

Advisory Notice

(3AAC 306.805)

Date: 8-9-18

Licensee: Product Manufacturing/Concentrate/Retail

DBA:

License #/Type:

Address:

This is a notice to you as licensee that an incident has occurred or a defect is noted that could result in a violation of a statute, regulation or municipal ordinance.

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

AMCO Enforcement has received information and verified that "wholesale" marijuana products and/or concentrates have been transported and transferred to marijuana retail stores for repackaging. A licensed marijuana product manufacturing facility may transfer marijuana products that are not edible marijuana products to another licensed marijuana product manufacturing facility in wholesale packages not to exceed five pounds.

3 AAC 306.470(a)(1)(B) Allows cultivators to package wholesale for repackaging of marijuana by a retail store, there is no current regulation that allows this for marijuana products or concentrates to be transferred to a retail store for repackaging.

Retail stores are not permitted to repack marijuana products and concentrates, to include filling of vape pens or cartridges, providing deli-style shatter or wax, or creating "caviar nugs," "moon rocks," and the like.

3 AAC 306.565(c) Packaging of marijuana products, 3 AAC 306.510(2) Acts prohibited at marijuana product manufacturing facility, 3 AAC 306.515. Marijuana concentrate manufacturing facility license, 3 AAC 306.305. Retail marijuana store privileges(2), 3 AAC 306.505. Marijuana product manufacturing facility privileges(4), 3 AAC 306.470(a)(1)(B) Packaging of marijuana

Issuing Investigator: J. Hoelscher

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Email

Date:

Advisory Notice

(3AAC 306.805)

Date: 8-9-18

Licensee: All Marijuana Licensees

DBA:

License #/Type:

Address:

This is a notice to you as licensee that an incident has occurred or a defect is noted that could result in a violation of a statute, regulation or municipal ordinance.

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

The attached six pages of regulations, dealing with marijuana business affiliates, entity submittal information, inspection fees, odor control, and marijuana trade shows, are of the regulation changes that the Marijuana Control Board adopted at its January 25, 2018, meeting and May 7, 2018. The regulations will become effective on August 11, 2018.

An updated PDF of the regulations will be posted on AMCO's website on Monday, August 13

More direction on how to transfer product to a trade show in Metrc is anticipated to be given by the end of today, August 10, 2018.

Your attention is directed to 3 AAC 306.020(b) (new license), 3 AAC 306.100 (fees), 3 AAC 306.430(c)(2) (restricted access), 3 AAC 306.750 (transportation), 3 AAC 306.760 (trade shows), 3 AAC 306.990(a)(1) (definitions)

Issuing Investigator: J. Hoelscher

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Email

Date:

Advisory Notice

(3AAC 306.805)

Date: 8-9-18

Licensee: All Marijuana Licensees

DBA:

License #/Type:

Address:

This is a notice to you as licensee that an incident has occurred or a defect is noted that could result in a violation of a statute, regulation or municipal ordinance.

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

Please monitor your cameras to see if the lens needs to be cleaned. AMCO has recognized that quite a few cameras views are not clear due to dirt, dust and condensation.

Also, please make sure that you have adequate exterior lighting to facilitate surveillance.

Each licensee is responsible for the requirements of 3 AAC 306.720 are met.

Your attention is directed to 3 AAC 306.720 Video surveillance and 3 AAC 306.715. Security alarm systems and lock standards

Issuing Investigator: J. Hoelscher

Received by:

SIGNATURE:



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: 06/27/2018

Licensee: Aaron Bean

DBA: Green Leaf

License #/Type: Standard Marijuana Cultivation Facili

Address: 4614 Halibut Pt. R.d, C-2,3,& 4, Sitka 99835

AMCO Case #: AB18000767

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 05-24-2018 AMCO Enforcement was sent an odor complaint via email regarding Green Leaf #10066 located in Sitka, AK. I, Investigator Johnson traveled to Sitka to investigate the complaint. Upon arrival, a strong odor of marijuana was smelled beginning at the entrance to the property from the Halibut Point Road and all along the front of the building which houses both the retail and cultivation of Green Leaf. I contacted the licensee, Aaron Bean who informed me they had some work done recently and the city had signed off on everything. I informed him of what I smelled and instructed him to check his carbon filters and have this issue taken care of immediately.

This is a violation of 3 AAC 306.430(c)(2)

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. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

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 Establishment 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: S. Johnson

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Mail

Date:

From: Aaron Bean
To: [CED AMCO Enforcement \(CED sponsored\)](#)
Subject: Green Leaf 10066 standard marijuana cultivation facility- Response to NOV- [Scan] 2018-08-09 10:16
Date: Thursday, August 09, 2018 10:43:30 AM
Attachments: [2018-08-09 10:16.pdf](#)

To whom it may concern,

My apologies for not responding sooner. I was waiting to receive a copy of the City Planners recommendation in regards to a separate odor complaint.

I've attached my signed NOV and information regarding a investigation launched by the City of Sitka as a result of odor complaints made against Green Leaf by Connor Nelson.

As you'll see Green Leaf took corrective action upon notice of alleged violations regarding odor.

The city also recommends leaving all conditional use permits 'as-is.'

I'm here to answer any questions you may have.

Respectfully,

Aaron Bean, CEO
Green Leaf
PO Box 464
Sitka, Alaska 99835
907 738 8923
--

Sent with Genius Scan for iOS.

https://urldefense.proofpoint.com/v2/url?u=http-3A__dl.tglapp.com_genius-2Dscan&d=DwlFaQ&c=teXCf5DW4bHgLDm-H5_GmQ&r=TnZUwAWAnH42Q_x-sfhT9B_ApwRRutCuhrETH_ZHFAo&m=1VXWU897y1sPYiltSbL2ZdYDQKZ7SNNXrvLhsKuA5M&s=nkbpnRoHZQZja6s7qAYu1Y7Oez74X_o39RjU_14NiBs&e=

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: 06/27/2018

Licensee: Aaron Bean

DBA: Green Leaf

License #/Type: Standard Marijuana Cultivation Facility

Address: 4614 Halibut Pt. R.d, C-2,3,& 4, Sitka 99835

AMCO Case #: AB18000767

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 05-24-2018 AMCO Enforcement was sent an odor complaint via email regarding Green Leaf #10066 located in Sitka, AK. I, Investigator Johnson traveled to Sitka to investigate the complaint. Upon arrival, a strong odor of marijuana was smelled beginning at the entrance to the property from the Halibut Point Road and all along the front of the building which houses both the retail and cultivation of Green Leaf. I contacted the licensee, Aaron Bean who informed me they had some work done recently and the city had signed off on everything. I informed him of what I smelled and instructed him to check his carbon filters and have this issue taken care of immediately.

This is a violation of 3 AAC 306.430(c)(2)

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. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

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 Establishment 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: S. Johnson

SIGNATURE: 

Delivered VIA: Mail

Received by: 

SIGNATURE: 

Date: 7/11/18



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

MEMORANDUM

To: Chair Spivey and Planning Commission
CC: Keith Brady, Municipal Administrator
Brian Hanson, Municipal Attorney
From: Michael Scarcelli, Director, Planning and Community Development
Subject: Review of CUP 16-14, 16-31, and 17-12 (Greenleaf, Marijuana Retail and Cultivation Facilities)
Date: August 1, 2018

Background:

1. On May 17, 2016, the Planning Commission unanimously approved, 5-0, a conditional use permit for Marijuana Cultivation Facilities at 4614 Halibut Point Road (HPR), subject to the attached conditions of approval (Minutes attached).
2. On November 16, 2016, the Planning Commission unanimously approved, 4-0, a conditional use permit for Marijuana Retail Facilities at 4612 HPR, subject to the attached conditions of approval (Minutes attached).
3. On April 18, 2017, the Planning Commission unanimously approved, 5-0, an amendment to expand an existing conditional use permit for Marijuana Cultivation Facilities at 4614 HPR, subject to the attached conditions of approval (Minutes attached).
4. On May 15, 2018 a complaint regarding parking at 4612 HPR, the retail location is received (attached).
5. On May 17, 2018 a complaint regarding odor at 4614 HPR, the cultivation location is received (attached).
6. On May 21, 2018, a complaint regarding odor at 4614 HPR, the cultivation location is received. In addition, there have been general complaints that waste-water is being released directly into the driveway instead of into the sewer system (attached).
7. On May 24, 2018 the Planning Director, according to existing policy and precedent, sends a Notice of Alleged Violations of Restrictions or Conditions to the owners of the permit and the owners of the land seeking more information regarding the concerns and what corrective action has occurred or would occur (attached).
8. On June 4, 2018, the Planning Director observes that Greenleaf was taking steps to address the odor issues. Odor was strong at the beginning of the site visit, but at the conclusion of initial filter upgrades odor was substantially reduced.
9. On June 5, 2018, the Planning Director returns to observe odor and final filter changes. Odor is no longer perceivable from street, though lower level odor is perceivable near the rear of building and directly in front of the high-volume exhaust vents. This venting odor is similar to the majority of odor emanating from the majority of other approved marijuana businesses.
10. On June 22, 2018, the Planning Department receives a response from land owner (attached).

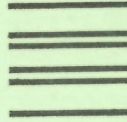
Issue: Whether the alleged complaints under the current facts support any Planning Commission action regarding the existing CUPs.

Providing for today...preparing for tomorrow

analysis: odor was perceived. Odor reduction was perceived after filtration was upgraded. Director perceives this odor level to be similar to odor level with the majority of other marijuana businesses in town. Parking availability is more than adequate and any reduction to available parking is a private issue. No signs of waste-water being dumped outside were observed.

Recommendation: leave the permits as-is. No corrective action is needed. Greenleaf, Inc. took corrective action upon notice of alleged violation regarding odor. In the alternative, reschedule a new hearing to modify all existing permits to add more robust odor control features and to address allegations regarding parking.

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10



UNITED STATES POSTAL SERVICE

RECEIVED

JUL 13 2018

ALCOHOL & MARIJUANA CONTROL OFFICE
STATE OF ALASKA

• Sender: Please print your name, address, and ZIP+4® in this box.

Alcohol & Marijuana Control Office
Attn: Jason Davies
550 West 7th Avenue, Suite 1601
Anchorage, AK 99501

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Green Leaf
PO Box 464
Sitka, AK 99835

COMPLETE THIS SECTION ON DELIVERY

- A. Signature *James Cervera* ☒ Agent ☐ Addressee
- B. Received by (Printed Name) *James Cervera* C. Date of Delivery *7/11/18*
- D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

3. Service Type

- ☒ Certified Mail® ☐ Priority Mail Express™
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number
(Transfer from service label)

7012 3460 0000 2166 5311

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: 7/17/18

Licensee: Maureen Eberhardt

DBA: MoMo's Bakery

License #/Type: 10903, Product Manufacturing

Address: 2917 Spenard Rd, Suite 102

AMCO Case #: AB18000832

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 07/11/18 at approximately 1500 hours, MoMo's employee Amy Ewing (MHP# 7540923) completed a licensed transfer with manifest #0000382510 from MoMo's Bakery to Cannabaska.

