



Recreational Marijuana Program Compliance Education Bulletin Pre-Roll Testing and Labeling Guidance

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The Oregon Liquor and Cannabis Commission (OLCC) and Oregon Health Authority (OHA) are providing the following guidance to all marijuana licensees and hemp certificate holders regarding the testing of infused pre-rolls. This bulletin updates guidance contained in [OLCC Compliance Education Bulletin 2019-05](#).

This guidance applies to any batch of infused pre-rolls that have not yet received any compliance testing. Any infused pre-rolls that have already received compliance test results **may not be retested** under this new interpretation.

This education bulletin is part of OLCC's compliance education. It is important that you read it and understand it. If you do not understand it, please contact the OLCC or OHA for help.

This education bulletin (**CE2023-01**) addresses the following issues related to infused pre-rolls:

- Testing guidance
- Labeling guidance

Background

OHA and OLCC have received questions regarding infused pre-rolls and whether they must include the filter or tip in order to comply with testing and labeling rules. **Previous guidance** indicated that these parts of the infused pre-roll should be included in the sample for testing and be included in the labeled weight of the item. A problem arises when the filter or tip is a material like glass, plastic, cardboard, or wood. These materials cannot easily or homogeneously be ground up by a laboratory for analysis. In the case of glass, plastic, or wood filters or tips, their weight may significantly under-report the concentration of cannabinoids as well as the results of other compliance tests.

OHA and OLCC intend to address this issue in 2023 by using rulemaking to better clarify how infused pre-rolls should be tested and labeled. *Until the issue is addressed through future rulemaking*, the OLCC, in coordination with OHA, is providing guidance in this bulletin on how infused pre-rolls may be sampled, tested and labeled *under existing rules*.

Testing Guidance

A licensee submitting an infused pre-roll for testing should present the laboratory with the entire batch of the finished inhalable cannabinoid product, including the filter or tip, for sampling. When preparing the sample for testing, a laboratory should remove the filter and/or tip, but the prepared samples must include all other components, including the rolling paper. Once the filter and/or tip is removed, the

laboratory must homogenize the samples for testing. OHA and OLCC have determined that filters and tips are considered non-consumed portions of the item and are equivalent to packaging material.

Labeling Guidance

For infused pre-rolls, the OLCC interprets the net weight not to include the filter or tip; however, the OLCC will not be taking any enforcement action if the net weight on the label does include the filter or tip – as long as the potency is accurate based on how the laboratory tested it. The unit weight in Metrc should match the weight of the tested infused pre-roll.

Of primary importance is that potency must be reported accurately on the label. OAR [845-025-7120](https://www.oregon.gov/OLCC/Pages/845-025-7120.aspx) requires the label to list the amount of THC and CBD, in milligrams, in each serving and in the container. To calculate the amount in milligrams in the container, take the concentration reported by the laboratory in mg/g and multiply it by the weight of the item in grams. In order for the value to be accurate, the weight of the item used in this calculation must match the weight of the item tested by the laboratory.

For tests, before the issuance of this guidance, where the laboratory included the filter or tip in the testing, the weight used in the calculation must include the weight of the filter or tip. If the laboratory did not include the filter or tip, the weight used in the calculation must not include the weight of the filter or tip.

The OLCC acknowledges that it provided earlier guidance indicating that the filter or tip should be included in the net weight of the item on the label. However, if your current label includes the filter or tip weight, but they are not a consumable part of the product, and if you have requested the testing laboratory to remove the filter or tip prior to testing then you must ensure that is taken into account and reflected in the calculation of the item's total potency.

Infused pre-rolls are required to list THC and CBD amounts in total milligrams – they are not required to express the potency as a concentration ratio or percentage (mg/g or %). However, if your label does include the concentration of THC or CBD as a ratio (mg/g) or percentage (%), that value must match the concentration reported by the laboratory.

Labeling Example: *An infused pre-roll weighs 1.2 g and has a 1.8 g glass tip attached to it. The gross weight of the item is 3 g. The laboratory removes the glass tip and determines the potency of the infused pre-roll is 300 mg/g. The label should indicate the item contains 360 mg of THC: $300 \text{ mg/g} \times 1.2 \text{ g}$ (the weight of the consumable item that was tested). The label should not say 900 mg ($300 \text{ mg/g} \times$ the gross weight including the glass tip); that would be untruthful and misleading to consumers.*

Questions about testing reflected in this guidance may be sent to ommp.labs@odhsoha.oregon.gov and orelap.info@odhsoha.oregon.gov.

Questions about Metrc or labeling related to this guidance may be sent to olcc.labs@oregon.gov and Marijuana.Packaging@oregon.gov.