

**TITLE 475. OKLAHOMA STATE BUREAU OF NARCOTICS AND DANGEROUS
DRUGS CONTROL
CHAPTER 35. TRANSFER AND DISPOSAL OF CONTROLLED DANGEROUS
DRUGS**

475:35-1-3. Distribution upon discontinuance or transfer of business

(a) Any registrant desiring to discontinue business activities altogether or with respect to controlled dangerous substances (without transferring such business activities to another person) shall ~~return for cancellation of his/her Certificate of Registration~~ notify the OBN. Any controlled dangerous substances in his/her possession shall be disposed of in accordance with Title 21 Code of Federal Regulations, part 1317. Schedule I medical marijuana shall be disposed pursuant to standards set forth in 63 Okla.St. Ann. §429.

(b) Any registrant desiring to discontinue business activities altogether or with respect to controlled dangerous substances (by transferring such business activities to another person) shall ~~submit in person or by registered or certified mail, return receipt requested,~~ to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control (OBN) at least fourteen (14) days in advance of the date of the proposed transfer (unless the Director waives this time limitation in individual instances), the following information:

- (1) The name, address, registration number, and authorized business activity of the registrant discontinuing the business (registrant-transferor).
- (2) The name, address, registration number, and authorized business activity of the person acquiring the business (registrant-transferee).
- (3) Whether the business activities will be continued at the location registered by the person discontinuing the business or moved to another location (if the latter, the address of the new location should be listed).
- (4) Whether the registrant-transferor has a quota to manufacture or procure any controlled dangerous substance listed in Schedule I or II (if so, the basic class or classes of the substance should be indicated).
- (5) The date on which the transfer of controlled dangerous substances will occur.

(c) Unless the registrant-transferor is informed by the OBN, before the date on which the transfer was stated to occur, that the transfer may not occur, the registrant-transferor may distribute (without being registered to distribute) controlled dangerous substances in his/her possession to the registrant-transferee in accordance with the following:

- (1) On the date of transfer of the controlled dangerous substances, a complete inventory of all controlled dangerous substances being transferred shall be taken in accordance with 475:25-1-5 through 475:25-1-12, and OMMA rules where applicable. This inventory shall serve as the final inventory of the registrant-transferor and the initial inventory of the registrant-transferee, and a copy of the inventory shall be included in the records of each person. It shall be necessary to file a copy of the inventory with the OBN unless waived by the Director. Except for Schedule I medical marijuana, transfers of any substances listed in Schedule I or II require the use of order forms in accordance with Title 21 Code of Federal Regulations, § 1305.
- (2) On the date of transfer of the controlled dangerous substances, all records required to be kept by the registrant-transferor with reference to the controlled dangerous substances being transferred, pursuant to this Chapter and Title 21 Code of Federal Regulations, § 1304, or ~~OAC 310:681-5-6~~ OMMA rules where applicable, shall be transferred to the registrant-transferee. Responsibility for the accuracy of records prior to the date of transfer remains with the transferor, but responsibility for custody and maintenance shall be upon the transferee.

(d) OBN registrations are non-transferable and cannot be purchased, sold, or otherwise given to or utilized by any other person. The transferee must have a unique, active OBN registration prior to the transfer occurring. The transferor cannot transfer the OBN registration with the controlled dangerous substances and cannot transfer controlled dangerous substances to anyone lacking an active OBN registration. Change of name or ownership require a new OBN registration for all businesses. For any proposed transfer of controlled dangerous substances, the registrant-transferor shall remain in full control of all controlled dangerous substances unless and until the registrant-transferee's new OBN registration is approved and activated; after which, the registrant-transferor's OBN registration shall be inactivated.