



## Ohio Department of Commerce Medical Marijuana Control Program

### Marijuana Waste Removal Guidance

**This communication is intended to provide guidance on options for cultivators to dispose of the marijuana waste generated in facilities licensed under the Ohio Medical Marijuana Control Program (“MMCP”).**

OAC 3796:2-2-03 states that marijuana waste must be ground and incorporated with one of seven non-marijuana substances (or other substances approved by the Department of Commerce), such that the resulting material is at least 51% non-marijuana waste. The statutory definition of “marijuana” from which the OAC 3796 derives its definitions of “marijuana” and “medical marijuana” includes an exemption for the mature stalks of the cannabis plants (*see ORC 3796.19(M)*).

The MMCP considers the following:

1. Mature stalks of cannabis plants are **NOT** required to be ground and incorporated with the non-marijuana waste items listed in OAC 3796:2-2-03(B); and
2. Mature stalks of cannabis plants are approved for use as non-marijuana waste under OAC 3796:2-2-03(B)(8), and may be incorporated with marijuana waste in order to reach the required ratio (i.e. “51:49”).

Additionally, OAC 3796:2-2-03 does not specify whether the required 51:49 ratio of non-marijuana waste to marijuana waste is to be calculated using weight or volume. Accordingly, MMCP offers the following recommendation:

1. Calculate the ratio using **WEIGHT** if the non-marijuana material being mixed is similar in density to the marijuana waste (*e.g. yard or garden waste*).
2. Calculate the ratio using **VOLUME** if the non-marijuana material being mixed is substantially different in density from the marijuana waste (*e.g. soil or other spent growth media*).

**Please send any questions about this guidance document to your compliance agent or to [MMCPcompliance@com.ohio.gov](mailto:MMCPcompliance@com.ohio.gov).**