3796:2-2-02 **Cultivator and plant-only processor packaging and labeling.**

(A) A cultivator distributing plant material to a processor shall meet the following requirements:

(1) A cultivator shall place plant material in a tamper-evident, light-resistant package approved by the department prior to distributing plant material to a processor. Approved packaging shall maintain the integrity and stability of the plant material.

(2) A label shall be affixed to every package and state in legible English:

(a) The name and license number of the cultivator where the packaged material was cultivated and harvested;

(b) The name and license number of the processor facility receiving the shipment;

(c) The product identifier;

(d) The registered name of the medical marijuana that was registered with the department;

(e) A unique identification number that will match the medical marijuana with a batch and batch number to facilitate any warnings and recalls the department deems appropriate;

(f) The date of harvest, final testing, and packaging;

(g) The total weight in grams of plant material in each package;

(h) The identification of the independent testing laboratory;

(i) The laboratory analysis, profile and a list of all active ingredients, including the percentage content by weight for the following cannabinoids, at a minimum:

(i) Delta-8-tetraydrocannabinol ~~Delta-9-tetrahydrocannabinol (THC)~~;

(ii) Delta-8-tetrahydrocannabinolic acid;~~Delta-9-tetrahydrocannabinolic acid (THCA);~~

(iii) Delta-9-tetrahydrocannabinol;~~Cannabidiol (CBD); and~~

(iv) Delta-9-tetrahydrocannabinolic acid;~~Cannabidiolic acid (CBDA);~~

(v) Cannabidiol (CBD);

(vi) Cannabidiolic acid (CBDA);

(vii) THC Content as defined in 3796:1-1-01; and

(viii) any other cannabinoid determined by the Department.

(j) The expiration date, which shall not exceed one calendar year from the date of harvest; and

(k) A statement with the following language: "This product is for medical use and not for resale or transfer to another person. This product may cause impairment and may be habit-forming. This product may be unlawful outside of the State of Ohio."

(B) A cultivator with a plant-only processor license distributing plant material to a dispensary shall meet the following requirements:

(1) A cultivator shall place plant material in a child-proof, tamper-evident, light-resistant package approved by the department prior to distributing plant material to a dispensary. Approved packaging shall maintain the integrity and stability of the plant material.

(2) A label shall be affixed to every package and state in legible English:

(a) The name and license number of the cultivator where the packaged material was cultivated and harvested;

(b) The name and license number of the dispensary receiving the shipment;

(c) The product identifier;

(d) The registered name of the medical marijuana that was registered with the department;

(e) A unique identification number that will match the medical marijuana with a batch and batch number to facilitate any warnings or recalls the department deems appropriate;

(f) The date of harvest, final testing and packaging;

(g) The total weight in grams of plant material in each package;

(h) The identification of the independent testing laboratory;

(i) The laboratory analysis, profile, and a list of all active ingredients, including the percentage content by weight for the following cannabinoids, at a minimum:

(i) Delta-8-tetraydrocannabinol;

(ii) Delta-8-tetrahydrocannabinolic acid;

~~(i)~~(iii) Delta-9-tetrahydrocannabinol ~~(THC)~~;

~~(ii)~~(iv) Delta-9-tetrahyrdrocannabinolic acid ~~(THCA)~~;

~~(iii)~~(v) Cannabidiol (CBD); ~~and~~

~~(iv)~~(vi) Cannabidiolic acid (CBDA);

(vii) THC Content as defined in 3796:1-1-01; and

(viii) any other cannabinoid determined by the Department.

(j) The expiration date, which shall not exceed one calendar year from the date of harvest; and

(k) A statement with the following language: "This product is for medical use and not for resale or transfer to another person. This product may cause impairment and may be habit-forming. This product may be unlawful outside the State of Ohio."

(C) A label may contain the approval or certification logo of a third-party certifier of cultivation practices if:

(1) The third-party certifier does not have a direct or indirect financial interest in any medical marijuana entity licensed in the state of Ohio; and

(2) The certification protocols used by the third-party certifier have been reviewed and approved by the department.

(D) A label shall not contain any of the following:

(1) Any false or misleading statement or design;

(2) Depictions of the product, cartoons, or images that are not registered with the department, which includes any insignia related to a governmental entity;

(3) Any sum totals of cannabinoids or terpenes, except THC content as defined in rule 3796:1-1-01 of the Administrative Code; or

(4) Any information that would violate paragraph (F) of rule 3796:5-7-01 of the Administrative Code.

(E) A cultivator may provide a dispensary free samples of plant material sold at the dispensary. A free sample shall be packaged in a sample jar protected by a plastic or metal mesh screen to allow patients and caregivers to smell the plant material before purchase. A sample jar may not contain more than three grams of a particular strain of plant material. The sample jar and the plant material within may not be sold to a patient or caregiver and shall be destroyed by the dispensary after use by the dispensary. The dispensary shall document the destruction of every free sample in accordance with the rules established pursuant to Chapter 3796. of the Revised Code.

(F) It is prohibited for anyone to knowingly or intentionally alter, obliterate, or otherwise destroy any container or label attached to an approved container. In the event a container or label is altered, obliterated, or otherwise destroyed, the department may act in accordance with rule 3796:5-6-01 of the Administrative Code.

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Certification

Date

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