Ohio Administrative Code

Rule 3796:3-2-06 Laboratory testing.

Effective: May 2, 2022

(A) Prior to the sale of any medical marijuana product to a dispensary licensed under Chapter 3796. of the Revised Code, an employee of a licensed testing laboratory shall select a random sample from every lot of medical marijuana products at the facility that is of sufficient quantity to perform the required tests. Every sample shall be tested by a licensed testing laboratory in accordance with the 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:

(1) Microbial contaminants;

(2) Cannabinoid potency including, at minimum:

(a) Delta-8-tetrahydrocannabinol;

(b) Delta-8-tetrahydrocannabinolic acid;

(c) Delta-9-tetrahydrocannabinol;

(d) Delta-9-tetrahydrocannabinolic acid;

(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.

(3) If the medical marijuana extract used in the manufacture of the product was not previously tested by a licensed testing laboratory for the following contaminants, the product sample shall also be analyzed for:

(a) Mycotoxins;

(b) Heavy metals, including, at a minimum, arsenic, cadmium, lead, and mercury;

(c) Pesticide and fertilizer residue; and

(d) Residual solvents, if a solvent other than carbon dioxide was used in the extraction process.

(B) Prior to the sale of any medical marijuana product to a dispensary licensed under Chapter 3796. of the Revised Code that was manufactured using plant material acquired from a dispensary pursuant to paragraph (B) of rule 3796:3-2-01 of the Administrative Code, an employee of a licensed testing laboratory shall select a random sample from every lot of medical marijuana products at the facility that is of sufficient quantity to perform the required tests. Every sample shall be tested by a licensed testing laboratory in accordance with the 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:

(1) Microbial contaminants;

(2) Cannabinoid potency including, at minimum:

(a) Delta-8-tetrahydrocannabinol;

(b) Delta-8-tetrahydrocannabinolic acid;

(c) Delta-9-tetrahydrocannabinol;

(d) Delta-9-tetrahydrocannabinolic acid;

(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.

(3) Mycotoxins;

(4) Heavy metals, including, at a minimum, arsenic, cadmium, lead, and mercury;

(5) Pesticide and fertilizer residue; and

(6) Residual solvents, if a solvent other than carbon dioxide was used in the extraction process.

(C) Prior to the sale of any plant material to a dispensary licensed under Chapter 3796. of the Revised Code, a processor shall verify that the required laboratory tests have been performed on each batch of plant material pursuant to paragraph (A) of rule 3796:2-2-06 of the Administrative Code.

(D) A licensed testing laboratory shall submit to the processor a certificate of analysis of every sample of medical marijuana tested by the laboratory in accordance with the rules promulgated pursuant to Chapter 3796. of the Revised Code. A processor 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.