AMCO Investigators observed that the product being transported was contained inside two unsealed cardboard boxes in the main cabin of the vehicle.

Ewing confirmed that the boxes were never sealed nor were they inside a locked, safe and secure storage compartment inside the vehicle.

MoMo's board approved operating plan lists the following procedure regarding transportation: "MoMo's will be transporting marijuana and marijuana product in a sealed package in a heavy duty, locked aluminum or metal storage box. The box will be in the back of the licensee's vehicles. The storage box will be locked and attached to the vehicle. In the alternative, MoMo's may use a certified transporter such as Valkyrie Security"

These are violations of 3 AAC 306.750(d) and 3 AAC 306.020 (c)(5)

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. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

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 Establishment 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:



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

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

ALCOHOLIC BEVERAGE CONTROL BOARD
MARIJUANA CONTROL BOARD

550 W 7th Ave, STE 1600
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

MEMORANDUM

TO: Director McConnell

DATE: July 24, 2018

FROM: Joe Bankowski, Special Investigator

RE: MoMo's Bakery NOV Response

A handwritten signature in black ink, appearing to read "Joe Bankowski", written over the printed name.

I reviewed licensee Peter Eberhardt's response to the Notice of Violation associated with AMCO case# AB18000832.

In his response he indicates that on 7/11/18 he was taking a rare day off and Amy Ewing was in charge of the bakery. He goes on to state "She (Amy) received a last minute order from Cannabaska which she felt obligated to deliver. In her haste, she packed the order in 2 cardboard packing boxes which she thought would be ok."

A review of MoMo's manifest history in Metrc shows that the manifest and delivery in question was not in fact a last minute order and was created on 7/9/18 3:37pm. A total of 7 manifests were created on 7/9/18 between 1:29pm and 3:43pm for deliveries that were to take place between 7/9/18 and 7/12/18. The listed drivers include Amy Ewing (3x), Peter Eberhardt (3x), and Marc Theiler (1x).

It is common practice for licensees to create manifests well in advance of their actual delivery. Amy Ewing is not listed as an employee in MoMo's Metrc profile and therefore does not have login credentials to create manifests.

There is nothing to indicate that this was a last minute order as Mr. Eberhardt claims in his response.

ATTACHMENTS:

MoMo's Response

Manifest history from 7/9/11

//End//

MoMo's Bakery

License #10903

July 20, 2018

Response to "Notice of violation / AMCO Case # AB18000832

MoMo's Bakery has received this violation and responds accordingly:

On 7/11/18 Amy Ewing (our trusted employee) was in charge of the bakery while Maureen and I were taking a rare one day break as our son was in town visiting.

She received a last minute order from Cannabaska which she felt obligated to deliver.

In her haste, she packed the order in 2 cardboard packing boxes which she thought would be ok.

We are very serious about compliance with AMCO rules and as is our habit, deliver in an approved container, locked, sealed. I do 99% of the deliveries so I am certain of this.

We hope you can understand that this was a one time incident and is not the way our deliveries are conducted.

We'll make sure from now on, no matter who is the delivery person to make they use the proper container.

Sincerely,

Peter Eberhardt. MoMo's Bakery



▶ 0000382510 ■■	Licensed	5a-10603 MOMO'S BAKERY	3a-10236 CANNABASKA	Wholesale	Amy Ewing	Make: Chevy Model: Suburban Lic Plate: GKJ744	7	07/11/2018 03:00 pm	07/11/2018 03:20 pm	07/09/2018 03:43 pm	07/11/2018 03:37 pm	No
▶ 0000382509 ■■	Licensed	5a-10603 MOMO'S BAKERY	3a-10094 ALASKABUDS, LLC	Wholesale	Peter Eberhardt	Make: Mercedes Model: C300 Lic Plate: FNR540	5	07/12/2018 02:40 pm	07/12/2018 03:30 pm	07/09/2018 03:25 pm	07/12/2018 03:05 pm	No
▶ 0000382610 ■■	Licensed	5a-10603 MOMO'S BAKERY	3a-11696 GREAT NORTHERN CANNABIS	Wholesale	Peter Eberhardt	Make: Mercedes Model: C300 Lic Plate: FNR540	3	07/12/2018 02:40 pm	07/12/2018 03:00 pm	07/09/2018 02:57 pm	07/12/2018 04:40 pm	No
▶ 0000382508 ■■	Licensed	5a-10603 MOMO'S BAKERY	3a-10933 ALASKA'S GREEN LIGHT DISTRICT	Wholesale	Amy Ewing	Make: Chevy Model: Suburban Lic Plate: GKJ744	4	07/10/2018 03:15 pm	07/10/2018 03:30 pm	07/09/2018 02:40 pm	07/10/2018 03:38 pm	No
▶ 0000382707 ■■	Licensed	5a-10603 MOMO'S BAKERY	3a-10894 AK FUZZY BUDZ	Wholesale	Amy Ewing	Make: Chevy Model: Suburban Lic Plate: GKJ744	4	07/10/2018 03:00 pm	07/10/2018 03:15 pm	07/09/2018 02:30 pm	07/10/2018 03:38 pm	No
▶ 0000382406 ■■	Licensed	5a-10603 MOMO'S BAKERY	3a-10096 RED RUN CANNABIS COMPANY, LLC	Wholesale	Marc Theller	Make: Acura Model: MDX Lic Plate: BOWKLL	4	07/09/2018 05:00 pm	07/09/2018 08:00 pm	07/09/2018 02:13 pm	07/09/2018 08:18 pm	No
▶ 0000382505 ■■	Licensed	5a-10603 MOMO'S BAKERY	3a-10302 THE HOUSE OF GREEN	Wholesale	Peter Eberhardt	Make: Toyota Model: Highlander Lic Plate: EUS504	4	07/09/2018 02:00 pm	07/09/2018 02:10 pm	07/09/2018 01:29 pm	07/09/2018 01:48 pm	No

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: 08-2-18

License #/Type: Standard Cultivation #10112

Licensee: SP&C Enterprises LLC

Address: 1905 Livengood Ave. Fairbanks, AK 99701

DBA: Great Alaskan Bud Company

AMCO Case #: AB-18000917

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 7-31-18 during a walk-through of the cultivation facility several areas of inadequate camera coverage were discovered. Primarily, a wooded frame style structure was installed after initial license inspection was blocking the view of one of the main cameras in the vegetative room. Several areas were no longer under unobstructed camera coverage. In the flowering room, the cameras were not enough to cover the entire area due to the height of the flowering plants. Another camera not mounted was pointing in a wrong direction also limiting the coverage. Licensee was requested to install more cameras and contact Enforcement for another walk-through.

This is a violation of: 3 AAC 306.720 (c) Video Surveillance

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. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

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 Establishment 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: A. Stonecipher

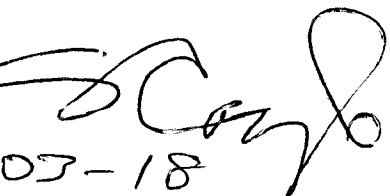
SIGNATURE:



Delivered VIA: Email

Received by:

SIGNATURE:



Date: 08-03-18

Article #

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: 8-10-18

Licensee: Kerby Coman

DBA: Green Degree

License #/Type: 11031 / Retail Marijuana Store

Address: 2301 S. Knik-Goosebay Road, Wasilla, AK

AMCO Case #: AB18-0976

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.

An advertisement for Green Degree was located on social media (Facebook) depicting Green Degree Cannabis Shuttle. The advertisement state's "Come get some of what the Judges are chiefin' on! Green Degree will be featuring most of the 'Cup Entries' on our shelves before and during the cannabis cup"

The required warnings are not present in the advertisement. **See attached advertisement.

In addition to the violation above, I will be bringing the following information to the Marijuana Control Board:

The ad offers hourly shuttle rides from Green Degree to The Cannabis Cup. This coupled with your advertisement of offering strains "before and during" the Cannabis Cup gives the appearance that you are encouraging attendees to bring marijuana to the High Times Cannabis Cup event on August 11, 2018.

Your attention is referred to 3 AAC 306.360(e)(1-5): Restriction on advertising of marijuana and marijuana products and AS 17.38.040: Public consumption

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. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

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 Establishment 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. Hoelscher

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Email

Date:

Article #

GREEN DEGREE CANNABIS SHUTTLE

Come get some
of what the Judges are chiefin' on!
Green Degree will be featuring most of the 'Cup
Entries' on our shelves before and during
The Cannabis Cup.

**FREE
SHUTTLE!**

**FREE
SHUTTLE!**



Look for the limo at the top of every hour **ONLY** on Saturday the 1st!



MEMORANDUM

To: AMCO Director Erika McConnell

Date: August 10, 2018

From: Enforcement Supervisor James Hoelscher

RE: Case # AB18-0976

On August 10, 2018, I observed an advertisement in the form of a flyer posted on Facebook. The flyer appeared to be posted by a third party, not by Green Degree.

I wrote the NOV for the flyer, not for the social media post, as the flyer advertised specific strains of marijuana that were featured at The Cannabis Cup". I sent the designated licensee, Kerby Coman, an email with the email attached on August 10, 2018.

Shortly after sending out the NOV, I received a phone call from Kerby Coman, he asked why I had send the NOV, as he felt that this was not an advertisement because the board had ruled that an advertisement had to be for "specific strains". Mr. Coman stated that it was because of this ruling that he did not apply a warning. I explained that the advertisement was advertising specific strains and these types of advertisements should not be done as it gives the appearance of circumventing the regulations. I also informed Mr. Coman that I would also bring the issue of the shuttle rides to the High Times Cannabis Cup to the board.

On August 16 2018, Mr. Coman send a written response to the NOV stating that he did not post the picture on Facebook and that it was an employee that he did not direct to post the flyer. He also provided a photograph of the back of a "hand-out", which appears to have a label with the required warnings attached to a blank white piece of paper.

As stated above, Mr. Coman informed me initially that he did not have the warnings as he felt it was not an advertisement, he made no mention of the flyers having the warnings affixed to the back of them.

I do not have the flyer, only a photo of the flyer from the Facebook post.

