



Ohio Administrative Code

Rule 3796:6-3-14 Destruction and disposal of medical marijuana.

Effective: September 8, 2017

(A) Medical marijuana products must be destroyed by rendering it unusable following the methods set forth in this rule.

(B) At least seven days prior to rendering medical marijuana unusable and disposing of it, the dispensary shall notify the state board of pharmacy. Notification shall include the date and time the marijuana will be rendered unusable and disposed. If the dispensary designates the destruction of medical marijuana on the same day and time weekly, communication of that day and time shall be sufficient to comply with this paragraph. Any change in the date and time must be communicated to the state board of pharmacy.

(C) Unless otherwise required by local, state, or federal waste management authorities, the allowable method for rendering marijuana waste unusable is by grinding and incorporating the marijuana waste with other ground material so the resulting mixture is at least fifty percent non-marijuana waste. Other methods to render marijuana waste unusable must be approved by the state board of pharmacy before implementation. Material used to grind with the marijuana falls into two categories, compostable waste and non-compostable waste.

(1) Compostable mixed waste: Marijuana waste to be disposed as compost feedstock or in another organic waste method (for example, anaerobic digester) may be mixed with the following type of waste materials:

(a) Food waste;

(b) Yard waste;

(c) Vegetable based grease or oils; or

(d) Other wastes as approved by the state board of pharmacy (e.g., agricultural material,



biodegradable products and paper, clean wood, fruits and vegetables, plant material).

(2) Non-compostable mixed waste: Marijuana waste to be disposed in a landfill or by another disposal method may be mixed with the following types of waste materials:

(a) Paper waste;

(b) Cardboard waste;

(c) Plastic waste;

(d) Soil; or

(e) Other wastes as approved by the state board of pharmacy (e.g., non-recyclable plastic, broken glass, leather).

(3) Marijuana waste rendered unusable following the methods described in this rule can be disposed. Disposal of the marijuana waste rendered unusable may be delivered to a permitted solid waste facility for final disposition. Examples of acceptable permitted solid waste facilities include:

(a) Compostable mixed waste: compost, anaerobic digester or other facility.

(b) Non-compostable mixed waste: landfill, incinerator or other facility.

(4) All waste and unusable product shall be weighed, recorded and entered into the inventory tracking system prior to rendering it unusable. The destruction of medical marijuana by a dispensary employee shall be witnessed by a key employee and the event shall be conducted in a designated area with fully functioning video surveillance.

(5) Electronic documentation of destruction and disposal shall be maintained for a period of at least three years.

(6) All external refuse containers shall be maintained in a locked condition.



(D) A dispensary may offer as a service to its patients and caregivers, the ability to return unused medical marijuana for purposes of destroying the medical marijuana. Any dispensary that chooses to offer such services to its patients and caregivers shall develop a policy describing its buyback policies and that policy must be approved by the state board of pharmacy before any medical marijuana may be accepted by a dispensary pursuant to this paragraph.

(1) All medical marijuana returned pursuant to this paragraph shall be entered into the state inventory tracking system; and

(2) Prices for such services shall be publicly available.