-025-1410](tel:845-025-1410). Possible fixes may include installation of proper physical security measures. Inspectors should consider whether a fix-it ticket would be appropriate if the violation resulted in the theft or loss of marijuana items or OLCC required records.

**UID Tags:** [845-025-7520](tel:845-025-7520). Possible fixes may include affixing and assigning UID tags to marijuana plants or items, or ordering a supply of UID tags sufficient to cover actual inventory. A gross violation of this rule, even if not intentional, may not be appropriate for a fix-it ticket.

### VOC Program Flow Process

1. OLCC regulatory specialist (inspector) issues VOC and gives the licensee 10, 30 or 60 days to resolve the issue and email the signed form back to the designated VOC email address: [OLCC.VOC@oregon.gov](mailto:OLCC.VOC@oregon.gov)
2. Once received at [OLCC.VOC@oregon.gov](mailto:OLCC.VOC@oregon.gov), an OLCC compliance technician will review the paperwork. If the VOC issue is completely addressed, the case will be considered as a “verbal instruction” and closed; no enforcement action will be taken.
3. If the paperwork is not complete (example: no signature, it is received late, or not received at all) the case is re-assigned to the original inspector for follow up.
4. A licensee may only receive one fix-it-ticket per-violation type at the licensed premise within a two year period.