Please see attached photos taken from a video titled "2018 High Times Cannabis Cup, Wasilla, Alaska" posted on YouTube on August 13, 2018.

https://m.youtube.com/watch?v=iOZ7MJZ_JzU







From: [Hoelscher, James C \(CED\)](#)
To: [Davies, Jason M \(CED\)](#); [CED AMCO Enforcement \(CED sponsored\)](#); [McConnell, Erika B \(CED\)](#)
Subject: FW: Green Degree, lic 11031, NOV.pdf
Date: Monday, September 17, 2018 2:02:44 PM
Attachments: [image002.png](#)
[image003.png](#)
[Green Degree Cannabis Cup Advertisement memo JCH1.pdf](#)

Please attached memo to the NOV response.

James

From: Hoelscher, James C (CED)
Sent: Thursday, August 16, 2018 2:53 PM
To: 'Kerby Coman' <greendegree420@yahoo.com>
Cc: CED AMCO Enforcement (CED sponsored) <amco.enforcement@alaska.gov>; McConnell, Erika B (CED) <erika.mcconnell@alaska.gov>; Davies, Jason M (CED) <jason.davies@alaska.gov>
Subject: RE: Green Degree, lic 11031, NOV.pdf

Mr. Coman,

I have received your response and forwarded it to the Director. Your NOV will be brought to the board during the next scheduled meeting.

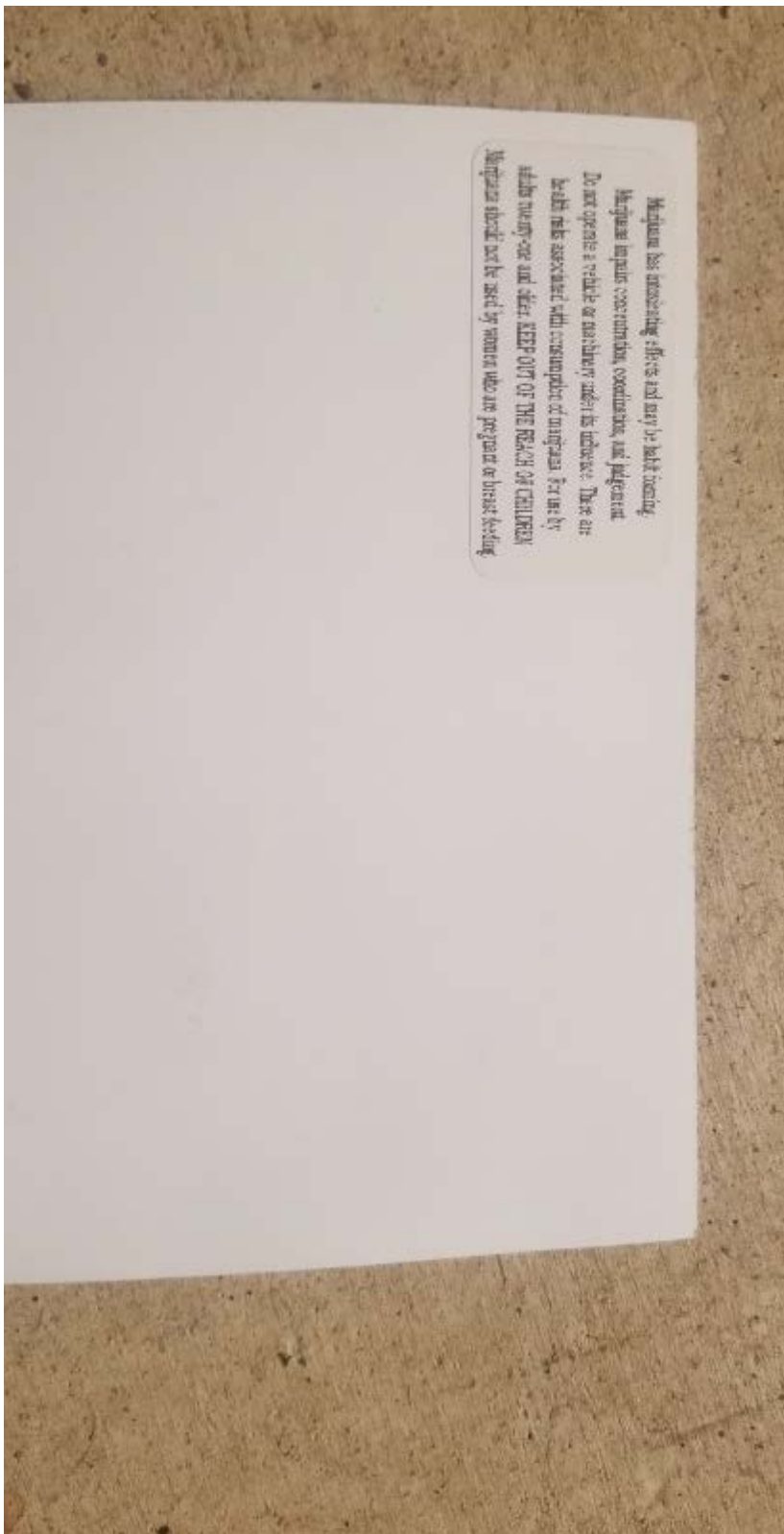
Thank you,

James

From: Kerby Coman <greendegree420@yahoo.com>
Sent: Thursday, August 16, 2018 11:23 AM
To: Hoelscher, James C (CED) <james.hoelscher@alaska.gov>
Subject: Re: Green Degree, lic 11031, NOV.pdf

I feel that this violation should not be considered valid for multiple reasons, I also feel I am not in violation of any regulation set forth in 3 AAC 306.360(e)(1-5): or Statutes set forth in 17.38.040: for the following reasons: The picture of the postcard hand-out that was depicted in NOV sent to us was put out on Facebook by a David Morrison, although he is an employee of ours he was not directed by us to post a picture of the front of the handout on Facebook. It was also put out on his personal page, not the business page. What his Facebook post failed to capture is the stickers that have the required warnings stated on them that were also attached to the rear of the hand-outs as shown in the attachment. Further more it is my understanding that unless we are advertising specific marijuana products that the advertisement does not need to have the required warnings. We try to attach the required warnings to any and all advertisements regardless.

We definitely were not promoting public consumption. Our objective was to allow people who already were at the Cannabis Cup the convenience of getting a free ride to our store to bye some products that were displayed at the event. seeing as how our store closed before the event was over we thought it was important to offer a safe ride to and from the store if we had planned on getting any business from this event. Thats all.



Respectfully,

Kerby Coman, CEO



2301 South Knik-Goose Bay Rd. #1
Wasilla, AK 99654
(907) 884-3153

www.greendegree.net
kerby@greendegree.net

On Friday, August 10, 2018 1:48 PM, "Hoelscher, James C (CED)" <james.hoelscher@alaska.gov> wrote:

Please see revised NOV with corrections.

James

From: Hoelscher, James C (CED)
Sent: Friday, August 10, 2018 1:23 PM
To: 'greendegree420@yahoo.com' <greendegree420@yahoo.com>
Cc: CED AMCO Enforcement (CED sponsored) <amco.enforcement@alaska.gov>; McConnell, Erika B (CED) <erika.mcconnell@alaska.gov>; Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; Bankowski, Joe (CED) <joe.bankowski@alaska.gov>; Chiesa, Michael R (CED) <michael.chiesa@alaska.gov>; Davies, Jason M (CED) <jason.davies@alaska.gov>; Hamilton, Joe (CED) <joe.hamilton@alaska.gov>; Johnson, Steven M (CED) <steven.johnson@alaska.gov>; Rukes, Jeffrey B (CED) <jeff.rukes@alaska.gov>; Stonecipher, Amanda M (CED) <amanda.Stonecipher@alaska.gov>; Whiteman, Kendrick J (CED) <kendrick.whiteman@alaska.gov>
Subject: Green Degree, lic 11031, NOV.pdf

Kirby,

Please review the attached notice of violation and follow the instructions printed in red. I am also sending one via USPS. You can either wait for the hard copy or respond via e-mail.

James

*James Hoelscher
Special Investigator II
Enforcement Supervisor
Alcohol & Marijuana Control Office
550 W. 7th Ave, Suite 1600*



Anchorage, AK 99501
Office (907) 269-0353
Cell (907) 891-9660
james.hoelscher@alaska.gov

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: Wednesday, September 5th, 2018

License #/Type: 10161, Standard Cultivation

Licensee: Beth Brewington

Address: 8535 Dimond D Cir, Unit C, Anchorage, AK

DBA: The Frost Frontier

AMCO Case #: AB18-1100

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 Wednesday, September 5th, 2018. The State of Alaska Alcohol & Marijuana Control Enforcement Investigators were in the neighborhood of The Frost Frontier on Dimond D Circle in Anchorage, AK. Investigators did detect a strong odor of marijuana coming from the ventilation system attached to The Frost Frontier licensed premises. The strong odor of marijuana was easily detected outside of the facility and on the public roadway and around the adjacent businesses. After making contact with the owners it was discovered that a harvest of marijuana was in progress.

Please regard this Notice of Violation as Enforcements directive that The Frost Frontier will ensure that any marijuana or marijuana product at the facility does not emit an odor that is detectable by the public.

Your attention is directed to:

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.

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. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

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 Establishment 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:

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: 09/06/2018

Licensee: Christopher Wilhelm

DBA: Wakin Bakery

License #/Type: 13697 /Marijuana Product Manufactu

Address: 218 Kelly Drive Ketchikan, AK 99901

AMCO Case #: AB18000813

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.

Wakin Bakery distributed multiple packages of marijuana products (cookies) to licensees without proper testing and tracking. Only the cannabutter produced to make said cookies was tested, not final products.

- 1A402030000607D0000000009 - Cannabutter
- 1A402030000607D0000000017 - Fido D June 2pack
- 1A402030000607D0000000019 - Phat Cat PBCC June 2pack

Wakin Bakery did not create or track production batches properly in METRC.

These incidents are violations of:

3 AAC 306.540. Marijuana inventory tracking system

3 AAC 306.550. Required laboratory testing

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. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

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 Establishment 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: S. Johnson

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Mail

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:

License #/Type:

Licensee:

Address:

DBA:

AMCO Case #:

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.

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. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

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 Establishment 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:

Received by:

SIGNATURE:

JR Hamilton

SIGNATURE:

Delivered VIA:

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: 09/18/2018

Licensee: James Barrett

DBA: Rainforest Farms, LLC

License #/Type: 10050 / Retail Marijuana Facility

Address: 216 2nd Street, Juneau AK 99801

AMCO Case #: AB18001151

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 Enforcement received an email complaint from an individual who informed us he gained entry and purchased product from Rainforest Farms, LLC with an expired Alaska Driver's License. The event occurred on 09-10-2018 and the individual's identification expired on 09-05-2018. This incident was verified by video surveillance as well as interview with employee.

This is a violation of:

3 AAC 306.350. Identification requirement to prevent sale to person under 21

(a) A retail marijuana store shall refuse to sell marijuana or a marijuana product to a person who does not produce a form of valid photographic identification showing that person is 21 years of age or older.

