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Ohio Administrative Code

Rule 901:14-2-20 Notice of adulteration or misbranding.

Effective: November 9, 2026

(A) Whenever the director of agriculture finds or has cause to believe, that any hemp-derived cannabinoid product is adulterated or so misbranded as to be dangerous or fraudulent, within the meaning of sections 3715.01 and 3715.52 to 3715.72 of the Revised Code, the director shall affix to the hemp-derived cannabinoid product a tag or other appropriate marking, giving notice that the hemp-derived cannabinoid product is, or is suspected of being, adulterated or misbranded, and has been detained or embargoed, and warning all persons not to remove or dispose of the hemp-derived cannabinoid product by sale or otherwise until permission for removal or disposal is given by the director.

(B) When a hemp-derived cannabinoid product detained or embargoed has been found by the director to be adulterated or misbranded, the director shall petition the municipal or county court in whose jurisdiction the hemp-derived cannabinoid product is detained or embargoed for an order for condemnation of the hemp-derived cannabinoid product.

(C) If the court finds that a hemp-derived cannabinoid product is adulterated or misbranded, the hemp-derived cannabinoid product shall, after entry of the decree, be destroyed at the expense of the claimant thereof, under the supervision of the director, and all court costs, fees, storage, and other proper expenses shall be taxed against the claimant of the hemp-derived cannabinoid product or the claimant's agent; provided, that when the adulteration or misbranding can be corrected by proper labeling or processing of the hemp-derived cannabinoid product, the court, after entry of the decree and after such costs, fees, and expenses have been paid and a good and sufficient bond as ordered by the court, conditioned that the hemp-derived cannabinoid product shall be so labeled or processed, has been executed, may by order direct that the hemp-derived cannabinoid product be delivered to the claimant thereof for labeling or processing under the supervision of the director. The expense of supervision shall be paid by the claimant. The bond shall be returned to the claimant of the hemp-derived cannabinoid product on representation to the court by the director that the hemp-derived cannabinoid product is no longer in violation of sections 3715.01 and 3715.52 to 3715.72 of the Revised Code, and that the expenses of supervision have been paid.