



Ohio Administrative Code

Rule 4729:10-1-03 Law enforcement agencies.

Effective: August 1, 2019

(A) Law enforcement agencies may operate a drug collection receptacle if all the following apply:

(1) The receptacle is located inside the premises of the law enforcement agency.

(2) The receptacle is placed in a location that is accessible to the public during posted hours.

(3) The receptacle is placed within reasonable view of law enforcement personnel or under continuous video surveillance.

(4) The receptacle is securely fastened to a permanent structure so that it cannot be removed and must be locked to prevent the unauthorized retrieval of its contents.

(5) The receptacle is clearly marked indicating the following information:

(a) No needles, syringes, or lancets shall be placed in the receptacle.

(b) No iodine-containing medications, mercury-containing thermometers, radiopharmaceuticals, antineoplastic agents (cancer chemotherapy drugs, cytotoxic drugs), and compressed cylinders or aerosols (e.g., asthma inhalers) shall be placed in the receptacle.

(6) If a law enforcement agency chooses to limit the types of drugs that are acceptable for return, such limitations shall be clearly stated on or near the drug collection receptacle.

(7) The law enforcement agency shall check the drug collection receptacle regularly and remove deposits to prevent the receptacle from reaching capacity.

(8) The law enforcement agency shall maintain the confidentiality of the ultimate user disposing of the drugs pursuant to all applicable state and federal laws, rules, and regulations.



(9) The drugs collected shall be stored in a manner that prevents the diversion of controlled substances and is consistent with the agency's standard procedures for storing illicit controlled substances collected as evidence.

(10) The law enforcement agency shall maintain custody and control of the contents deposited in the drug collection receptacle until the drugs are destroyed pursuant to rule 4729:10-1-04 of the Administrative Code.

(11) The law enforcement agency shall maintain any records of removal, storage, and destruction of the drugs collected in a manner that is consistent with the agency's record keeping requirements for illicit controlled substances collected as evidence.

(B) Law enforcement agencies may conduct a mail-back program if all the following apply:

(1) Packages are made available (for sale or for free) for the collection of pharmaceutical drugs by common or contract carrier.

(2) The packages made available meet the following specifications:

(a) The package must be nondescript and shall not include any markings or other information that might indicate that the package contains pharmaceutical drugs.

(b) The package must be water- and spill-proof, tamper-evident, tear-resistant, and sealable.

(c) The package must be preaddressed with and delivered to the participating law enforcement's physical address.

(d) The cost of shipping the package shall be postage paid.

(e) The package must include instructions for the user that indicate the process for mailing back the package, the substances that can be sent, notice that packages may only be mailed from within the customs territory of the United States (the fifty states, the District of Columbia, and Puerto Rico), and



notice that only packages provided by the collector will be accepted for destruction.

(f) The instructions for the package shall indicate the following information:

No medical sharps and needles (e.g., insulin syringes), iodine-containing medications, mercury-containing thermometers, radiopharmaceuticals, antineoplastic agents (cancer chemotherapy drugs, cytotoxic drugs), and compressed cylinders or aerosols (e.g., asthma inhalers) shall be placed in the package.

(g) If a law enforcement agency chooses to limit the types of drugs that are acceptable for return, such limitations shall be clearly stated on the package instructions.

(3) The law enforcement agency shall maintain custody and control of the sealed packages until the packages are destroyed pursuant to rule 4729:10-1-04 of the Administrative Code.

(4) The law enforcement agency shall maintain the confidentiality of the ultimate user disposing of the drugs pursuant to all applicable state and federal laws, rules, and regulations.

(5) The sealed mail-back packages shall be stored in a manner that prevents the diversion of controlled substances and is consistent with the agency's standard procedures for storing illicit controlled substances collected as evidence.

(6) The law enforcement agency shall maintain any records of removal, storage, and destruction of the drugs collected in a manner that is consistent with the agency's record keeping requirements for illicit controlled substances collected as evidence.

(C) Law enforcement agencies may operate a take-back event if all the following apply:

(1) A law enforcement agency shall appoint a law enforcement officer employed by the agency to oversee the collection. Law enforcement officers employed and authorized by the law enforcement agency or law enforcement component of a federal agency conducting a take-back event shall maintain control and custody of the collected drugs from the time the drugs are collected from the ultimate user until secure transfer, storage, or destruction of the drugs has occurred.



(2) Each take-back event shall have at least one receptacle for the collection of drugs. The collection receptacle should be a securely locked, substantially constructed container with an outer container and a removable inner liner.

(3) Ultimate users disposing of unused or expired drugs shall place them directly into the drug collection receptacle or hand them directly to a law enforcement officer.

(4) No needles, syringes or lancets shall be collected unless a bulk sharps disposal container is provided at each take-back event for the disposal of sharps.

(5) No iodine-containing medications, mercury-containing thermometers, radiopharmaceuticals, antineoplastic agents (e.g., cancer chemotherapy drugs, cytotoxic drugs), compressed cylinders or aerosols (e.g., asthma inhalers) shall be collected.

(6) At the conclusion of the collection event, the drugs shall be removed from the event location and either:

(a) Stored in a manner that prevents the diversion of the collected drugs and is consistent with the agency's standard procedures for storing illicit controlled substances collected as evidence; or

(b) Destroyed pursuant to rule 4729:10-1-04 of the Administrative Code.

(7) The law enforcement agency shall maintain any records of removal, storage, and destruction of the drugs collected in a manner that is consistent with the agency's record keeping requirements for illicit controlled substances collected as evidence.

(D) The law enforcement agency shall ensure that the confidentiality of the ultimate user is maintained pursuant to applicable state and federal laws, rules, and regulations.