(b) A valid form of photographic identification includes

(2) an unexpired, unaltered driver's license, instruction permit, or identification card of a state or territory of the United States, the District of Columbia, or a province or territory of Canada;

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. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

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 Establishment 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: S. Johnson

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Mail

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: 9-21-18

Licensee: David Parker

DBA: Fat Tops, LLC

License #/Type: #11140 / Marijuana Retail Store

Address: 36380 Murray Lane, Soldotna, AK

AMCO Case #: AB18-1176

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 9-17-18 AMCO was informed by METRC that Fat Tops did not record sales for 7 days. A review of the days in question confirmed sales had not been recorded. Criminal Justice Tech J. Davies e-mailed the licensee requesting an explanation. Not receiving a reply by 9-20-18, Inv. Hamilton telephoned the licensee who explained that his data entry person had been sick.

On 6-4-18 and 5-31 METRC notified AMCO that Fat Tops had not recorded any sales in 7 days. A review of those time periods also confirmed that no sales had been recorded the prior 7 days to METRC's notification to AMCO.

It should be noted there were sales recorded during the time periods in question which were not reconciled at the end of the business day to the inventory tracking system as required. A review of the past few days reveals that sales on 9-12-18 were entered into the system on 9-18-18.

Your attention is referred to 3 AAC 306.330(c): Marijuana inventory tracking system

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. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

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 Establishment 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. Hamilton

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Mail

Date:

Article #

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: 9/25/18

License #/Type: 10799, Standard Cultivation

Licensee: Ronald Bass

Address: 13886 W Parks Hwy Houston, AK 99694

DBA: CALM N COLLECTIVE

AMCO Case #: AB18001187

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 09/25/18 Calm N Collective licensee Ron Bass posted an image of what appears to be a naked man laying on the floor between rows of marijuana under cultivation inside the licensed premises. The marijuana is covering the man's genital region.

The text above the photo states "I TOLD THE GUYS AT CALM N COLLECTIVE SHOW NOTHING BUT LOVE I DONT KNOW IF THIS IS WHAT I HADE IN MIND ALL LOVE ALASKA"

The warnings required under 3 AAC 306.360 are also included below the above quotation.

This is a violation of 3 AAC 306.440 Health and Safety Requirements and 3 AAC 306.735 Health and Safety Standards.

Photos of the Facebook post are attached to this Notice of Violation.

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. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

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 Establishment 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:



Ron Bass

5 hrs

...

I TOLD THE GUYS AT CALM N COLLECTIVE

SHOW NOTHING BUT LOVE

I DONT KNOW IF THIS IS WHAT I HADE IN MIND

ALL LOVE ALASKA

WARNING (3 AAC 306.360):

- (1) "Marijuana has intoxicating effects and may be habit forming and addictive;"
- (2) "Marijuana impairs concentration, coordination, and judgment. Do not operate a vehicle or machinery under its influence;"
- (3) "There are health risks associated with consumption of marijuana"
- (4) "For use only by adults twenty-one and older. Keep out of the reach of children;" and
- (5) "Marijuana should not be used by women who are pregnant or breast feeding;"





Jana D. Weltzin
Licensed in Alaska & Arizona
3003 Minnesota Blvd., Suite 201
Anchorage, Alaska 99503
Phone 630-913-1113
Main Office 907-231-3750
JDW, LLC
jana@jdwcounsel.com

October 5, 2018

AMCO & Enforcement
Marijuana Control Board
Sent Via Email

Re: NOV Case No: AB18001187 – Calm N Collective License No: 10799

Dear AMCO and Enforcement Team:

On September 25, 2018, my client Ron Bass, designated licensee for Calm N Collective, received the NOV number referenced above. The NOV states one main concern:

This is a violation of 3 AAC 306.440 Health and Safety Requirements and 3 AAC 306.735 Health and Safety Standards.

3 AAC 306.440 provides that, (b) A marijuana cultivation facility shall ensure that any licensee, employee, or agent who is present at the marijuana cultivation facility and in contact with any marijuana (1) wears clean clothing appropriate for the duties that person performs; (2) wears protective apparel, such as head, face, hand, and arm coverings, as necessary to protect marijuana from contamination; and (3) practices good sanitation and health habits.

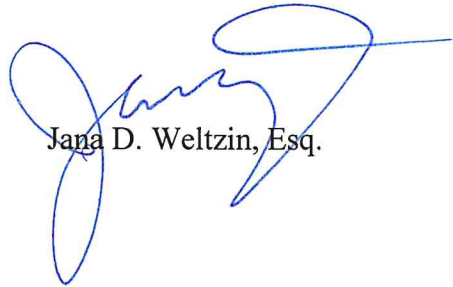
The individual in the post was not performing any duties (pertaining to regulations) at Calm N Collective, it was merely an artistic/joking moment in the facility, that occurred because there was a pile of marijuana fan leaves that were to be rendered unusable (after waiting the three-day notice period), that were going to be mixed with food waste. There was no useable/sellable marijuana on the naked gentleman, strictly marijuana waste that was to be mixed and grinded with other garbage to render it unusable. Therefore, the naked fellow came in contact with marijuana waste only, he was not in contact with marijuana that would be sold to the public.

3 AAC 306.735 speaks to marijuana establishments obligation to maintain an environment where health concerns are not present and ensures that reasonable precautions are taken that ensure that “any person who has an illness, an open sore or infected wound, or other potential source of infection does not come in contact with marijuana or a marijuana product while the illness or source of infection persists.” As you can see in this picture, the gentleman in question looks clean,

does not have open sores, and does not at all look ill. Again, I do want to stress that the naked man did not touch any usable marijuana while naked, nor did he care for the plants or touch the plants (other than the clippings from plants as shown) while in the CnC garden.

This was merely an artistic expression, however, given Enforcement's concerns, Ron and his team will confer with Enforcement when they feel the urge to engage in any further au naturel expressions in the garden.

Thank you for your consideration,

A handwritten signature in blue ink, appearing to read 'Jana D. Weltzin', with a large, stylized flourish extending from the end of the signature.

Jana D. Weltzin, Esq.

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: 9/27/18

Licensee: Musky Ox, LLC

DBA: Musky Ox

License #/Type: #10135 Standard Cultivation

Address: 741 Bennett Rd., Fairbanks, AK 99712

AMCO Case #: AB 18-000552

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.

In April 2018 an excess of METRC discrepancies were found. Discrepancies included: packages created from "Thin Air" not attached to a harvest batch, which does not accurately depict seed to sale tracking; plants put into "Flowering" phase which 2 weeks later destroyed as being a male; delays in reporting plant life cycles up to 3 weeks; plants being planted and moved into vegetative state on the same day; and one harvest batch, "2018-04-03-Dry-H", was entered incorrectly with 2 different strains. On 4/11/18 the licensee was told to contact METRC regarding the batch. He did not contact them until 4/17/18. METRC emailed him detailed instructions as to how to correct the problem. To date, the problem is not remedied correctly. The plants were re-created in the system as told, but with inaccurate life cycle dates compared to when they were first entered. Also, the original 1st harvest batch has not been zeroed out and discontinued correctly, making it appear there is still 975 grams of product in addition to the two new harvest batches created from the same 13 plants.

Video footage was requested on 5/8/18 to be produced by 5/14/18 regarding the case. The footage requested on 5/8/18 should have covered from 3/29/18 until 05/08/18. Of the cameras received below is the dates obtained; several of which are only 6 days of the coverage asked for: Camera 3 dates provided: 03/27/18-05/15/18; Camera 7 dates provided: 03/28/18-05/15/18; Camera 8 dates provided: 04/07/18-05/28/18 (not the 40 days requested); Camera 9 dates provided: 04/07/18-05/28/18 (not the 40 days requested); Camera 10 dates provided: 04/21/18-06/05/18 (only 15 days of the requested 40 days); Camera 11 dates provided: 04/21/18-06/05/18 (only 15 days of the requested 40 days); Camera 14 dates provided: 05/02/18-06/04/18 (only 6 days of the requested 40 days); Camera 15 dates provided: 05/02/18-06/4/18 (only 6 days of the requested 40 days).

This is a violation of: 3 AAC 306.435 Marijuana Inventory Tracking System; 3 AAC 306.730 Marijuana Inventory Tracking System; 3 AAC 306.720 Video surveillance; 3 AAC 306.755(a)(6)&(b) Business records; and 3 AAC 306.800(b)(2) Inspection and Investigation.

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. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

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 Establishment 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: A. Stonecipher

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Email

Date:

Stonecipher, Amanda M (CED)

From: Jonathan Mansker <jjmansker@gmail.com>
Sent: Thursday, April 12, 2018 12:47 PM
To: Stonecipher, Amanda M (CED)
Subject: Re: Metrc harvest
Attachments: image002.png

** Please read last page 1st then forward to top!*

Please disregard above hand-written note and read these emails regarding METRC and Cameras top to bottom order. Thank You! AMS

I will.

Thanks,
Jon

On Thu, Apr 12, 2018, 12:11 PM Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov> wrote:

Good Afternoon,

I took a look at your multi-strain harvest and see you are packaging it up already by different strains. You need to contact METRC to rectify this issue. Your testing can't be done properly this way to unlock the Harvest Batch to transfer. You need to get it fixed into a non-multi strain batch. METRC support can tell you how to do it.

Please make sure this gets fixed before you send samples to get tested.

Thank You,



Amanda Stonecipher
Special Investigator I

Enforcement Unit
Alcohol & Marijuana Control Office
1648 S. Cushman St., Ste 203

Fairbanks, AK 99701
Office (907) 451-2748

Cell (907) 987-6656
amanda.stonecipher@alaska.gov

From: Jonathan Mansker <jjmansker@gmail.com>
Sent: Wednesday, April 11, 2018 2:45 PM
To: Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov>
Subject: Re: Metrc harvest

Ok, thanks.

Waste for the harvest....

905 g from "harvest 3/31/18" in Metrc , finished today.

Have a nice day,

Jon

On Wed, Apr 11, 2018, 1:42 PM Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov> wrote:

Call METRC again. Unless you already physically mixed the strains you have a way to correct it in METRC. It's a lot of work and METRC has to walk you through it. It can be done though.

Amanda Stonecipher
Special Investigator I

Enforcement Unit
Alcohol & Marijuana Control Office
1648 S. Cushman St., Ste 203

Fairbanks, AK 99701
Office (907) 451-2748

Cell (907) 987-6656
amanda.stonecipher@alaska.gov

From: Jonathan Mansker <jjmansker@gmail.com>
Sent: Wednesday, April 11, 2018 1:30 PM
To: Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov>
Subject: Re: Metrc harvest

I noticed it's problematic. I will be keeping strains separate in the future. I was hoping I could separate it when batching it.

