

3796:2-2-06

Laboratory testing.

(A) An employee of a licensed testing laboratory shall select a random sample of adequate weight from every batch of medical marijuana cultivated at the facility that is sufficient to perform the required tests, prior to packaging any plant material intended to be sold to a patient or caregiver through a dispensary licensed under Chapter 3796. of the Revised Code. Every sample shall be tested by a licensed testing laboratory in accordance with testing standards established for testing laboratories in the rules promulgated pursuant to Chapter 3796. of the Revised Code. At a minimum, a testing laboratory shall test every sample for the following:

- (1) Microbial contaminants;
- (2) Mycotoxins;
- (3) Moisture content;
- (4) Foreign matter contamination;
- (5) Heavy metals, including, at a minimum, arsenic, cadmium, lead, and mercury;
- (6) Pesticide and fertilizer residue; and
- (7) Cannabinoid potency, including, at a minimum, the following:
 - (a) Delta-8-tetrahydrocannabinol; ~~Delta-9-tetrahydrocannabinolic acid (THCA)~~;
 - (b) Delta-8-tetrahydrocannabinolic acid; ~~Delta-9-tetrahydrocannabinol (THC)~~;
 - (c) Delta-9-tetrahydrocannabinol; ~~Cannabidiolic acid (CBDA)~~; and
 - (d) Delta-9-tetrahydrocannabinolic acid; ~~Cannabidiol (CBD)~~;
 - (e) Cannabidiol (CBD);
 - (f) Cannabidiolic acid (CBDA);
 - (g) THC Content as defined in 3796:1-1-01;
 - (h) Cannabinol (CBN); and
 - (i) any other cannabinoid determined by the Department.

(B) An employee of a licensed testing laboratory shall select a random sample of adequate weight from every batch of medical marijuana cultivated at the facility that is

sufficient to perform the required tests, prior to packaging any plant material that shall be used in the manufacture of medical marijuana products by a processor licensed under Chapter 3796. of the Revised Code. Every sample shall be tested by a licensed testing laboratory in accordance with testing standards established for testing laboratories in the rules promulgated pursuant to Chapter 3796. of the Revised Code. At a minimum, a testing laboratory shall test every sample for the following:

- (1) Pesticide and fertilizer residue;
- (2) Moisture content;
- (3) Foreign matter contamination; and
- (4) Cannabinoid potency, including, at a minimum, the following:
 - (a) Delta-8-tetrahydrocannabinol; ~~Delta-9-tetrahydrocannabinolic acid (THCA);~~
 - (b) Delta-8-tetrahydrocannabinolic acid; ~~Delta-9-tetrahydrocannabinol (THC);~~
 - (c) Delta-9-tetrahydrocannabinol; ~~Cannabidiolic acid (CBDA); and~~
 - (d) Delta-9-tetrahydrocannabinolic acid; ~~Cannabidiol (CBD)~~
 - (e) Cannabidiol (CBD);
 - (f) Cannabidiolic acid (CBDA);
 - (g) THC Content as defined in 3796:1-1-01;
 - (h) Cannabinol (CBN); and
 - (i) any other cannabinoid determined by the Department.

(C) A licensed testing laboratory shall submit to the cultivator an analysis of every sample of medical marijuana tested by the testing laboratory in accordance with the rules promulgated pursuant to Chapter 3796. of the Revised Code. A cultivator shall not sell or otherwise distribute medical marijuana unless the medical marijuana meets the standards set forth by the department and the package or label contains the analysis from a licensed testing laboratory.

Effective: 5/2/2022

Five Year Review (FYR) Dates: 5/6/2022

CERTIFIED ELECTRONICALLY

Certification

04/12/2022

Date

Promulgated Under: 119.03
Statutory Authority: ORC 3796.03
Rule Amplifies: ORC 3796.03, ORC 3796.06(D)(1), ORC 3796.06(D)
(2), ORC 3796.19(B)(2)
Prior Effective Dates: 05/06/2017