

3796:4-1-09

**Winding down.**

- (A) If a testing laboratory decides to voluntarily surrender or not renew its certificate of operation and permanently discontinue business operations, the testing laboratory 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 notice, the testing laboratory shall immediately notify the department of the eviction notice and the effective date of the notice. This notice shall be provided prior to the testing laboratory taking any steps to wind down and discontinue business operations.
- (B) A testing laboratory 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 destruction of medical marijuana samples on hand at the facility on the effective date of the closure that will render the medical marijuana unusable, including the date of such destruction and an attestation signed by a witness to the destruction;
  - (2) The sale or removal of equipment and products ancillary to the testing of medical marijuana;
  - (3) The retention of all records required to be maintained in accordance with the applicable records retention schedules;
  - (4) The removal or disposal of any solvents or other chemicals used in the testing of medical marijuana, which shall be carried out in accordance with all applicable local, state, and federal laws.
  - (5) 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;
  - (6) The closure and intended use of the premises in which the testing laboratory was located.
  - (7) Documentation of withdrawal from ISO/IEC 17025 "General Requirements for the Competence of Testing and Calibration Laboratories" accreditation.
- (C) The director shall approve or deny a testing laboratory'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

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