

3796:2-2-07**Cultivator prohibited activities.**

- (A) A cultivator shall not sell medical marijuana in any form to a patient or caregiver.
- (B) A cultivator shall not permit the consumption of medical marijuana in any form on the premises.
- (C) A cultivator shall not grow a prohibited form of marijuana that is not registered and approved by the state of Ohio board of pharmacy pursuant to section 3796.061 of the Revised Code.
- (D) A cultivator shall not produce or maintain medical marijuana in excess of the quantity required for normal, efficient operation based on patient population and consumption reported in the inventory tracking system.
- (E) A cultivator shall not amend or otherwise change its approved operations plan, quality assurance plan, or cultivation or production techniques, unless written approval is obtained from the department.
- (F) A cultivator shall not change the use or occupancy of the facility unless the department is notified of and provides prior written approval of such changes.
- (G) Pursuant to division (D)(1) of section 3796.06 of the Revised Code, a cultivator shall not sell plant material that exceeds thirty-five percent THC content as defined in rule 3796:1-1-01 of the Administrative Code.
- (H) A licensed cultivator shall not directly or indirectly discriminate in price between different processor or dispensary facilities that are purchasing a like grade, strain, brand, quality, and quantity of medical marijuana. Nothing herein shall prevent price differentials based on differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which the medical marijuana is sold or delivered.

Effective: 05/06/2017

Five Year Review (FYR) Dates: 05/06/2022

CERTIFIED ELECTRONICALLY

Certification

04/24/2017

Date

Promulgated Under: 119.03
Statutory Authority: R.C. 3796.03
Rule Amplifies: R.C. 3796.03