Toolkit · Operate Plan Updated November 22, 2026

Recall Plan Template

The recall requirements in the CCA draft rules, each cited: the six required elements of a recall plan, the 48-hour communications plan, mandatory recalls, stopping sales and segregating product, disposal coordinated with the CCA, adverse-event complaints, the serial and batch numbers that make recalls traceable, and related emergency orders.

Who needs it: Every marijuana establishment that sells or distributes product: cultivation, processing, retail, microbusiness; Establishments that send or receive product by wholesale distribution; Licensees using industrial hemp extracts as ingredients.

Rule basis: Code of Virginia §§ 4.1-1404 G, 4.1-1406 B; draft rules 3VAC10-40-50 D and F, 3VAC10-40-80 A 2 and F 1, 3VAC10-50-40, 3VAC10-50-50 E, 3VAC10-60-50 I, 3VAC10-70-20 B 3 e, 3VAC10-70-30 B 3 e, 3VAC10-80-90 (proposed).

Citations starting **3VAC10** are the Cannabis Control Authority's draft proposed adult-use regulations dated September 9, 2026: **proposed, not final, may change**. Citations starting **§ 4.1** are the Code of Virginia as amended by HB 30, Chapter 1 (2026). The section "What other states required or scored" is reference only and is not Virginia law.

We report what the law says. Not legal advice; see the disclaimer.

The CCA's draft rules require every marijuana establishment to have written procedures for mandatory and voluntary recalls, list six elements the plan must contain, and set what happens once a recall starts: sales stop, affected product is segregated and labeled, and disposal is coordinated with the CCA. The Cannabis Control Act requires product testing and leaves health and safety standards to the Board. Citations to 3VAC10 are to the CCA's draft regulations dated Sept. 9, 2026 (proposed, not final; they may change before adoption).

What Virginia requires

Statutory baseline

- The Board adopts health and safety regulations for marijuana sold to consumers, including mandatory standards for cultivation, processing and manufacture, and packaging and labeling (Code of Virginia § 4.1-1406 B).
- A licensee complies with all requests for samples for random testing by a state-owned or state-approved laboratory (§ 4.1-1404 G). The CCA may collect and test random samples and compare results with those reported by testing facilities (3VAC10-60-50 I, draft).

Written recall procedures (draft)

- Establishments "shall establish and implement written procedures for the mandatory and voluntary recall" of marijuana and products dispensed, sold or otherwise distributed to the public or other regulated establishments, and make them available for CCA inspection on request (3VAC10-50-40 A, draft).
- A recall plan must include (3VAC10-50-40 B, draft):
    1. Designation of one or more employees as recall coordinators, responsible among other duties for accepting recalled product;
    2. Procedures for identifying and isolating affected product to prevent or minimize distribution to consumers, patients, parents, legal guardians, registered agents, other establishments and approved laboratories;
    3. Procedures to retrieve and dispose of affected product;
    4. A communications plan to notify those affected by the recall, no later than 48 hours from issuing a recall notice;
    5. Procedures for notifying the CCA; and
    6. Procedures for reporting information about the recall in a manner prescribed by the CCA.

- The establishment follows its recall plan unless it has the CCA's prior written approval, and conducts recalls in a manner that "maximizes the recall of affected marijuana or marijuana products and minimizes risks to public health and safety" (3VAC10-50-40 C, draft).
- The general written policies and procedures include a process for handling mandatory and voluntary recalls of products distributed or received by wholesale distribution, adequate for recalls initiated at the Board's request and voluntary actions to (i) remove defective or potentially defective products or (ii) replace products with improved products or packaging to promote public health and safety (3VAC10-40-80 F 1, draft).
- Establishments engaged in wholesale distribution maintain policies and procedures with a process for executing or responding to recalls that complies with 3VAC10-50-40 (3VAC10-40-50 F, draft).
- Establishments acquiring industrial hemp extract maintain storage and handling procedures, including a recall process that complies with 3VAC10-50-40 (3VAC10-50-50 E, draft).

