Toolkit · Operate SOP Updated November 22, 2026

Waste Disposal SOP

The waste and destruction requirements in the Cannabis Control Act and the CCA draft rules, each cited: tracking to destruction, quarantine, the 51% non-cannabis mix, filmed destruction, the destruction record and its three-year retention, hazardous and solvent waste, failed tests, recalls, seizures and closings.

Who needs it: Cultivation facilities, processing facilities and microbusinesses (green waste and extracts); Retail stores and every other establishment that destroys marijuana or marijuana products.

Rule basis: Code of Virginia §§ 4.1-611, 4.1-800 B, 4.1-1403, 4.1-1404 D and F, 4.1-904; draft rules 3VAC10-30-190 B, 3VAC10-40-40 C, 3VAC10-40-60 F, 3VAC10-40-80, 3VAC10-40-150 A 2, 3VAC10-50-40, 3VAC10-50-60 A 10 e, 3VAC10-50-110, 3VAC10-50-120, 3VAC10-60-30, 3VAC10-60-40 I, 3VAC10-80-80, 3VAC10-80-90 D (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.

Virginia's seed-to-sale law follows marijuana until it is sold, dispensed or destroyed, and the testing statute requires destruction of failed batches that cannot be remediated. The CCA's draft rules set the destruction method (grinding and mixing with at least 51% non-cannabis waste), require destruction on camera with a signed record kept three years, and route chemical and hazardous waste to federal, state and local waste law. 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

Tracking to destruction (statute)

- The Board's seed-to-sale tracking system tracks marijuana "from either the seed or immature plant stage until the marijuana or marijuana product is sold, dispensed, or destroyed" (Code of Virginia § 4.1-611).
- Each license type tracks product until it is transferred "or is disposed of or destroyed" (§ 4.1-800 B for cultivation; the same phrase appears in §§ 4.1-801 C, 4.1-802 B 6, 4.1-804 C, 4.1-805 B and 4.1-806 E).
- The Board's testing regulations must address "disposal of used, unused, and waste marijuana and marijuana products" (§ 4.1-1403).

Failed tests (statute and draft)

- If a mandatory test shows a product exceeds the allowable THC or contaminant level, the testing facility "shall immediately quarantine, document, and properly destroy" it unless remedial measures can bring it into compliance, and notifies the Board within seven days of completing the test (§ 4.1-1404 D).
- Licensees must destroy harvested batches or product batches whose samples show noncompliance with health and safety standards, unless remediation can bring them into compliance (§ 4.1-1404 F).
- A botanical batch that fails retesting after remediation may be processed into concentrate unless the failure relates to pesticides, in which case it is disposed of under 3VAC10-50-110 (3VAC10-60-30 C 2, draft). Concentrate or botanical product that fails the pesticide test cannot be remediated (3VAC10-60-30 B and D, draft).
- The originating establishment requires the testing facility to immediately return or properly dispose of test samples when testing is complete (3VAC10-60-40 I, draft).

Quarantine and written procedures (draft)

- Product that is outdated, damaged, deteriorated, misbranded or adulterated, or whose packaging has been opened or breached, is stored in a separate quarantined storage area until destroyed (3VAC10-40-80 A 2, draft).
- Written policies and procedures include a process ensuring that outdated, damaged, deteriorated, misbranded or adulterated products are segregated and destroyed, with "written documentation of the ... disposition" (3VAC10-40-80 F 3, draft).
- The establishment keeps a record of all marijuana through cultivation and processing until it is transferred, distributed, "or otherwise disposed of according to 3VAC10-50-110" (3VAC10-40-40 C, draft).
- The record of all products sold, dispensed or otherwise disposed of shows the date of disposition, the establishment's name, the kind and quantity disposed of, and the method of disposal (3VAC10-40-60 F, draft).

Destruction method (draft)

- To mitigate the risk of diversion, an establishment "shall routinely and promptly dispose of undesired, excess, unauthorized, obsolete, adulterated, misbranded, or deteriorated green waste, extracts, and marijuana products" (3VAC10-50-110 A, draft).
- Green waste includes marijuana plants, seeds and parts of plants (3VAC10-50-110 A, draft).
- Green waste "shall be weighed, ground, and combined with a minimum of 51% non-cannabis waste to render the mixture inactive and unrecognizable"; once unrecognizable it is considered agricultural waste and may be disposed of accordingly (3VAC10-50-110 A, draft).
- Disposal of green waste may be by incineration, inert composting, or any other means of disposal or destruction (3VAC10-50-110 C, draft).
- An establishment may sell or otherwise distribute inert composted green waste (3VAC10-50-110 D, draft).