On Wed, Apr 11, 2018, 1:22 PM Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov> wrote:

Good Afternoon,

I just looked at your METRC and I don't know why your plants are inactive. They don't appear that way to me on my end.

Also, did you intend on having a multi-strain harvest batch? That's not something we normally see unless it is trim going to a product manufacturer. It's not against regulations but can potentially cause you some heartache if you try to sell a multi-strain bud/flower package to a retailer.

Amanda Stonecipher
Special Investigator I

Enforcement Unit
Alcohol & Marijuana Control Office
1648 S. Cushman St., Ste 203

Fairbanks, AK 99701
Office (907) 451-2748

Cell (907) 987-6656
amanda.stonecipher@alaska.gov

From: Jonathan Mansker <jjmansker@gmail.com>
Sent: Wednesday, April 11, 2018 12:06 PM
To: Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov>
Subject: Metrc harvest

Amanda,

Just a heads up. I'm trying to see what went wrong in metrc. The support team is working on it. I tried to package my harvest today. They finished drying, I trimmed it all up, weighed each plant separate and recorded trim and waste. I went to record on metrc but the plants are in inactive. I'm storing the bud as packaged, waiting on word from metrc to fix in the system.

Stonecipher, Amanda M (CED)

From: Jonathan Mansker <jjmansker@gmail.com>
Sent: Monday, May 14, 2018 1:11 PM
To: Stonecipher, Amanda M (CED)
Subject: Re: FW: Hard drives

As far as the metric goes. I got busy last week I had to leave for the weekend and I was going to finish it up today and tomorrow.

On Mon, May 14, 2018, 1:08 PM Jonathan Mansker <jjmansker@gmail.com> wrote:
I'm working on it I apologize it's not all in one e-mail

On Mon, May 14, 2018, 1:06 PM Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov> wrote:

Mr. Mansker,

Please respond to the other questions in the email below. I have now highlighted them.

Thank You,

Amanda Stonecipher
Special Investigator I

Enforcement Unit
Alcohol & Marijuana Control Office
1648 S. Cushman St., Ste 203

Fairbanks, AK 99701
Office (907) 451-2748

Cell (907) 987-6656
amanda.stonecipher@alaska.gov

From: Jonathan Mansker <jjmansker@gmail.com>
Sent: Monday, May 14, 2018 1:01 PM
To: Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov>
Subject: Re: FW: Hard drives

We just had a guy from Fairbanks tech support help us out. It's being uploaded now. If anything goes wrong we know how to do it now.

I apologize for not following through with what I said. I assumed it would be a similar process to before.

On Mon, May 14, 2018, 10:35 AM Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov> wrote:

Mr. Mansker,

I have been informed by Mr. Muna, as you can see below, the video recordings I requested on Tuesday, May 8th, 2018 are not ready. In another email from Mr. Muna it appears the recordings weren't tried to be pulled until Friday but then there was a power outage.

You verbally expressed to me the recordings would be done by last Thursday before you left this weekend out of town. The recordings were not received by Thursday. Additionally, Mr. Muna emailed me Friday at 5:20 p.m. stating: "It's gonna take a lot longer than expected, I'm having issues with getting footage off the DVR but with the help of the tech guy I got it started. It however didn't last long due to the power outage. I will try again tomorrow if the tech guys are available."

I am aware of a very brief (less than a couple of seconds) power glitch in the area your facility is located in on late Friday. I will be following up with GVEA to confirm any extended power outages at your facility on Friday. Furthermore, business records are required to be provided to us no later than 3 business days upon request per regulation. We provided you with much more time than required. I would like to know why, via email, as I asked Mr. Muna below, and not via telephone/voicemail, as to why the recordings are not done. Systems are only set to record 40 days minimum usually, and I need proof your system is operating appropriately. I also need the vendor contact name, phone, and any other information for your Tech Support for your Video Surveillance systems at this time.

Additionally, it was agreed you would get your METRC fixed after we left your facility on Tuesday May 8, 2018. As of right now, only the mixed harvest batch is corrected and it was not done until May 9, 2018 starting at 5:14 p.m. There are still packages created without being connected to a harvest batch. Did you contact METRC as I instructed? What is the delay?

Please respond via email to all of my inquiries.

Thank You,

Amanda Stonecipher
Special Investigator I

Enforcement Unit
Alcohol & Marijuana Control Office
1648 S. Cushman St., Ste 203

Fairbanks, AK 99701
Office (907) 451-2748

Cell (907) 987-6656
amanda.stonecipher@alaska.gov

From: Cleavon Muna <cleavon1@gmail.com>
Sent: Monday, May 14, 2018 10:14 AM
To: Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov>
Subject: Re: Hard drives

Hello and happy belated Mother's Day,

Sorry was busy trying to get hard drives working, Jon called earlier and left a message.

Muna, Cleavon

Musky Ox, Llc

On Monday, May 14, 2018, Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov> wrote:

Cleavon,

Can you please have Mr. Mansker contact me via email immediately explaining why the video requested is not ready today. Today was the deadline as discussed last Tuesday when we were there.

Thank You,

Amanda Stonecipher
Special Investigator I

Enforcement Unit
Alcohol & Marijuana Control Office
1648 S. Cushman St., Ste 203

Fairbanks, AK 99701
Office (907) 451-2748

Cell (907) 987-6656
amanda.stonecipher@alaska.gov

From: Cleavon Muna <cleavon1@gmail.com>
Sent: Saturday, May 12, 2018 4:13 PM
To: Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov>; Chiesa, Michael R (CED) <michael.chiesa@alaska.gov>
Subject: Hard drives

Hello this Cleavon, I was not able to continue with the recordings. I will have to contact the tech support on Monday, they don't do 24 hrs or work on weekends.

Muna, Cleavon

Musky Ox, Llc

Stonecipher, Amanda M (CED)

From: Jonathan Mansker <jjmansker@gmail.com>
Sent: Monday, May 14, 2018 1:04 PM
To: Stonecipher, Amanda M (CED)
Subject: Re: FW: Hard drives
Attachments: image004.png

I am slow. I will try to do better.

On Mon, May 14, 2018, 10:35 AM Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov> wrote:

Mr. Mansker,

I have been informed by Mr. Muna, as you can see below, the video recordings I requested on Tuesday, May 8th, 2018 are not ready. In another email from Mr. Muna it appears the recordings weren't tried to be pulled until Friday but then there was a power outage.

You verbally expressed to me the recordings would be done by last Thursday before you left this weekend out of town. The recordings were not received by Thursday. Additionally, Mr. Muna emailed me Friday at 5:20 p.m. stating: "It's gona take a lot longer than expected, I'm having issues with getting footage off the DVR but with the help of the tech guy I got it started. It however didn't last long due to the power outage. I will try agin tomorrow if the tech guys are available."

I am aware of a very brief (less than a couple of seconds) power glitch in the area your facility is located in on late Friday. I will be following up with GVEA to confirm any extended power outages at your facility on Friday. Furthermore, business records are required to be provided to us no later than 3 business days upon request per regulation. We provided you with much more time than required. I would like to know why, via email, as I asked Mr. Muna below, and not via telephone/voicemail, as to why the recordings are not done. Systems are only set to record 40 days minimum usually, and I need proof your system is operating appropriately. I also need the vendor contact name, phone, and any other information for your Tech Support for your Video Surveillance systems at this time.

Additionally, it was agreed you would get your METRC fixed after we left your facility on Tuesday May 8, 2018. As of right now, only the mixed harvest batch is corrected and it was not done until May 9, 2018 starting at 5:14 p.m. There are still packages created without being connected to a harvest batch. Did you contact METRC as I instructed? What is the delay?

Please respond via email to all of my inquiries.

Thank You,



Amanda Stonecipher
Special Investigator I

Enforcement Unit
Alcohol & Marijuana Control Office
1648 S. Cushman St., Ste 203

Fairbanks, AK 99701
Office (907) 451-2748

Cell (907) 987-6656
amanda.stonecipher@alaska.gov

From: Cleavon Muna <cleavon1@gmail.com>
Sent: Monday, May 14, 2018 10:14 AM
To: Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov>
Subject: Re: Hard drives

Hello and happy belated Mother's Day,

Sorry was busy trying to get hard drives working, Jon called earlier and left a message.

Muna, Cleavon

Musky Ox, Llc

On Monday, May 14, 2018, Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov> wrote:

Cleavon,

Can you please have Mr. Mansker contact me via email immediately explaining why the video requested is not ready today. Today was the deadline as discussed last Tuesday when we were there.

Thank You,



Amanda Stonecipher
Special Investigator I

Enforcement Unit
Alcohol & Marijuana Control Office
1648 S. Cushman St., Ste 203

Fairbanks, AK 99701
Office (907) 451-2748

Cell (907) 987-6656
amanda.stonecipher@alaska.gov

From: Cleavon Muna <cleavon1@gmail.com>

Sent: Saturday, May 12, 2018 4:13 PM

To: Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov>; Chiesa, Michael R (CED) <michael.chiesa@alaska.gov>

Subject: Hard drives

Hello this Cleavon, I was not able to continue with the recordings. I will have to contact the tech support on Monday, they don't do 24 hrs or work on weekends.

Muna, Cleavon

Musky Ox, Llc

Stonecipher, Amanda M (CED)

From: Jonathan Mansker <jjmansker@gmail.com>
Sent: Monday, May 28, 2018 10:22 AM
To: Stonecipher, Amanda M (CED)
Subject: camera uploads

Follow Up Flag: Follow up
Flag Status: Flagged

Amanda,

I came in this morning and the upload had stopped for cameras 8 and 9. I restarted the upload.

Jon

Stonecipher, Amanda M (CED)

From: Cleavon Muna <cleavon1@gmail.com>
Sent: Tuesday, June 05, 2018 10:23 AM
To: Stonecipher, Amanda M (CED); Chiesa, Michael R (CED)
Subject: Hard drive

Hello,

I have another hard drive ready, when ever y'all available I will drop it off.

Muna, Cleavon
Musky Ox, Llc

Stonecipher, Amanda M (CED)

From: Cleavon Muna <cleavon1@gmail.com>
Sent: Tuesday, June 19, 2018 12:41 PM
To: Stonecipher, Amanda M (CED); Chiesa, Michael R (CED)
Subject: Hard Drive

Hello,

I have a hard drive ready. This is the last of my hard drive, was wondering if y'all had one ready to be picked up? I'll be stopping by after work.

Muña, Cleavon
Musky Ox, Llc

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: 9/27/18

Licensee: Musky Ox, LLC

DBA: Musky Ox

License #/Type: #10135 Standard Cultivation

Address: 741 Bennett Rd., Fairbanks, AK 99712

AMCO Case #: AB 18-000552

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 5/8/18 an inspection & investigation of the facility was done due to METRC discrepancies. While there, children's toys were found in the 2nd story of the facility. The licensee admitted his two children had been in the facility a few times in the previous two weeks. He admitted he knew the children could not be in the facility but he did not have other options while he was working. One of the children was determined to be approximately 4 years of age.