Complaints and mandatory recalls (draft)

- The establishment notifies the CCA upon becoming aware of any complaint by a consumer, patient, parent, legal guardian, registered agent or practitioner reporting an adverse event from product it dispensed or sold, investigates the complaint to determine whether a voluntary recall or other action is required, and notifies the CCA of its findings (3VAC10-50-40 D, draft).
- If the CCA receives information showing a recall is necessary to protect patients, consumers or public health and safety and the establishment does not start a voluntary recall, the CCA may order a mandatory recall until the risk is no longer present (3VAC10-50-40 E, draft).

Once a recall starts (draft)

- On a voluntary recall or a CCA recall order, the establishment ceases dispensing or selling the affected product immediately and makes all reasonable efforts to remove it from commerce (3VAC10-50-40 F, draft).

- Affected products “must be secured, segregated, clearly labeled not for sale or distribution, and separated from any other non-affected marijuana or marijuana products” (3VAC10-50-40 F, draft).
- Product that is outdated, damaged, deteriorated, misbranded or adulterated is held in a separate quarantined storage area until destroyed (3VAC10-40-80 A 2, draft).
- Disposal of recalled products is coordinated with the CCA, which may oversee the disposal (3VAC10-50-40 G, draft).
- The establishment reports information relevant to the recall in a manner prescribed by the CCA (3VAC10-50-40 H, draft).

Traceability built into labels and records (draft)

- Retail product labels carry “a unique serial number that matches the product with the batch number, including the cultivator and processor if obtained through distribution, so as to facilitate any warnings or recalls” (3VAC10-70-20 B 3 e, draft).
- Wholesale labels carry a unique serial number matching the product with the cultivator, manufacturer and batch number “so as to facilitate any warnings or recalls” (3VAC10-70-30 B 3 e, draft).
- Wholesale transaction records include the unique batch identifier “so as to facilitate any warnings or recalls the board or marijuana establishment deem appropriate” (3VAC10-40-50 D 1, draft).

Related CCA emergency orders (draft)

- The CCA may issue an emergency decision and order where marijuana or hemp goods have a reasonable probability of causing serious adverse health consequences or death, or to prevent the sale, transfer or transport of contaminated goods (3VAC10-80-90 A 1 and 2, draft).
- Interim relief may include orders to segregate or isolate specific goods, prohibit their movement, prohibit their sale or prohibit their destruction (3VAC10-80-90 B, draft).

- Under an administrative hold, the licensee physically segregates the designated goods in a limited-access area within 24 hours of notice, safeguards them against tampering, degradation or contamination, and does not sell, donate, transfer, transport, gift or destroy them while the hold is in effect (3VAC10-80-90 D 1 and 2, draft).

Records and forms the rules name

Recall plan elements (each row is a required element under 3VAC10-50-40 B, draft)

Required element	Plan content
1. Recall coordinator(s) designated, responsible for accepting recalled product	
2. Procedures to identify and isolate affected product	
3. Procedures to retrieve and dispose of affected product	
4. Communications plan to notify those affected within 48 hours of issuing a recall notice	
5. Procedures for notifying the CCA	
6. Procedures for reporting recall information as the CCA prescribes	

Adverse-event complaint log (actions required by 3VAC10-50-40 D, draft)

Date complaint received	Complainant type (consumer, patient, parent, guardian, registered agent, practitioner)	Product	CCA notified (date)	Investigation findings	Findings sent to CCA (date)

What the law does not say

- The draft rules do not define classes or levels of recall.
- The draft rules do not set a deadline for notifying the CCA of a voluntary recall; they require procedures for notifying the CCA (3VAC10-50-40 B 5, draft).
- The draft rules do not set a deadline for notifying the CCA of an adverse-event complaint beyond "upon becoming aware" (3VAC10-50-40 D, draft).
- The draft rules do not require mock recalls or recall drills.

