



Ohio Administrative Code Rule 901:14-1-01 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 or by the application deadline.

(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) "Controlled substance" has the same meaning as found in section 3719.01 of the Revised Code.

(D) "Cultivate" or "cultivating" means to plant, water, grow, fertilize, till, or harvest a plant or crop. "Cultivating" includes possessing or storing a plant or crop on a premises where the plant or crop was cultivated until transported to the first point of sale.

(E) "Delta-9 tetrahydrocannabinol" or "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.

(F) "Department" means the Ohio department of agriculture.

(G) "Director" means the director of the Ohio department of agriculture or their designee.

(H) "Disqualifying offense" means any felony involving a controlled substance including, but not limited to, violations of:

(1) Division (A)(1)(a) of section 2907.02 of the Revised Code.

(2) Division (A)(2) of section 2907.05 of the Revised Code.



(3) Division (D)(2) of section 2923.16 of the Revised Code.

(4) Section 2923.241 of the Revised Code.

(5) Chapters 2925., 3719., and 3796. of the Revised Code.

(I) "Growing location" means a contiguous land area or single building in which hemp is grown or planned to be grown.

(J) "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.

(K) "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).

(L) "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.

(M) "Licensee" or "licensed cultivator" means an individual or business entity possessing a hemp cultivation license issued pursuant to section 928.02 of the Revised Code and this chapter.

(N) "Licensed medical marijuana cultivator" means an entity that has been issued a certificate of operation by the Ohio department of commerce to grow, harvest, package, and transport medical marijuana as permitted under Chapter 3796. of the Revised Code.

(O) "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.

(P) "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.

(Q) "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.

(R) "Strain" means a cannabis strain, which is a group of plants created asexually through clonal propagation.

(S) "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.

(T) "Variety" means a subdivision of a kind which is distinct, uniform and stable; "distinct" in the sense that the variety can be differentiated by one or more identifiable morphological, physiological, or other characteristics from all other varieties of public knowledge; "uniform" in the sense that variations in essential and distinctive characteristics are describable; and "stable" in the sense that the variety will remain unchanged to a reasonable degree of reliability in its essential and distinctive characteristics and its uniformity when reproduced or reconstituted as required by the different categories of varieties.