During the first inspection attempt on 1/25/18 the 2nd floor of the facility was discussed in detail in regards to it being a Restricted Access Area. The licensee was advised it was a Restricted Access Area per his diagram and all regulations regarding Restricted Access Areas had to be adhered to.

This was at least the second occurrence where evidence was found of children being in the facility.

This is a violation of: 3 AAC 306.710(a)(c)(1-3) Restricted access areas; 3 AAC 306.720 Video surveillance; 3 AAC 306.755(a)(6)&(b) Business records; 3 AAC 306.800(b)(2) Inspection and Investigation.

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. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

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 Establishment 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: A. Stonecipher

Received by:

SIGNATURE:



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: 9/27/18

Licensee: Musky Ox, LLC

DBA: Musky Ox

License #/Type: #10135 Standard Cultivation

Address: 741 Bennett Rd., Fairbanks, AK 99712

AMCO Case #: AB 18-000552

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 5/8/18 an inspection & investigation of the facility was done due to METRC discrepancies. While there, two untagged plants were found. One plant was approximately 20 inches tall and the other was approximately 16 inches tall. On 5/11/18 a follow up email from an employee stated the two plants were Black Domina and Cali Hash Plant strains. Both were planted on 3/19/18 and sprouted 3/23/18. They were transplanted to 6" pots on 4/2/18 while they were under 8" tall. The email further stated the Black Domina would have been tagged the week prior but the "network was down". Based on METRC, the plants were not only not tagged, but never entered into the system at all when planted. The seed package for the Black Domina (1A40203000045EE0000000008) was not adjusted down by 1 seed to reflect the planting. The seed package for the Cali Hash Plant (1A40203000045EE0000000012) was also not adjusted down by 1 seed to reflect the planting.

Video footage was requested to be produced by 5/14/18 regarding the case. It was not provided by the licensee by the requested deadline. Once received, the 40 days asked for were not produced.

This is a violation of: 3 AAC 306.435 Marijuana Inventory Tracking System; 3 AAC 306.730 Marijuana Inventory Tracking System; 3 AAC 306.720 Video surveillance; 3 AAC 306.755(a)(6)&(b) Business records; and 3 AAC 306.800(b)(2) Inspection and Investigation.

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. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

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 Establishment 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: A. Stonecipher

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Email

Date:



Stonecipher, Amanda M (CED)

From: Cleavon Muna <cleavon1@gmail.com>
Sent: Friday, May 11, 2018 3:08 PM
To: AMCO Admin (CED sponsored)
Cc: Stonecipher, Amanda M (CED); Chiesa, Michael R (CED)
Subject: Dates for growth phase

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Cleavon again, Black Domina and Cali Hash Plant where planted in dirt on March 19 and sprout March 23. We transplanted them on April 2nd in 6" pots and they where still under 8". Black Domina would've been tagged last week but the network was down.

Muna, Cleavon
Musky Ox, Llc

* Email re: untagged plants found on
May 8, 2018

- 4/17/18
4/18 - email 24th
- 5/1/18 -

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: 09/27/18

Licensee: Musky Ox, LLC

DBA: Musky Ox

License #/Type: #10135 Standard Cultivation

Address: 741 Bennett Rd., Fairbanks, AK 99712

AMCO Case #: AB 18-000552

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 May 18, 2018 a waste report was received via email from the licensee. On the excel spreadsheet, 467 grams of trim was labeled as "untracked trim". The reason was indicated as "mistake by owner". Notes indicated " did not package in metrc right away. Lost track so we are destroying."

This is a violation of: 3 AAC 306.435(a)n Marijuana Inventory Tracking System; 3 AAC 306.7309a) Marijuana Inventory Tracking System; and 3 AAC 306.755 (a)(8) Business Records;.

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. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

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 Establishment 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: A. Stonecipher

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Email

Date:

Article #

Stonecipher, Amanda M (CED)

From: Jonathan Mansker <jjmansker@gmail.com>
Sent: Friday, May 18, 2018 12:03 PM
To: Stonecipher, Amanda M (CED)
Subject: Re: Waste Report
Attachments: Waste Report.xlsx

did 50 clones from tag 53. waste report attached.

On Wed, May 16, 2018 at 2:31 PM, Jonathan Mansker <jjmansker@gmail.com> wrote:

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: 9/27/18

Licensee: Musky Ox, LLC

DBA: Musky Ox

License #/Type: #10135 Standard Cultivation

Address: 741 Bennett Rd., Fairbanks, AK 99712

AMCO Case #: AB 18-000520

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 2/15/18 it was discovered multiple cameras covering marijuana plants and the exterior entrance/exit had been disconnected after an initial inspection was attempted on 1/25/18. The initial camera coverage on 1/25/18 was not fully adequate enough to cover the entire interior of the facility; resulting in the license not being issued. More cameras were needed. The unplugging of the existing cameras resulted in even less coverage than what was approved on 1/25/18. The licensee also signed an MJ -21 Pre-Inspection Checklist on 1/16/18 stating the camera coverage was adequate prior to inspection; which it clearly was not.

On 1/29/18, the licensee emailed asking if the recordings could be on motion detect recording. He was advised camera coverage had to be continuous per regulations. Video recordings were requested from the date of the initial inspection attempt to February 15, 2018. It was found on the recordings the cameras had not only been unplugged, but some were set to record on motion activation only when they had been plugged in all the way up until 2/15/18.

This is a violation of 3 AAC 306.430(d) Restricted Access Area; 3 AAC 306.715(b)(3) Security alarm systems and lock standards; and 3 AAC 306.720 Video surveillance.

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. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

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 Establishment 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: A. Stonecipher

Received by:

SIGNATURE:



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: 9/27/18

Licensee: Musky Ox, LLC

DBA: Musky Ox

License #/Type: #10135 Standard Cultivation

Address: 741 Bennett Rd., Fairbanks, AK 99712

AMCO Case #: AB 18-000520

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 1/25/18 an attempt inspect & license the facility was made. The cameras were not adequate enough to issue the license. During the visit, it was noted the visitor log was blank. The licensee admitted his spouse had been in the facility once and did not sign in on the visitor log. She also does not have a Handler Permit. The licensee was advised of regulations regarding visitors in a restricted access area. Access to the 2nd floor of the premises was also discussed in detail. It is designated as part of the premises even though the Fire Marshal ruled he could not utilize the space for operations. I advised the Restricted Access Area regulations still applied to the 2nd floor; especially since the only way to access the area was through the Restricted Access Area on the first floor.

Video was requested on 2/15/18 after cameras were found to be unplugged after the 1st inspection attempt. Video footage revealed on 2/12/18 at 4:21 p.m. two young boys entered the facility with the licensee. At 5:43 p.m. a woman, presumably the licensee's spouse, entered the facility and departed at 6:04 p.m. with the children. One of the children was approximately 4 years of age. Video footage of the children and the woman inside the facility was not provided by the licensee. On 2/15/18 a photograph of the blank visitor log was taken; indicating the woman did not sign in as required.

This is a violation of 3 AAC 306.430(d) Restricted Access Area; 3 AAC 306.710(c)(1-3) Restricted access areas; 3 AAC 306.720 Video surveillance; and 3 AAC 306.755(6) Business records.

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. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

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 Establishment 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: A. Stonecipher

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Email

Date:

** Please Read last ^{1st} page = Forward!*

From: Jonathan Mansker <jjmansker@gmail.com>
Sent: Monday, January 15, 2018 9:20 PM
To: Stonecipher, Amanda M (CED)
Subject: Re: Inspection of Musky Ox Standard Cultivation

Follow Up Flag: Follow up
Flag Status: Flagged

Checklist tomorrow. Sorry for the delay.

On Jan 15, 2018 12:24 PM, "Jonathan Mansker" <jjmansker@gmail.com> wrote:
Amanda,

I will have the Pre-inspection Checklist done later this afternoon. Can we schedule the inspection for Jan 26?

Thank you,

Jon

On Fri, Jan 12, 2018 at 8:36 AM, Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov> wrote:

Good Morning Mr. Mansker,

I want to follow up for your inspection. I see now you have 14 clones that have been moved to veg state in METRC. We need to get you scheduled in for an inspection. Please return the pre-inspection form ASAP so we can schedule.

Thank You,



Amanda Stonecipher
Special Investigator I

Enforcement Unit
Alcohol & Marijuana Control Office
[1648 S. Cushman St., Ste 203](#)

[Fairbanks, AK 99701](#)
[Office \(907\) 451-2748](#)

[Cell \(907\) 987-6656](#)
amanda.stonecipher@alaska.gov

From: Jonathan Mansker [mailto:jimansker@gmail.com]

Sent: Monday, December 04, 2017 10:44 AM

To: Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov>

Subject: Re: Inspection of Musky Ox Standard Cultivation

Amanda,

I am going to have to cancel the inspection for tomorrow. I am leaving until the Dec. 18th. I will contact you again when I get back to set something up.

Jon Mansker

Musky Ox

On Wed, Nov 29, 2017 at 1:13 PM, Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov> wrote:

Good Afternoon Mr. Mansker,

Right now Dec. 5th is looking good for us. Could you please fill out and return the attached pre-inspection checklist? Once we get it back we can determine a time for us to arrive there on the 5th.

Also, how many plants and clones do you anticipate having (ballpark number is fine)?

Thank You,

Amanda Stonecipher
Special Investigator I

Enforcement Unit



Alcohol & Marijuana Control Office
1648 S. Cushman St., Ste 203

Fairbanks, AK 99701
Office (907) 451-2748

Cell (907) 987-6656
amanda.stonecipher@alaska.gov

From: Jonathan Mansker [mailto:jjmansker@gmail.com]
Sent: Wednesday, November 22, 2017 4:44 PM
To: Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov>
Subject: Re: Inspection of Musky Ox Standard Cultivation

Thank you for contacting me. Can we schedule a time on December 4th or 5th?

Jon Mansker

On Nov 21, 2017 3:04 PM, "Stonecipher, Amanda M (CED)" <amanda.stonecipher@alaska.gov> wrote:

Good Morning Mr. Mansker,

I just wanted to follow up with your progress regarding opening your Cultivation Facility. I have your renewed license here to be issued pending inspection. Where are you at in regards to being ready for the inspection?

Thanks!

