

Notice of Violation

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 8/5/20

License #/Type: 16511 Standard Marijuana Cultivation Facilities

Licensee: Smoking Joe's Terps Co.

Address: 24276 Moraine Vista Street, Kasilof, AK

DBA: Smoking Joe's Terps Co.

AMCO Case #: AM20-0514

This is a notice to you as licensee that an alleged violation has occurred. If the Marijuana Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

A shipment of marijuana was sent from Smoking Joe's Terps Co., license # 16511, in Kasilof and turned into Anchorage ACE cargo on 05/07/2020. The shipment was supposed to be received by Wildflower, license # 21069 in the City of Kodiak on 05/11/2020. The marijuana arrived in Kodiak on 05/08/2020 and was unknowingly given to a non-licensee by the commercial air carrier on 05/14/2020. The receiving licensee reported the missing marijuana to AMCO Enforcement on 05/18/2020. The sending licensee did not report the missing marijuana to AMCO Enforcement. The marijuana was recovered from the non-licensee and received by AMCO Enforcement on 05/28/2020.

Refer to attached complaint for additional information relating to the alleged violation.

Your attention is drawn to:

3 AAC 306.715(e). Security alarm systems and lock standards

(e) A marijuana establishment shall notify the Department of Commerce, Community, and Economic Development, Alcohol and Marijuana Control Office as soon as reasonably practical and in any case not more than 24 hours after any unauthorized access to the premises or the establishment's knowledge of evidence or circumstances that reasonably indicate theft, diversion, or unexplained disappearance of marijuana, marijuana products, or money from the licensed premises.

3 AAC 306.805 provides that upon receipt of a Notice of Violation, a licensee may request to appear before the board and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice of Violation. A licensee may respond, either orally or in writing to the Notice. 3 AAC 306.810 (2)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation, to correct any defect that is the subject of the notice of violation of AS 17.8 or this chapter.

IT IS RECOMMENDED THAT YOU RESPOND IN WRITING TO DOCUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.

***Please send your response to the address below and include your marijuana license number in your response.**

Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: M. Chiesa

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Email

Date:



Smoking Joes Terps
Jacob D. Thom
6857 S Hangar Talk Circle
Wasilla, Alaska

June 18, 2021

Glen Klinkhart
Director
Alcohol Marijuana Control Office (AMCO)
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501
Email: glen.klinkhart@alaska.gov
Phone: 907-269-0350

RE: AMCO Case #: AM20-0514

To whom this may concern:

In reference to the Notice of Violation I am writing to formally authorize that AMCO retain the product invoiced and are relinquishing all claims to the evidence with the understanding that it will be destroyed by AMCO, in exchange to drop the AMCO Case #:AM20-0514 and no further action be taken.

Sincerely,

Smoking Joes Terps
Jacob D. Thom

Notice of Violation

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 6/22/21

License #/Type: 11966 Marijuana Retail Stores

Licensee: Aaron Morse

Address: 541 W 4th Ave Anchorage, AK 99501

DBA: Great Northern Cannabis

AMCO Case #: AM210487

This is a notice to you as licensee that an alleged violation has occurred. If the Marijuana Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On 5/19/21 AMCO Enforcement received an anonymous report that Great Northern Cannabis had sold a pre-rolled marijuana joint that was in violation 3 AAC 306.345 Packaging and Labeling. Specifically, the label was missing the estimated amount of total THC in the package or product as required by (b)(2). I reviewed the label on the packaged pre-roll and confirmed it was missing the THC estimate as required by 3 AAC 306.345(b)(2). Package tag A402030000012D000011793 was assigned which Metrc confirmed to be pre-rolled Pineapple Express joints.

I contacted retail store manager JD Richardson and showed him the label in question. Richardson advised that the label was printed by their former POS software, MJ Freeway, which they were having trouble with. At the time of contact they had since switched to POS provider Greenbits which corrected the issue. I verified the labels were now printing correctly to include the THC content.