What other states required or scored

Not required in Virginia. Shown so applicants can see what other regulators asked for.

New York (9 NYCRR 125.9)

- New York requires written procedures to track quality concerns and complaints and to rapidly notify the supply and distribution chain of a recall, with notice to the Office within 24 hours of a serious adverse event, quality concern or recall (9 NYCRR 125.9(a)).
- Recall procedures identify the factors that trigger a recall and the responsible personnel, notification protocols, return or destruction instructions, and quarantine of recalled product until the Office authorizes next steps (9 NYCRR 125.9(b)).
- Recalled, held or destroy-ordered product is stored securely and separately and may not be sold or transferred (9 NYCRR 125.9(d)).
- Product may not be sold after its printed expiration date (9 NYCRR 125.9(e)).

New Jersey (N.J.A.C. 17:30-9.17)

- New Jersey requires a recall plan covering triggers (including failed lab testing), responsible personnel, notification protocols, and handling of returned product (N.J.A.C. 17:30-9.17(a)).

- A public communication procedure reaches all consumers who have or could have obtained the product, with return instructions and "an offer to pay reimbursement" (N.J.A.C. 17:30-9.17(b)1).
- The procedure includes refunds and outreach "through traditional and social media, as necessary and appropriate" (N.J.A.C. 17:30-9.17(b)4-5).
- Returned items are reviewed by quality control staff, tracked in inventory, and quarantined until the Commission authorizes disposal (N.J.A.C. 17:30-9.17(c)).
- The rule states a business "should periodically conduct a mock recall to assess the effectiveness of the recall plan" (N.J.A.C. 17:30-9.17(d)).

Ohio (OAC 1301:18-9-04)

- Ohio requires a designated recall coordinator trained to manage complaint and product investigations and to keep recall team contact lists current (OAC 1301:18-9-04(A)(1)).
- Recall procedures identify the product, lot and related complaints, review inventory, transfers and sales, set quarantine steps, and include notification templates (OAC 1301:18-9-04(A)(2)).
- Notice goes to associated licensees, patients who likely obtained the product, and customers through a conspicuous posting at each dispensary that sold it (OAC 1301:18-9-04(A)(5)).

Maryland (COMAR 14.17.14.01)

- Maryland requires complaints about product quality or safety, including serious adverse events, to be reported within 24 hours to the Administration and the originating grower, processor or dispensary (COMAR 14.17.14.01B).
- The licensee identifies the batch or lot, investigates deviations from standard operating procedures, and sends part of the retention sample to an independent laboratory (COMAR 14.17.14.01C(1)).
- If the lot fails, the licensee orders a recall, notifies consumers, patients and dispensaries to the extent possible, and pays reimbursement for returned cannabis (COMAR 14.17.14.01C(2)).

Illinois (IDFPR dispensary application)

- Illinois dispensary applicants filed a 10-page Recall, Quarantine, and Destruction Plan describing recall, quarantine and destruction practices (IDFPR Application, Exhibit G).

Sources checked 2026-11-22.

- Office of Cannabis Management, Express Terms adopting Parts 118-125 and 131 (9 NYCRR)
- NJ Cannabis Regulatory Commission, N.J.A.C. 17:30 Personal Use Cannabis Rules
- OAC 1301:18-9-04, Product Alerts and Recalls
- COMAR 14.17.14.01, Complaints, Adverse Events, and Recall
- IDFPR, Conditional Adult Use Dispensing Organization License Application (rev. 10/11/19)

Sources

- Code of Virginia § 4.1-1404 (Mandatory testing; random testing)
- Code of Virginia § 4.1-1406 (Health and safety regulations)
- CCA draft adult-use regulations, Sept. 9, 2026 (proposed, not final): 3VAC10-40, 3VAC10-50, 3VAC10-60, 3VAC10-70, 3VAC10-80

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