Amanda Stonecipher

Stonecipher, Amanda M (CED)

From: Jonathan Mansker <jjmansker@gmail.com>
Sent: Tuesday, January 16, 2018 2:52 PM
To: Jonathan Mansker; Stonecipher, Amanda M (CED)
Subject: mj-21 1 - 16-Jan-2018, 14:49
Attachments: mj-21 1 16-Jan-2018 14-49-36.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Scanned by FastScanner app!



Alcohol and Marijuana Control Office

550 W 7th Avenue, Suite 1600

Anchorage, AK 99501

amco.enforcement@alaska.gov

<https://www.commerce.alaska.gov/web/amco>

Phone: 907.269.0350

Alaska Marijuana Control Board

Form MJ-21: Pre-Inspection Checklist

What is this form?

This pre-inspection checklist form is for your reference to ensure that your marijuana facility is in compliance with all of the following security and basic operating requirements prior to your final inspection. If you have any questions regarding this checklist, please contact AMCO enforcement at amco.enforcement@alaska.gov.

Your license will not be issued if any of these items are not complete.

Doing Business As:	Muskey Ox, LLC	Date:	1/16/18
License Type:	Cultivation		
Licensee:	Jon Mansker	License Number:	10135

Section 1 – All Marijuana Establishments

	COMPLETED
Surveillance System: Install and maintain a video surveillance and camera recording system with a camera resolution that allows for clear and certain identification of any person and activity in the area at all times.	
a.) Required video cameras must be placed in a way that produces a clear view adequate to identify any individual inside the licensed premises or within 20 feet of each entrance to the licensed premises. Both the interior and exterior to the facility must be recorded.	
b.) The video system must cover each restricted access area (to include each entrance to a restricted area). Any area where marijuana is grown, cured, manufactured, or where marijuana waste is destroyed must have a camera placement in the room facing the entry door, and in adequate fixed positions, at a height that will provide a clear, unobstructed view of the regular activity without a sight blockage from lighting hoods, fixtures, or other equipment, in order to allow for clear and certain ID of any person or activity at all times.	
c.) Surveillance recording equipment and video surveillance records must be housed in a locked and secure area or in a lock box, cabinet, closet or other secure area that is accessible only to the licensee or authorized employee, and to law enforcement personnel including a peace officer or agent of the board. A marijuana establishment may use an offsite monitoring service and offsite storage of video surveillance records if security requirements at the offsite facility are at least as strict as the onsite security requirements.	
d.) Recordings must be preserved for a minimum of 40 days, in a format that can be easily accessed for viewing. All recorded images must accurately display the date and time, and must be archived in a format that does not permit the alteration of the recorded image, so that the images can be readily authenticated. After 40 days, a marijuana establishment may erase video recordings, unless the licensee knows or should know of any pending criminal, civil, or administrative investigation for which the video recording may contain relevant information.	



Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
amco.enforcement@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Marijuana Control Board

Form MJ-21: Pre-Inspection Checklist

	COMPLETED
Alarm System: A security alarm system is required on all exterior doors and windows. Motion detectors in every room with non-opening windows are required.	
Locks: Commercial grade, non-residential door locks on all exterior entry points to the licensed premises.	
Lighting: Exterior lighting must facilitate surveillance.	
Marijuana Handler Permit: All licensees and employees must have a valid permit.	
Facility Identification Cards: Each licensee, employee, or agent shall display an identification badge issued by the establishment at all times when on the licensed premises. Marijuana handler cards DO NOT satisfy this requirement.	
Restricted Access Areas: A marijuana establishment shall restrict access to any part of the licensed premises where marijuana or marijuana product is grown, processed, tested, stored, or stocked.	
a.) Each entrance to a restricted access area must be marked by a sign that says "Restricted access area. Visitors must be escorted." The sign must use this exact phrase, no variations will be accepted.	
b.) Ensure that any marijuana at the licensed premises cannot be observed by the public from outside. The premises must not emit an odor that is detectable by the public from outside the premises, except as allowed by a local government conditional use permit process.	
Certified Scales: A marijuana establishment shall use certified scales in compliance with AS 45.75.080, the Alaska Weights and Measures Act. A marijuana establishment shall maintain registration and inspection reports of certified scales; and upon request by the board or the director, provide a copy of the registration and inspection reports of the certified scales to the board or the director for review.	

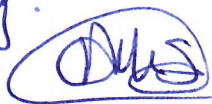
Section 2 – Cultivation Facilities Only

	COMPLETED
A marijuana cultivation facility shall conduct any marijuana growing operation within a fully enclosed secure indoor facility or greenhouse with rigid walls, a roof, and doors. Where not prohibited by local government, outdoor production may take place in non-rigid greenhouses, other structures, or an expanse of open or cleared ground fully enclosed by a physical barrier. To obscure public view of the premises, outdoor production must be enclosed by a sight obscuring wall or fence at least six feet high.	
Plants/Seeds: At the time of your initial inspection you must be in compliance with the following guidelines.	
a.) Plants over 8 inches- Tracked by plant tag <ul style="list-style-type: none">12 mother plants (non-flowering plants of any size) taggedAny number of immature plants no taller than 18 inchesAll tagged correctly and in-line with training from METRC. Tags attached on first fastener around the "trunk" and above first branch after plant is able to support the tag.	
b.) Plants under 8 inches- Tracked by batch <ul style="list-style-type: none">Strain-specific batches with up to 50 plantsUnlimited number of batchesBatches should be in rows and columns for ease of verifying numbers	
c.) Seeds – Tracked by package tag <ul style="list-style-type: none">Strain-specific packages by count or by weightUnlimited number of packages	

Stonecipher, Amanda M (CED)

From: Jonathan Mansker <jjmansker@gmail.com>
Sent: Friday, January 19, 2018 8:49 AM
To: Stonecipher, Amanda M (CED)
Subject: RE: Inspection of Musky Ox Standard Cultivation

*Date of 1st

Inspection Attempt.
Did not pass due
to camera coverage
lacking.


Amanda,

The 25th at 10 will be great.

Thank you,

Jon

On Jan 19, 2018 8:42 AM, "Stonecipher, Amanda M (CED)" <amanda.stonecipher@alaska.gov> wrote:

Good Morning,

I received your checklist. We cannot schedule on the 26th, unfortunately that day is already booked up. I have the 23rd and 25th open though. Let me know which would be better for you in the morning hours around 9 or 10am.

Thank You,



Amanda Stonecipher
Special Investigator I

Enforcement Unit
Alcohol & Marijuana Control Office
1648 S. Cushman St., Ste 203

Fairbanks, AK 99701
Office (907) 451-2748

Cell (907) 987-6656
amanda.stonecipher@alaska.gov

From: Stonecipher, Amanda M (CED)
Sent: Wednesday, January 31, 2018 12:33 PM
To: 'Jonathan Mansker' <jjmansker@gmail.com>
Cc: Chiesa, Michael R (CED) <michael.chiesa@alaska.gov>
Subject: RE: inspection

Hi Jon,

This week has been a challenge with several other pressing matters come up. I don't want to block off Friday for us to come out until you can assure me the cameras are in place and there are no blind spots. Once the cameras are installed let us know. I will be on leave next week and cc'ed Investigator Chiesa in the event you have to be inspected next week.

Thanks,



Amanda Stonecipher
Special Investigator I

Enforcement Unit
Alcohol & Marijuana Control Office
1648 S. Cushman St., Ste 203

Fairbanks, AK 99701
Office (907) 451-2748

Cell (907) 987-6656
amanda.stonecipher@alaska.gov

From: Jonathan Mansker [<mailto:jjmansker@gmail.com>]
Sent: Monday, January 29, 2018 10:03 PM
To: Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov>
Subject: Re: inspection

Amanda,

Cameras will be here Wednesday or Thursday. We can be ready Friday.

Jon

On Mon, Jan 29, 2018 at 2:12 PM, Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov> wrote:

Good Afternoon,

The cameras need to be continuously on in order to meet regulations:

3 AAC 306.720. Video surveillance

(a) A marijuana establishment shall install and maintain a video surveillance and camera recording system as provided in this section.

The video system must cover

(1) each restricted access area and each entrance to a restricted access area within the licensed premises;

(2) each entrance to the exterior of the licensed premises;

and

(3) each point-of-sale area.

(b) At a marijuana establishment, a required video camera must be placed in a way that produces a clear view adequate to identify any individual inside the licensed premises, or within 20 feet of each entrance to the licensed premises. Both the interior and the exterior of each entrance to the facility must be recorded by a video camera.

(c) Any area where marijuana is grown, cured, or manufactured, or where marijuana waste is destroyed, must have a camera placement in the room facing the primary entry door, and in adequate fixed positions, at a height that will provide

a clear, unobstructed view of the regular activity without a sight blockage from lighting hoods, fixtures, or other equipment, in order to allow for the clear and certain identification of any person and activity in the area at all times.

(d) Surveillance recording equipment and video surveillance records must be housed in a locked and secure area or in a lock box, cabinet, closet or other secure area that is accessible only to a marijuana establishment licensee or authorized employee, and to law enforcement personnel including a peace officer or an agent of the board. A marijuana establishment may use an offsite monitoring service and offsite storage of video surveillance records if security requirements at the offsite facility are at least as strict as onsite security requirements as described in this section.

(e) Each surveillance recording must be preserved for a minimum of 40 days, in a format that can be easily accessed for viewing. All recorded images must clearly and accurately display the time and date, and must be archived in a format that does not permit alteration of the recorded image, so that the images can readily be authenticated. After

40 days, a marijuana establishment may erase video recordings, unless the licensee knows or should know of any pending criminal, civil, or administrative investigation for which the video recording may contain relevant information.

So with the regulation, I can't hand over your license until all cameras are installed and the blindspots we identified are in full view. When are the cameras you ordered going to arrive?



Amanda Stonecipher
Special Investigator I

Enforcement Unit
Alcohol & Marijuana Control Office
1648 S. Cushman St., Ste 203

Fairbanks, AK 99701
Office (907) 451-2748

From: Jonathan Mansker [mailto:jjmansker@gmail.com]
Sent: Monday, January 29, 2018 12:00 PM
To: Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov>
Subject: inspection

Amanda,

I was able to get up 4 more cameras which covers everything I have now. I need to order more cameras for the second shelves in the veg room. I won't be using the second shelves for at least a few weeks. I have the cameras on order.

Can the recorder be on motion detect recording?

Thanks,

Jon

Stonecipher, Amanda M (CED)

From: Jonathan Mansker <jjmansker@gmail.com>
Sent: Wednesday, February 14, 2018 9:09 AM
To: Stonecipher, Amanda M (CED)
Subject: Re: FW: inspection of Musky Ox

Amanda,

Cameras are in place however I had some DVR issues and a new one is coming this Friday. I will be ready first thing next week.