I also conducted a random audit of the inventory and found the following discrepancies;

A402030000012D000011793 (Pineapple Express): Metrc 1.5g / on-hand 0g

""8487 (Purple Trainwreck): Metrc 112g / on-hand 113g

""8606 (Cherry Punch): Metrc 37.91g / on-hand 22.14g

""9348 (Bear Berry): Metrc 15.3g / on-hand 12.64g

""0036 (Purple Punch): Metrc 46.16g / on-hand 40.66g

These are violations of 3 AAC 306.345(b)(2) Packaging and Labeling and 3 AAC 306.330 Marijuana Inventory Tracking System.

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IT IS RECOMMENDED THAT YOU RESPOND IN WRITING TO DOCUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.

***Please send your response to the address below and include your marijuana license number in your response.**

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Bankowski

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Email

Date:

**PINEAPPLE EXPRESS DELI PRE-
ROLL 0.5 GRAM: .5G**
NET WT: 0.5 GR (0.0176 OZ.)

PRODUCTION DATE: 04/15/2021
DATE PACKAGED: 04/15/2021
HARVEST BATCH NUMBER: -
STATE INTEGRATION TRACKING ID:
1A402030000012D000011793
VENDOR NAME: GREATLAND GANJA LLC
VENDOR LICENSE: 4A-10015
SELLER: GREAT NORTHERN CANNABIS
4TH AVENUE
SELLER LICENSE: 3A-11966
DATE: 05/11/2021
LOT ID: D000011793

MARIJUANA HAS INTOXICATING EFFECTS AND MAY BE
HABIT FORMING AND ADDICTIVE. MARIJUANA IMPAIRS
CONCENTRATION, COORDINATION, AND JUDGEMENT. DO
NOT ATTEMPT TO OPERATE VEHICLES OR MACHINERY
WHILE UNDER ITS INFLUENCE. THERE ARE HEALTH RISKS
ASSOCIATED WITH CONSUMPTION OF MARIJUANA. FOR
USE ONLY BY ADULTS TWENTY-ONE OR OLDER. KEEP OUT
OF REACH OF CHILDREN. WOMEN WHO ARE PREGNANT
OR BREAST FEEDING SHOULD NOT USE MARIJUANA.



Notice of Violation

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 6/30/21

License #/Type: 10671 Standard Marijuana Cultivation Facilities

Licensee: Aaron Ralph

Address: 1805 & 1807 W. 47th Ave., Anchorage, AK

DBA: Alaska Cannabis Exchange

AMCO Case #: 21-0706

This is a notice to you as licensee that an alleged violation has occurred. If the Marijuana Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

AMCO received an odor complaint emanating from your building. Inv. Hamilton proceeded to the area. While traveling South South East on Harding Drive, approaching the northeast corner of the building, a very noticeable odor of unburnt marijuana could be detected. Hamilton then turned West onto W. 47th Ave. The odor could be detected the entire length of the building. About 1/2 way down 47th Ave. I turned around and went back. The odor could still be detected. I turned North North West onto Harding Dr. I could not smell the odor after I passed W. 46th Ave. A steady breeze was coming from the North North West to South South East.

Your attention is directed to: 3AAC 306.430: Restricted access area (C)(2) reads does not emit an odor that is detectable by the public from outside the cultivation facility except as specifically allowed by a local government approval.

3 AAC 306.805 provides that upon receipt of a Notice of Violation, a licensee may request to appear before the board and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice of Violation. A licensee may respond, either orally or in writing to the Notice. 3 AAC 306.810 (2)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation, to correct any defect that is the subject of the notice of violation of AS 17.8 or this chapter.

IT IS RECOMMENDED THAT YOU RESPOND IN WRITING TO DOCUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.

***Please send your response to the address below and include your marijuana license number in your response.**

Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: M. Chiesa

Received by:

SIGNATURE: *J.R. Hamilton*

SIGNATURE:

Delivered VIA: Email

Date:

Notice of Violation

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 6/30/21

License #/Type: 10671 Standard Marijuana Cultivation Facilities

Licensee: Aaron Ralph

Address: 1805 & 1807 W. 47th Ave., Anchorage, AK

DBA: Alaska Cannabis Exchange

AMCO Case #: 21-0706

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Your attention is directed to: 3AAC 306.430: Restricted access area (C)(2) reads does not emit an odor that is detectable by the public from outside the cultivation facility except as specifically allowed by a local government approval.

