Ohio Department of Commerce
Medical Marijuana Control Program

Statement on the Use of Vitamin E Acetate for
Products for Vaporization

November 8, 2019

The Centers for Disease Control and Prevention (CDC), which is one of the federal agencies responsible for investigating the multistate outbreak of e-cigarette and vaping illness, announced today that "laboratory testing of bronchoalveolar lavage (BAL) fluid samples (or samples of fluid collected from the lungs) from 29 patients with product use associated lung injury EVALI submitted to CDC from 10 states found vitamin E acetate in all of the BAL fluid samples." The CDC further emphasized that "this is the first time that the CDC detected a potential chemical of concern in biologic samples from patients with these lung injuries."

The Medical Marijuana Control Program (MMCP) permits the use of non-marijuana ingredients in the manufacturing of medical marijuana products that meet the following conditions (O.A.C. 3796:3-2-01):

   (b) The non-marijuana ingredients are nontoxic and safe for human consumption;

Due to the CDC's findings, the Medical Marijuana Control Program (MMCP) now considers the use of vitamin E acetate in the manufacturing of products for vaporization to be in violation of the conditions outlined in the Ohio Administrative Code. (O.A.C. 3796:3-2-01(C)(6)(b)).

The MMCP has previously requested product ingredient lists from all operating processors. At that time, no licensee indicated the use of vitamin E acetate in vaporization products. Moving forward, MMCP processor licensees will be required to submit all ingredients for vaporization products to its assigned compliance agent. This can be submitted at the time the licensee registers for a Product I.D.

The MMCP takes product safety very seriously and may make further amendments to its protocols; including prohibiting additional ingredients that may be found to be toxic and not safe for human consumption.

For questions, please email mmcpcompliance@com.state.oh.us.