



Ohio Administrative Code Rule 901:14-2-01 Definitions.

Effective: January 31, 2020

- (A) "Abandoned application" means an application for licensure which was returned to the applicant by the department as incomplete and not finalized or corrected by the applicant and returned to the department within thirty days.
- (B) "Acceptable hemp THC level" means the application of the measurement of uncertainty to the reported delta-9 tetrahydrocannabinol content concentration level on a dry weight basis that produces a distribution or range that includes 0.3 per cent or less.
- (C) "Adulterated" has the same meaning as found in section 3715.59 of the Revised Code.
- (D) "Batch or lot" means the hemp products produced during a period indicated by a specific code.
- (E) "Controlled substance" has the same meaning as found in section 3719.01 of the Revised Code.
- (F) "Cosmetic" has the same meaning as found in division (A)(5) of section 3715.01 of the Revised Code.
- (G) "Delta-9 tetrahydrocannabinol" of "THC" means the sum of the percentage by weight of tetrahydrocannabinolic acid multiplied by 0.877 plus the percentage by weight of delta-9 tetrahydrocannabinol.
- (H) "Department" means the Ohio department of agriculture.
- (I) "Dietary supplement" has the same meaning as found in section 3715.80 of the Revised Code.
- (J) "Director" means the director of Ohio department of agriculture or the director's designee.
- (K) "Disqualifying offense" means any felony involving a controlled substance including, but not



limited to, violations of the Revised Code, specifically:

(1) Division (A)(1)(a) of section 2907.02.

(2) Division (A)(2) of section 2907.05.

(3) Division (D)(2) of section 2923.16.

(4) Section 2923.241.

(5) Chapters 2925, 3719, and 3796.

(L) "Drug" has the same meaning as found in division (A)(3) of section 3715.01 of the Revised Code.

(M) "Food" has the same meaning as found in division (A)(2) of section 3715.01 of the Revised Code.

(N) "Hemp" means the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths per cent on a dry weight basis.

(O) "Hemp product" means any product, containing a delta-9 tetrahydrocannabinol concentration of not more than three-tenths per cent, that is made with hemp. "Hemp product" includes hemp buds, flowers, cigarettes, cigars, shredded hemp, cosmetics, personal care products, dietary supplements or food intended for animal or human consumption, cloth, cordage, fiber, fuel, paint, paper, particleboard, and any other product containing one or more cannabinoids derived from hemp, including cannabidiol.

(P) "Immediate family" means a licensee's spouse, parents, children, grandparents, siblings, grandchildren, brother-in-law, sister-in-law, daughter-in-law, son-in-law, mother-in-law, father-in-law, step-parents, step-children, step-siblings, or a legal guardian or other person who stands in the



place of a parent (in loco parentis).

(Q) "Key participant" means a sole proprietor, a partner in partnership, or a person with executive managerial control in a corporation. A person with executive managerial control includes persons such as a chief executive officer, chief operating officer and chief financial officer. This definition does not include non-executive managers such as farm, field, or shift managers.

(R) "Measurement of uncertainty" or "MU" means the parameter, associated with the result of a measurement, that characterizes the dispersion of the values that could reasonably be attributed to the particular quantity subject to measurement.

(S) "Misbranded" has the same meaning as found in section 3715.60 of the Revised Code.

(T) "Process" or "processing" means converting hemp into a hemp product. Except that process or processing does not include on-farm drying, dehydrating, or packaging of raw hemp materials by a licensed hemp cultivator for sale directly to a licensed hemp processor.

(U) "Public park" means a park established by the federal government, state, or a political subdivision of the state including a county, township, municipal corporation, or park district.

(V) "Retail hemp production" means the production of hemp products that are prepared, served or otherwise held or handled for sale to the end consumer at the site of production. Retail hemp production includes a mobile retail facility.

(W) "School" means a child day-care center as defined under section 5104.01 of the Revised Code, a preschool as defined under section 2950.034 of the Revised Code, or a public or nonpublic primary school or secondary school.

(X) "University" means an institution of higher education as defined in section 3345.12 of the Revised Code and a private nonprofit institution with a certificate of authorization issued pursuant to Chapter 1713. of the Revised Code.

(Y) "USDA" means the United States department of agriculture.



(Z) "Wholesale hemp production" means the production of hemp products that are processed, packaged, manufactured, or otherwise held or handled for distribution to another location or for sale at wholesale.