

3796:3-1-10

**Winding down.**

- (A) If a processor decides to voluntarily surrender or not renew its certificate of operation and permanently discontinue business operations, the processor shall provide written notice to the department at least ninety days prior to the effective date of the closure. If the closure is the result of an eviction, the processor shall immediately notify the department of the eviction notice and the effective date of the notice. This notice shall be provided prior to the processor taking any steps to discontinue business operations.
- (B) A processor that notifies the department of its intent to voluntarily surrender or not renew its certificate of operation under paragraph (A) of this rule shall submit, within sixty days of the effective date, a written plan of closure for approval by the department. This plan shall include, at a minimum:
- (1) The sale of medical marijuana inventory at market rate;
  - (2) The destruction of medical marijuana on hand at the facility on the effective date of the closure;
  - (3) The sale or removal of equipment and products ancillary to the manufacturing of medical marijuana products;
  - (4) The removal or disposal of any solvents or other chemicals used in the manufacture of medical marijuana products, which shall be carried out in accordance with all applicable local, state, and federal laws;
  - (5) The retention of all records required to be maintained in accordance with the applicable records retention schedules;
  - (6) The steps that will be taken to maintain compliance with Chapter 3796. of the Revised Code, the rules promulgated in accordance with Chapter 3796. of the Revised Code, and any other conditions required by the director until the approved closure date; and
  - (7) The closure and intended use of the premises in which the processor was located.
- (C) The director shall approve or deny a processor's plan of closure within thirty days of receipt. The director may request additional information if approval or denial of the plan cannot be determined based on the information provided.

Effective:

Five Year Review (FYR) Dates:

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Certification

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Date

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