

Frequently Asked Questions Regarding Cannabis Evidence and THC Quantitative Analysis



What is Senate Bill 57?

Senate Bill 57 is legislation passed on July 30, 2019, which changed the Ohio Revised Code (ORC) definition of marijuana to exclude hemp, defined as cannabis containing not more than 0.3% THC as calculated on the dried weight.

What does SB57 mean in regards to testing done by BCI?

With the definitional change in SB57, Marijuana cannot be identified solely by historical techniques used by the BCI Chemistry Lab (microscopic examination and Duquenois-Levine color testing). Quantitative analysis is performed to ensure Marijuana or Hemp (THC content is below the statutory 0.3% level) is accurately identified.

Will Hashish be reported by BCI?

The legal definition of Hashish points to a preparation of the resin (in the form of an extract, concentrate or distillate) derived from Marijuana; however, our lab testing cannot identify the plant source for these samples, therefore Hashish cannot be identified nor reported. Please note that even an extract, concentrate or distillate derived from Hemp could be concentrated enough to be >0.3% THC content and subsequently incorrectly classified as Hashish. Synthetic Hashish (not marijuana sourced) already exists in the vape pen industry.

Submission of cannabis related items:

For non-vegetation items (i.e. vape cartridges, oils), BCI will only accept **one** item type per case at submission for all cases involving cannabis items. Vegetation items will be accepted according to current policy and tested to the highest charge.

Will BCI test for CBD and is it still a controlled substance?

Previously CBD was reported as controlled, as a marijuana extract under a federal register citation. However, with current Ohio legislative verbiage, there is no way to test that an oil product or food product containing CBD (or any other cannabinoid) was generated originally from Marijuana vs. Hemp. Since this distinction cannot be made through our testing, BCI will simply report the substance identified through analysis (i.e. THC, CBD, or any other cannabinoid identified).

Do I have to request this specific type of testing when I submit my evidence to BCI?

No, submitters can continue to designate evidence in pre-log or on the evidence submission sheet for chemistry testing. Upon submission the Evidence Receiving staff will appropriately assign the case for quantitative analysis or standard chemistry testing depending on the evidence type.

What type of testing (or analysis) is being performed by BCI?

Quantitative analysis on cannabis items will be performed by Liquid Chromatography-Ultra Violet Detection (LC/UV) and Gas Chromatography-Mass Spectrometry (GC/MS).

What types of evidence can be submitted for this type of analysis?

See the **Guidance for Cannabis Evidence Submissions** Handout.

Will BCI perform quantitative testing for minor misdemeanor cases?

No, BCI will not accept minor misdemeanor amounts of marijuana (<100 grams). See current BCI submission policy. However, BCI will accept <100 grams of cannabis evidence related to other criminal charges, such as drug trafficking.

How should I package and store my cannabis-related evidence?

Cultivation Vegetation - Remove all growing medium (roots, dirt...) and mature stalks 2 inches below the lowest leaf bearing branch. Dry all vegetation and package in paper bags to prevent deterioration of the evidence.

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Processed vegetation, edibles, oils, non-vegetation – Package in sealed plastic.

All batteries and power sources must be removed from electronic devices prior to submission (i.e. vaping devices).

Items may be stored and submitted at room temperature.

How is BCI reporting the THC content? Is it calculated for dry weight? Is there uncertainty with the value reported?
The THC content is reported as a percent and is calculated based on dry-weight. There also is a measurement uncertainty reported.

Report wording examples:

Hemp / Product below Limit of Quantitation (LOQ)

Vegetation – 225.75g +/- [Current Estimated MU (g)] found to contain Hemp (a non-controlled substance) with a Tetrahydrocannabinol (THC) content of less than 0.1% calculated on a dry weight basis. Determined using chemical testing, microscopic examination, instrumental analysis and quantitative analysis.

Vegetation Marihuana

Vegetation- 7.67 g +/- [Current Estimated MU (g)] - found to contain Marihuana (Cannabis) with a Tetrahydrocannabinol (THC) content of 12.2% +/- [Calculated MU (%)] calculated on a dry weight basis. Determined using chemical testing, microscopic examination, instrumental analysis and quantitative analysis.

What happens if I have cannabis and non-cannabis evidence items in the same case?

BCI will test items according to current submission and testing protocols. In cases where items of both types are tested, BCI will report cannabis and non-cannabis evidence items on separate reports.

I received a report from BCI that says “indications of THC, not confirmed,”; what does this mean?

Any cannabis related items tested by BCI since July 30th, 2019, and prior to the completion of method validation may have included report language stating “indications of THC, not confirmed.” Items eligible for THC quantitation were retained by BCI for future testing as indicated on the report. Items that were not eligible (based on charge or sample quantity) would have been returned to the submitting agency.

What do I do now?

If the evidence was retained by BCI for future testing, quantitative analysis will be performed on that evidence. If the additional testing is no longer needed, please contact a BCI Chemistry Supervisor to cancel the existing laboratory request. The evidence will then be returned to your department.

Contact a Drug Chemistry Laboratory Supervisor for Questions:

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