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Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: M. Chiesa

Received by:

SIGNATURE: *J.R. Hamilton*

SIGNATURE:

Delivered VIA: Email

Date:

Response to N.O.V. case # 21-0706

Attention; AMCO
AMCO Enforcement
Land Use Enforcement Officer (Cora Weaver)

From: Alaska Cannabis Exchange #10671
1807 W. 47th Ave
Anchorage AK 99517

Alaska Cannabis Exchange received a Notice of Violation (case # 21-0706) for alleged odor emanating from our facility located at 1807 W 47th Ave.

Alaska Cannabis Exchange has not had an odor violation in 2 years due to our Carbon filters being doubled and the relationship we have structured with our neighbors where the lines of communication are frequent and odor detection evaluated on a regular basis allowing us to determine when the carbon starts to deteriorate and is no longer effective which has been approximately 6 months after replacement. Our Carbon was changed in all filters on June 21st 2021 and odor should not have been an issue. I spoke to our closest neighbor (Louise Logan) (her house is 15 feet from our building) who was setting up for an outside event most of the day and she said there was no odor present at any time on the day in question. (Please see attached letter from Louise Logan)

This N.O.V. lacks a time stamp as well as procedural performance. It is our understanding that AMCO Enforcement has an obligation to Inform us if a site visit is performed during normal business hours when management and staff are present so that we may understand and address these complaints in real time, and in person, as this will help define proper communication between regulators and licensees so that we may work together in a more productive manner. We also believe the proper procedure includes notifying MOA Land Use Enforcement so that they may assess any complaints and confirm the presence of an alleged odor and collaborate AMCO Enforcements findings.

There is also concern that complaint's may be the result of competitors/competition within the industry to cause negative attention on a licensee and should be addressed to avoid unnecessary busy work for both Enforcement and Licensees.

We strongly disagree with the findings and issuing of this N.O.V. due to the references listed above In order for us to make the determination of argument against this NOV we ask that you please provide us with specific time as well as the make, model and color of the vehicle used for making this site visit. After review we will decide if appearing before the Board is necessary.

Thank You
Aaron Ralph
Alaska Cannabis Exchange

30 June 2021

To Whom it may Concern:
My name is Marjorie Louise Logan
I live at 1811 West 47th Ave, next door to
the Growth Facility on West 47th Ave.
On June 29th, I had a outdoor Barbecue
in my drive way - with over 20 family and
friends.

I started setup at around 3pm, dinner
was at about 6pm, and everyone left around
9pm, there was no odor or smell. None of my
guests had any complaints or noticed any smell.
either

I have a good relationship with the Growth
Facility and they have always been proactive
about changing the filters regularly
notifying me before they harvest and have
always been respectful and kind Neighbors

I found out today there was a complaint
regarding excessive odor on June 29th at
around 3pm. I highly dispute that claim and
feel it could just be someone trying to cause
problems for my neighbor

If you have any questions please feel free
to contact me at this number 907-250-8600

Sincerely

Marjorie Louise Logan



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Commerce,
Community, and Economic
Development**

Alcohol and Marijuana Control Office

550 W. 7th Ave Suite 1600
Anchorage, Alaska 99501
Main: 907.269-0350
Commerce.alaska.gov/web/amco

August 2, 2021

Marijuana Control Board
550 W. 7th Ave, Suite 1600
Anchorage, AK 99501

MEMO

This memo is written to reply to Alaska Cannabis Exchange's response to NOV 21-0706, date of violation 6-30-21.

I believe the notice of violation written by me is enough to explain the violation.

First, the NOV that was sent to the violator does not receive an outgoing time stamp; any incoming mail to our offices do get time stamped.

Second, I am not aware of any obligation that I have been told I have to contact a violator at the time of the incident. That is what the NOV is for. I have in the past contacted licensees regarding odor complaints at the time of my visit. I have yet to get a response from any of them they can smell the odor and they then provide the excuse that they are used to it and have been around it all day. To be fair, I can only recall this being done four times.

