October 23, 2026

Updated Rules Effective November 2

The Division of Cannabis Control (DCC or Division) has promulgated updated rules that take effect on November 2, 2026.

Below is a full list of the rules. Prior to the effective date, the rule language can be found at each link provided below. Beginning on the effective date, the language can be found at https://codes.ohio.gov/ohio-administrative-code/1301:18.

Please review each rule and this communication in their entirety for important guidance related to these rule updates. **It is your responsibility to read, understand, and comply with all Division rules.**

The new rules outlined below promulgated under Ohio Administrative Code (OAC) 1301:18 supersede the rules that were promulgated under OAC 3796. The new rules below regulate both medical and non- medical licensees and activities. Licensees are required to continue adhering to all other requirements pursuant to OAC 1301:18 and 3796, as applicable, and Division guidance.

New Rules Effective 11/2/2026

- 1301:18-1-01 Definitions
- 1301:18-6-06 Manufacturing Cannabis Products
- 1301:18-6-08 Packaged Cannabis for Direct Customer Sale
- 1301:18-3-18 Business to Business Transfers – cannabis packaged for direct customer sale

Manufacturing Cannabis Products – Cannabis Devices

Pursuant to OAC 1301:18-6-06, a cannabis device and any other electronic means used to consume cannabis must meet all of the following criteria prior to being sold to a customer at a dispensary:

1. No part of the heating element may be constructed with plastic material.
    - For example, if the heating element is coils, those coils cannot be made with plastic materials.
    - This does not prohibit other parts of the device that are not the heating element from being made of plastic materials, if otherwise compliant with this rule.
2. For devices intended for vaporization only, cannabis cannot come into direct contact with the heating element, and the material surrounding the heating element must be an inert material.
3. For any device containing a battery, the battery automatically shuts off to ensure safety.
4. If the device manufacturer provides any instructions for use of the device, the processor must ensure those instructions are included on or within the packaging to be provided to the customer.
5. No device may encourage overconsumption, including by use of any system that counts inhales lasting longer than the serving size prescribed by rule 1301:18-4-06 of the Administrative Code.

Licensees are no longer required to submit devices for Division review and approval of the *device's diagrams, mechanical elements, or technical specifications*. Therefore, the Division will no longer maintain the Device Request Form on DCC eLicense or the Compliant Devices list.

While the Division will not review and approve a device's diagrams, mechanical elements, or technical specifications, there are still three instances in which you must submit your device.

1. **Product Registration:** If you are registering for a new product that will be sold with a device, that device must be included in the Product Registration Application within DCC eLicense.
2. **Packaging & Labeling:** If you have received approval on a Product Registration for which the cannabis will be sold with a device, you must include that device and its packaging within the Packaging & Labeling Application in DCC eLicense.
3. **Advertising:** If a device contains a licensee's branding or product name, or branding or product name that the licensee is authorized to use, or contains any DCC branding, it must be submitted as an Advertising Request.
    - Devices that have already been reviewed and approved as part of a Product Registration and Packaging & Labeling Application do not also have to be submitted as an Advertising Request.

Additionally, devices that would cause a reasonable person to believe it does not contain cannabis must have a THC symbol affixed.

Please review the guidance in its entirety, which includes examples of devices that must be submitted for review and when a THC symbol is not required.

Recordkeeping and Enforcement:

- It is each licensee's responsibility to maintain records pursuant to OAC 1301:18-3-14 providing evidence that any device or other electronic means used to consume cannabis that the licensee distributes is compliant with the standards established in this rule.
- This documentation must be current and representative of the actual devices being distributed.
- The Division reserves the right to inspect records and devices, which may include testing of devices and/or cannabis contained within.
- Any licensee that fails to comply with these rules will be subject to enforcement action, such as fines and suspension, and products may be subject to product recalls and/or destruction.

Please review the new Cannabis Device Guidance here.

Business to Business Transfers Updated

Please refer to the Division's communication from October 1, and the Licensed Entity Cannabis Transfer Guidance for more information.

All questions must be directed to the Cannabis Service Center.

Licensee Resources

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