Filming and the destruction record (draft)

- Destruction and disposal are conducted under video surveillance (3VAC10-50-110 B, draft).
- The persons destroying and disposing keep and make available a separate record of each occurrence showing (1) date and time; (2) manner of destruction and disposal; (3) name and quantity of product and green waste destroyed; and (4) signatures of the persons destroying and disposing (3VAC10-50-110 B, draft).
- The record is kept at the establishment for three years from the date of destruction and disposal (3VAC10-50-110 E, draft).

Chemical, dangerous and hazardous waste (draft)

- Disposal of chemical, dangerous and hazardous waste is conducted consistent with federal, state and local statutes and regulations, including any waste product soaked in a flammable solvent (3VAC10-50-120, draft).
- Waste that may be hazardous is treated as hazardous waste for storage, labeling and disposal (3VAC10-50-120 1, draft), or the establishment may test it for elemental impurities (3VAC10-50-120 2, draft).
- Tested material that meets the definition of hazardous waste under the Resource Conservation and Recovery Act (RCRA) or other applicable law is labeled, contained, stored and disposed of under EPA, RCRA and other hazardous waste rules; material below RCRA limits and not otherwise designated hazardous may be disposed of under 3VAC10-50-110 (3VAC10-50-120 2 a and b, draft).
- Establishments using hydrocarbon-based solvents develop standard operating procedures that address “safe and proper disposal of waste created during processes using hydrocarbon-based solvents” (3VAC10-50-60 A 10 e, draft).

Unauthorized destruction (draft)

- Unauthorized destruction of any marijuana or regulated hemp products is a reportable event: immediate notice to law enforcement and the Board, followed by a signed statement within 24 hours of discovery (3VAC10-40-150 A 2 and B, draft).

Recalls, seizures, holds and closings

- On a recall, affected products are secured, segregated, clearly labeled not for sale or distribution, and separated from other products (3VAC10-50-40 F, draft).
- The establishment coordinates disposal of recalled products with the CCA, which may oversee the disposal (3VAC10-50-40 G, draft).
- A licensee may agree in writing to voluntary destruction of seized product; destruction is at the licensee's expense and conducted with the CCA's approval and under its supervision (3VAC10-80-80 E, draft). Seized items may not be destroyed without the CCA's written approval and removal of the seizure tag (3VAC10-80-80 F, draft). Product from an unlicensed location or source "cannot be corrected and shall be destroyed" (3VAC10-80-80 I, draft).
- While an administrative hold is in effect, the licensee may not destroy the goods subject to the hold (3VAC10-80-90 D 2, draft).
- Product on hand when a license is suspended or revoked may be sold to licensed persons under a Board permit or destroyed by the Board or its designee, and must be placed on administrative hold or disposed of within 60 days (§ 4.1-904 A and C).
- Before closing, the proposed disposition of all marijuana, products and records is reported to the Board (3VAC10-30-190 B, draft).

Records and forms the rules name

Destruction and disposal record, one per occurrence (fields exactly as listed in 3VAC10-50-110 B, draft; kept three years under 3VAC10-50-110 E)

Date and time	Manner of destruction and disposal	Name and quantity of marijuana product and green waste	Signatures of persons destroying and disposing

Disposition entry in the sales and disposition record (fields listed in 3VAC10-40-60 F, draft)

Date of disposition	Name of establishment	Kind and quantity disposed of	Method of disposal

What the law does not say

- The draft rules do not say whether the 51% minimum is measured by weight or by volume (3VAC10-50-110 A, draft).
- The draft rules do not define how often “routinely and promptly” disposal must occur.
- The draft rules do not require a witness or a minimum number of people at a destruction, though the record calls for the “signatures of the persons” destroying and disposing.
- The draft rules do not require advance notice to the CCA before a routine destruction; CCA coordination is required for recalled products (3VAC10-50-40 G, draft).

What other states required or scored

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

New York (9 NYCRR 125.11)

- New York requires disposal of cannabis that is expired, damaged, deteriorated, contaminated or otherwise unfit, including plant waste contaminated with solvents such as butane, ethanol or propane (9 NYCRR 125.11(a)).
- Cannabis waste is rendered unusable by grinding and mixing so the mixture is at least 50% non-cannabis waste by weight; any other method needs prior written approval (9 NYCRR 125.11(c)).