My training regarding communications has normally been first an inspection, maybe an unannounced walk thru and if nothing is observed, no contact is made. The next level of communications is an advisory notice, then a notice of violation. Depending on the seriousness or quantity of the same violation, an accusation would be the next level of communications.

Third, I am not aware of any procedure to contact the MOA if a violation occurs at a marijuana facility. There certainly isn't one for the alcohol industry. I have learned that our Criminal Justice Technician forwards notices of violations to the MOA Code Enforcement Officers.

Fourth, this complaint did not generate from a competitor. However, I don't know to what extend the complainant has with the marijuana industry. I have attached the last two complaints from the complainant. Even if it had been prompted by an industry competitor, the violation was verified and documented by me.

Finally, providing you our vehicle information is irrelevant to the complaint.

Sincerely,

A handwritten signature in black ink that reads "F.R. Hamilton". The signature is written in a cursive style with a large, stylized "F" and "H".

F.R. (Joe) Hamilton
Investigator

Cc: Glen Klinkhart, AMCO Director
James Hoelscher, Enforcement Supervisor

Notice of Violation

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 7-7-21

License #/Type: 22327 Marijuana Retail Stores

Licensee: Sandra Millhouse

Address: 2321 E. Palmer Wasilla Hwy, Wasilla, AK

DBA: Canna Get Happy

AMCO Case #: 21-0750

This is a notice to you as licensee that an alleged violation has occurred. If the Marijuana Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On 7-7-21, a walk through was conducted at your establishment. It was observed that two out of the three employees were not wearing identification badges. After being advised of the violation, employee Savannah Simpson just stood behind the counter. She was told she needed to go and put it on. It had been stored in her vehicle. Employee Richard Kingmom's badge was downstairs. Manager Destiny Ost was wearing her identification badge. It was also observed that from the retail portion of the establishment going behind the counter, no "Restricted Access" sign was posted.

Your attention is directed to 3AAC 306.710(b) and (c): Restricted access areas. Subparagraph (b) reads in part, "Except as provided in 3 AAC 306.325 for a retail marijuana store, each entrance to a restricted access area must be marked by a sign that says "Restricted access area. Visitors must be escorted." and subparagraph (c) reads in part, "In a restricted access area, a licensee, employee, or agent of the marijuana establishment shall wear a current identification badge bearing the person's photograph."

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Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: M. Chiesa

Received by:

SIGNATURE: *J.R. Hamilton*

SIGNATURE:

Delivered VIA: Email

Date:

Notice of Violation

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 7/27/21

License #/Type: #10671 Standard Marijuana Cultivation Facilities

Licensee: Aaron Ralph

Address: 1805 & 1807 West 47th Avenue, Anchorage, AK 99503

DBA: ALASKA CANNABIS EXCHANGE, LLC

AMCO Case #: AM 21-0811

This is a notice to you as licensee that an alleged violation has occurred. If the Marijuana Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On Tuesday, July 27th, 2021. At approximately 11:12 am the State of Alaska Alcohol & Marijuana Control Enforcement did receive a complaint of a strong odor of marijuana coming from Alaska Cannabis Exchange, LLC in Anchorage, AK. I did go to the area and did detect a strong odor of marijuana coming from Alaska Cannabis Exchange, LLC.

At approximately 11:45 am on July 27th, 2021, a strong odor of marijuana was easily detected by this investigator outside on the adjacent streets, W. Tudor Dr, Harding Dr., and 46th Avenue. the wind was gusting the odor of marijuana to the northwest towards the businesses and streets.

Please regard this Notice of Violation as AMCO Enforcements directive that Alaska Cannabis Exchange, LLC will ensure that any marijuana or marijuana product at the facility does not emit an odor that is detectable by the public outside of the cultivation facility.

This is a violation of:

3 AAC 306.430 Restricted access area. (c)(2)

(c) A marijuana cultivation facility shall ensure that any marijuana at the marijuana cultivation facility

(2) does not emit an odor that is detectable by the public from outside the cultivation facility except as allowed by a local government conditional use permit process.

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***Please send your response to the address below and include your marijuana license number in your response.**

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: K. Whiteman

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Email

Date: