



February 5, 2019

Dear Licensee,

This communication is intended to provide additional guidance on options for cultivators to prepare plant material for sample collection by testing laboratories. Laboratory testing is required for all medical marijuana products pursuant to Ohio Administrative Code (“OAC”) chapter 3796. Independent testing laboratories have a regulatory requirement to obtain random samples of each batch or lot of medical marijuana products such that the results of analyses performed on a sample are representative of the batch or lot from which the sample was taken (reference: OAC 3796:4-2-08(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.”)

While it is not the intent of the Department to dictate cultivation or processing protocols for individual licensees, this guidance is being offered as a recommendation for order of operations that will most efficiently allow for representative samples of plant material to be obtained by laboratories.

*(NOTE: There is a difference in nomenclature between OAC 3796 and METRC as to what constitutes a “batch.” A “harvest batch” for METRC tracking purposes is comprised of the plant material of a single strain that is harvested in one day (12:00am-11:59pm). A “harvest batch” in METRC is not constrained by a weight limit, but should **not** include plant material harvested on different days, regardless of whether the plant material is of the same strain. A “batch” for lab testing purposes is defined in OAC 3796:1-1-01(A)(3)(a) as “All of the plant material of the same variety of medical marijuana not to exceed fifteen pounds of manicured, dried flowers or buds or twenty-five pounds of plant material, excluding flowers and buds [i.e. “shake and trim”], that have been: (i) Grown, harvested, and processed together; and (ii) Exposed to the same conditions throughout cultivation.” When you segregate material in to batches for testing purposes, you will create a “package” in METRC for each one.)*

#### **SUGGESTED ORDER OF OPERATIONS:**

- 1) Harvest your plants and log the harvest in METRC.
- 2) Dry your plants. (Keep plant tags physically associated with plants as they dry.)
- 3) Prepare your plants for curing.
- 4) Cure your plant material. (Keep plant tags attached to or inside of curing containers.)
- 5) Once plant material is cured and ready for laboratory testing, you have three options to prepare your product for testing that will align with regulatory requirements:
  - a. **OPTION 1**
    - Step 1: Aggregate all cured material from the harvest batch (as defined above) into homogeneous mixtures of flower or shake/trim.
    - Step 2: Divide material into test batches of homogeneous material of no more than 15lbs each (25lbs for shake/trim). Place each test batch into ONE container. Create a package in METRC, and place the corresponding METRC package tag on the container.
    - Step 3: Make arrangements for a laboratory to obtain samples from each container.
    - Step 4: Once samples have been taken from the container, quarantine the container in your facility until after test results are reported into METRC.

b. **OPTION 2**

Step 1: Aggregate all cured material from the harvest batch into homogeneous mixtures of flower or shake/trim.

Step 2: Divide material into test batches of homogeneous material of no more than 15lbs each (25lbs for shake/trim). Place each test batch into ONE container. Create a package in METRC, and place the corresponding METRC package tag on the container.

Step 3: Make arrangements for a laboratory to obtain samples from each container.

Step 4: **After samples have been taken from the container**, create packages out of the sampled package, ensuring that some weight remains in the “parent” package, and that each “child” package has a corresponding METRC tag.

*EXAMPLE: If your preference is to store product in 3lb containers as you await lab test results, create four ~3lb packages from the 15lb package, leaving ~3lb behind. Divide your homogeneous mixture among five containers, placing a METRC tags (1 parent, 4 child) on each container that corresponds to the weight of the package created in METRC.*

Step 5: Quarantine the parent and child containers in your facility until after test results are reported into METRC. Child packages will inherit test results reported on the parent package.

c. **OPTION 3:**

Step 1: Create packages in METRC of flower or shake/trim from your harvest that correspond to the weight that will be stored in a given single container, placing the correct METRC tag on each container.

Step 2: Make arrangements for a laboratory to obtain samples from each container.

Step 3: Once samples have been taken from each container, quarantine the containers in your facility until after test results are reported into METRC.

- 6) Once the test results from a batch have been reported into METRC, take the next appropriate step in your protocol to prepare your products for sale.

No action should be taken on product that is awaiting lab test results, including packaging products for retail sale and making package adjustments in METRC. All products that are awaiting lab test results should be quarantined in your facility until test results are posted to METRC by the lab performing the analyses. Cultivators and processors should not request test results before they are posted to METRC. If a cultivator or processor maintains SOPs that call for quarantine of products that are awaiting lab testing, they may not deviate from those SOPs without prior written approval from the Department. Doing so represents a violation of OAC 3796:2-2-07(E), which may result in the Department taking enforcement action under OAC 3796:5-6.

Please send any questions pertaining to this guidance document to [MMCPcompliance@com.ohio.gov](mailto:MMCPcompliance@com.ohio.gov).