



STATUTORY MINOR CORRECTION

DOA 22-2022

CHAPTER 603
DEPARTMENT OF AGRICULTURE

FILED

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FILING CAPTION: Minor correction to rule reference.

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AGENCY ATTESTS THE FOLLOWING CHANGES HAVE BEEN MADE, ACCORDING TO ORS 183.335(7):

Correcting statutory or rule references

AMEND: 603-048-0126

RULE TITLE: Pre-Registration Violations

RULE SUMMARY: Corrected from - (4) If the person described in section (2) of this rule refuses to permit or cooperate as described in OAR 603-048-0650(3) with a pre-licensure inspection or a pre-licensure sampling for THC content as described in OAR 603-048-0200(10)

To - (4) If the person described in section (2) of this rule refuses to permit or cooperate as described in OAR 603-048-0650(3) with a pre-licensure inspection or a pre-licensure sampling for THC content as described in OAR 603-048-0200(9)

RULE TEXT:

(1)(a) Except as provided in paragraph (b) of this subsection, if a person plants an industrial hemp crop or commits a violation of ORS 571.260 to 571.348 as amended by OL 2021, Ch. 542 prior to applying for a grower license, the Department shall refuse to issue a license to the person.

(b) If the crop described in paragraph (a) of this subsection is removed and the Department determines that the violation is resolved, the person described in paragraph (a) of this subsection may apply for a license under ORS 571.281. The crop must be disposed of in accordance with OAR 603-048-0640 within 14 calendar days of the Department's notification to the person, unless the Department grants an extension in writing.

(2) If a person plants an industrial hemp crop or commits a violation of ORS 571.260 to 571.348 as amended by OL 2021, Ch. 542 prior to being issued a grower license under ORS 571.281, the Department shall:

(a)(A) Prioritize the person's industrial hemp crop for inspection under ORS 571.281 (7), if the person planted the industrial hemp crop as described in this subsection; and

(B) Require the person to enter into a corrective action plan as described in OAR 603-048-0800(6) with the Department; or

(b) Refuse to issue a license to the person if the Department determines that a corrective action plan is insufficient to address the violation.

(3) If the person described in section (2) of this rule does not enter into a corrective action plan pursuant to OAR 603-048-0800(6), the Department may not issue a license to the person under ORS 571.281.

(4) If the person described in section (2) of this rule refuses to permit or cooperate as described in OAR 603-048-0650(3) with a pre-licensure inspection or a pre-licensure sampling for THC content as described in OAR 603-048-0200(9), the Department may refuse to issue a license to the person under ORS 571.281.

(5) Planting an industrial hemp crop for the purposes of this rule includes the planting of cannabis plants at the same location a person identifies as a proposed grow site in a grower application unless the cannabis plants are permitted under ORS 475B.301, ORS 571.266, a license issued pursuant to ORS 475B.070, or a medical marijuana grow site registered under ORS 475B.810.

STATUTORY/OTHER AUTHORITY: ORS 561.190, ORS 571.260 - 571.348, OL 2021 Ch. 542

STATUTES/OTHER IMPLEMENTED: ORS 571.260 - 571.348, OL 2021 Ch. 542