



Ohio Administrative Code

Rule 3796:4-2-08 Testing laboratory prohibited activities.

Effective: September 8, 2017

(A) A testing laboratory shall not cultivate, process, manufacture, distribute, provide, or sell medical marijuana in any form.

(B) A testing laboratory shall not permit the consumption of medical marijuana in any form on the premises.

(C) A testing laboratory shall not share a facility with a cultivator, processor, or dispensary licensed under Chapter 3796. of the Revised Code.

(D) A testing laboratory shall not falsify, change, modify, or otherwise alter in any way the results of quantitative or other analyses performed on medical marijuana samples or the corresponding certificates of analysis.

(E) A testing laboratory shall not employ any sampling methods that do not ensure that a random sample is collected for analysis, or that could provide results that are not representative of a batch or lot from which a sample is taken.

(F) A testing laboratory shall not prepare medical marijuana samples in such a manner as to provide results that are not representative of a batch or lot from which a sample is taken.

(G) A testing laboratory shall not store medical marijuana in quantities greater than that which is necessary to perform required analyses.

(H) A testing laboratory shall not transport medical marijuana in quantities greater than that which is necessary to perform required analyses.

(I) A testing laboratory shall not perform analyses on any medical marijuana that has not been obtained from a cultivator or processor licensed under Chapter 3796. of the Revised Code.



(J) A testing laboratory shall not perform analyses on any medical marijuana that has not been identified in the inventory tracking system.

(K) A testing laboratory shall not endorse, advertise, or make claims on behalf of any cultivator, processor, dispensary, brand or strain of medical marijuana, or brand or type of medical marijuana product.

(L) A testing laboratory shall not publish or otherwise release to the public the results of any tests performed pursuant to paragraph (D) of rule 3796:4-2-03 of the Administrative Code, except aggregated data obtained as part of a research plan that has been approved by the department.

(M) An owner, officer, board member, administrator, employee, agent, or other person who may significantly influence or control the activities of a testing laboratory shall not:

(1) Have a direct or indirect financial interest in a cultivator, processor, or dispensary licensed under Chapter 3796. of the Revised Code; or

(2) Serve as an officer, board member, administrator, employee, agent, or other person who may significantly influence or control the activities of a cultivator, processor, or dispensary licensed under Chapter 3796. of the Revised Code.

(N) A physician certified or who has applied for certification by the state of Ohio medical board under section 4731.30 of the Revised Code to recommend medical marijuana shall not:

(1) Have a direct or indirect financial interest in a testing laboratory; or

(2) Serve as an officer, board member, administrator, employee, agent, or other person who may significantly influence or control the activities of a testing laboratory.