- Stalks, stems, fan leaves, root balls and soil media are excluded from the rendering requirement (9 NYCRR 125.11(c)).
- Tier 4 and Tier 5 cultivators within 25 miles of an organic recycling facility may not landfill or burn non-contaminated waste; it is composted, digested or used as a manufacturing input (9 NYCRR 125.11(c)(1)).
- Rendered waste may go to a Department of Environmental Conservation permitted solid waste management facility (9 NYCRR 125.11(d)(1)).
- A separate secure area is designated for temporary storage of cannabis awaiting disposal (9 NYCRR 125.3(b)(4)).

New Jersey (N.J.A.C. 17:30-9.14)

- New Jersey allows waste and expired, returned or recalled items to be incinerated at a Department of Environmental Protection authorized incinerator, or rendered unusable and disposed of as compost or solid waste (N.J.A.C. 17:30-9.14(a)).
- Rendering takes place in a secured, locked area visible to a security camera, by finely shredding or grinding and mixing with soil, cat litter or compostable material to at least 50 percent non-cannabis waste by volume (N.J.A.C. 17:30-9.14(a)2i).
- Mixed waste is held in a secure, locked container, which may be outside if within view of a security camera (N.J.A.C. 17:30-9.14(a)2ii).

Ohio (OAC 1301:18-3-12)

- Ohio requires destruction under video surveillance in a manner that renders cannabis “unusable and non-retrievable” (OAC 1301:18-3-12(A)).
- Cannabis for destruction is weighed, recorded in the state tracking system, separated from viable inventory and kept in a secure location (OAC 1301:18-3-12(B)).
- The mixture is at least fifty-one per cent non-cannabis waste, using paper, cardboard, food, yard, compostable oil waste or compost activators (OAC 1301:18-3-12(D)).

- Each destruction record shows the manner, rationale, date and time, volume or weight, and where applicable product name, production date and tracking information (OAC 1301:18-3-12(F)).
- Destruction occurs in a surveilled, limited access area open only to registered employees (OAC 1301:18-3-12(E)).

Massachusetts (935 CMR 500.105(12))

- Massachusetts requires exterior waste receptacles on the premises to be locked and secured against diversion, theft or loss (935 CMR 500.105(12)(a)).
- Liquid waste containing marijuana is disposed of under state and federal water discharge rules or held in an industrial wastewater holding tank under 314 CMR 18.00 (935 CMR 500.105(12)(b)).
- Organic and recyclable material is redirected from disposal under the state waste bans at 310 CMR 19.017 (935 CMR 500.105(12)(c)1.).

Maryland (COMAR 14.17.10)

- Maryland growers weigh, document and destroy all green waste under their standard operating procedures (COMAR 14.17.10.03B(1)(h)).
- A grower accepts any product returned for destruction and records it as green waste (COMAR 14.17.10.05A).

Illinois (IDFPR dispensary application)

- Illinois applicants filed a Recall, Quarantine, and Destruction Plan (10 pages) describing destruction practices (IDFPR Application, Exhibit G).
- The inventory plan described how the applicant would communicate with the Division and the Illinois State Police on destruction and disposal (IDFPR Application, Exhibit I).

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 1301:18-3-12, Waste Disposal
- Cannabis Control Commission, 935 CMR 500.000 (effective 09-11-26)
- COMAR 14.17.10.03, Cannabis Grower Controls
- COMAR 14.17.10.05, Product Returned for Destruction and Disposal of Green Waste
- IDFPR, Conditional Adult Use Dispensing Organization License Application (rev. 10/11/19)

Sources

- Code of Virginia § 4.1-611 (Seed-to-sale tracking system)
- Code of Virginia § 4.1-800 (Marijuana cultivation facility license)
- Code of Virginia § 4.1-904 (Suspension or revocation; disposition of marijuana on hand)
- Code of Virginia § 4.1-1403 (Board to establish regulations for marijuana testing)
- Code of Virginia § 4.1-1404 (Mandatory testing; required destruction)
- Code of Virginia § 4.1-801 (Marijuana processing facility license)
- Code of Virginia § 4.1-802 (Retail marijuana store license)
- Code of Virginia § 4.1-804 (Marijuana transporter license)
- Code of Virginia § 4.1-805 (Marijuana delivery operator license)
- Code of Virginia § 4.1-806 (Marijuana testing facility license)
- CCA draft adult-use regulations, Sept. 9, 2026 (proposed, not final): 3VAC10-30-190, 3VAC10-40, 3VAC10-50, 3VAC10-60, 3VAC10-80

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