



## Ohio Administrative Code Rule 3796:6-3-21 Recall procedures.

Effective: July 11, 2022

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(A) A dispensary shall establish policies and procedures to conduct mandatory and voluntary recalls of medical marijuana. The procedure shall be adequate to deal with recalls due to any action initiated at the request of the department of commerce or the state board of pharmacy and any voluntary action by the dispensary to remove defective or potentially defective medical marijuana from the market or any action undertaken to promote public health and safety by replacing existing medical marijuana with improved products or packaging.

(B) A dispensary's policy must establish a plan for communicating a recall of medical marijuana. The communication plan shall include:

(1) A mechanism to contact all customers who have, or likely have, obtained the product from the dispensary. The communication must include information on the process for return of the recalled product;

(2) A mechanism to contact the processor or cultivator that manufactured the recalled product;

(3) Communication with the state board of pharmacy, the department of commerce, and the state medical board within twenty-four hours; and

(4) Outreach via media, as necessary and appropriate.

(C) In the event of a product recall, a patient and/or caregiver may return the recalled product to the dispensary where the product was purchased. The dispensary must accept the return of unused recalled product from the patient and/or caregiver.

(D) Any recalled medical marijuana or medical marijuana product returned to the dispensary because of the recall must be destroyed by:



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- (1) The dispensary in a manner consistent with rule 3796:6-3-14 of the Administrative Code; or
  
- (2) Returning the recalled medical marijuana to the licensed cultivator or processor that manufactured the recalled medical marijuana to be destroyed in a manner approved by the department of commerce.