Jon

On Feb 14, 2018 8:45 AM, "Stonecipher, Amanda M (CED)" <amanda.stonecipher@alaska.gov> wrote:

Hi Jon,

I wanted to follow up once again with you regarding your cameras since we have not heard back from you yet. This is imperative at this point - you have plants in flowering and we need to have you licensed and adequate camera coverage. Please advise if your cameras are in place so we can come back out to complete the inspection.

Thank You!



Amanda Stonecipher
Special Investigator I

Enforcement Unit
Alcohol & Marijuana Control Office
1648 S. Cushman St., Ste 203

Fairbanks, AK 99701
Office (907) 451-2748

Cell (907) 987-6656
amanda.stonecipher@alaska.gov

Special Investigator I



Enforcement Unit
Alcohol & Marijuana Control Office
1648 S. Cushman St., Ste 203

Fairbanks, AK 99701
Office (907) 451-2748

Cell (907) 987-6656
amanda.stonecipher@alaska.gov

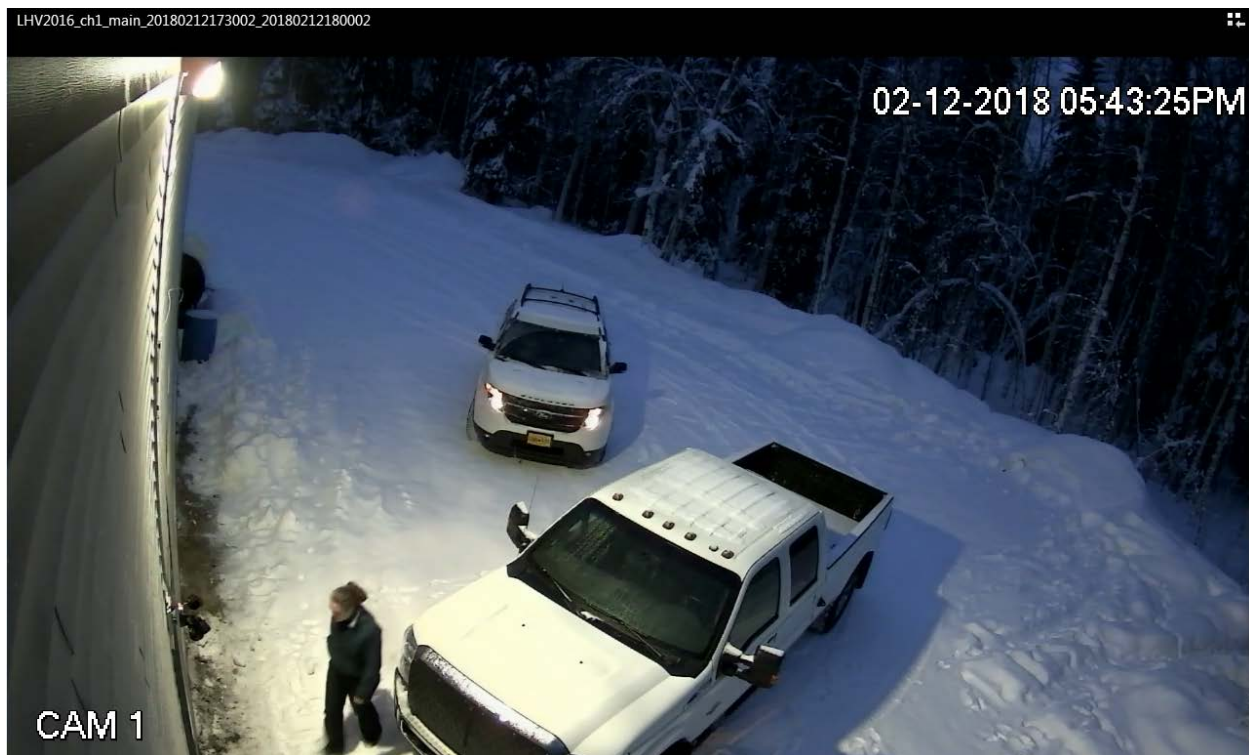
LHV2016_ch1_main_20180212160003_20180212163002



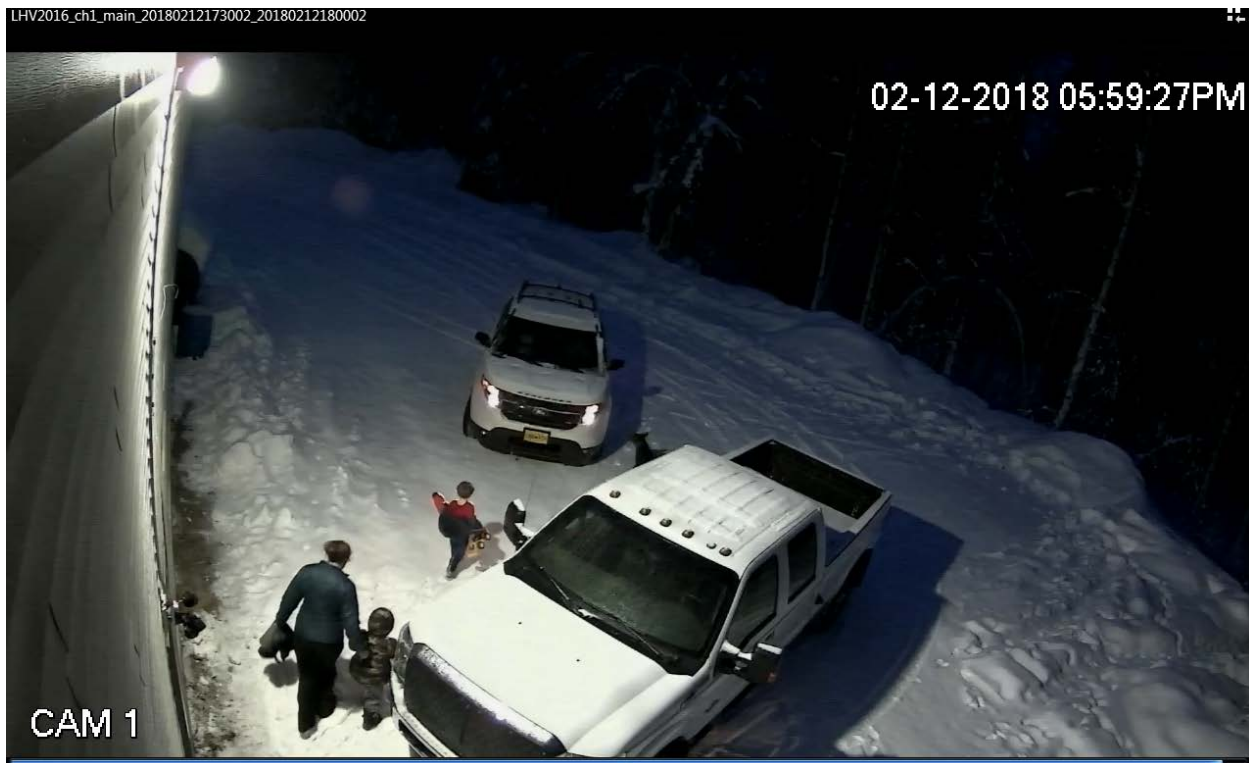
LHV2016_ch1_main_20180212160003_20180212163002



Camera view of two young boys entering the front door into the Restricted Access Area with Jonathan Mansker (father) and employee Cleavon Muna. Entered 02/12/18 at 04:21 pm.



Woman enters Restricted Access Area 2/12/18 at 5:43 pm. No handler card and did not sign Visitor Log. Presumed to be licensee's spouse.



Woman and children depart the facility at 05:59 p.m.

Edit

12:27



Guest

Visitors Log

[illegible]

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: 09-28-18

Licensee: Musky Ox, LLC

DBA: Musky Ox

License #/Type: #10135 Standard Cultivation

Address: 741 Bennett Road, Fairbanks, AK 99712

AMCO Case #: AB 18-001194

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 or about 9/14/18, Musky Ox #10135 Standard Cultivation was found to have 17 plants in vegetative state showing to be untagged in METRC. METRC automatically assigned a default ID number in lieu of a tag number due to the licensee's failure to tag the plants on 08/29/18 when the plants were placed into vegetative state in the system. The original date of planting for the plants as clones was on 8/2/18. On 9/25/18 the licensee assigned tags to 14 of the 17 plants. The three plants left without tags were "Destroyed" on 9/1/18 per METRC records.

Additionally, on 9/21/18 at approximately 12:51 p.m., a waste report was received via email from the licensee. The waste report showed 5 harvest waste weights to be combined into one large amount rather than waste reported for each individual harvest. A further review of METRC showed 14 out of 15 total harvests to not have the waste weight reported at all resulting in moisture loss weight and actual product on-hand weight to be inaccurate for tracking purposes.

This is a violation of: 3 AAC 306.435 (a) Marijuana inventory tracking system, 3 AAC 306.730 (a) Marijuana inventory tracking system, and 3 AAC 306.740 (c)(1) Waste Disposal.

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. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

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 Establishment 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: A. Stonecipher

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Email

Date:

Article #

	Tag	State	Strain	Room	Hold	Group Date	Phase	Vegetative	Flowering	Harvested
▶	1A40202000045EE000000109	Destroyed	Black Domina	Veg	No	03/23/2018	Vegetative	04/02/2018		0 times
▶	Id # 890129 (no tag)	Destroyed	Black Domina	Veg	No	08/02/2018	Vegetative	08/29/2018		0 times
▶	Id # 890130 (no tag)	Destroyed	Black Domina	Veg	No	08/02/2018	Vegetative	08/29/2018		0 times
▶	Id # 890131 (no tag)	Destroyed	Black Domina	Veg	No	08/02/2018	Vegetative	08/29/2018		0 times
▶	1A40202000045EE000000223	Tracked	Black Domina	Veg	No	08/02/2018	Vegetative	08/29/2018		0 times
▶	1A40202000045EE000000224	Tracked	Black Domina	Veg	No	08/02/2018	Vegetative	08/29/2018		0 times
▶	1A40202000045EE000000225	Tracked	Black Domina	Veg	No	08/02/2018	Vegetative	08/29/2018		0 times
▶	1A40202000045EE000000226	Tracked	Black Domina	Veg	No	08/02/2018	Vegetative	08/29/2018		0 times
▶	1A40202000045EE000000227	Tracked	Black Domina	Veg	No	08/02/2018	Vegetative	08/29/2018		0 times
▶	1A40202000045EE000000228	Tracked	Black Domina	Veg	No	08/02/2018	Vegetative	08/29/2018		0 times
▶	1A40202000045EE000000229	Tracked	Black Domina	Veg	No	08/02/2018	Vegetative	08/29/2018		0 times
▶	1A40202000045EE000000230	Tracked	Black Domina	Veg	No	08/02/2018	Vegetative	08/29/2018		0 times
▶	1A40202000045EE000000231	Tracked	Black Domina	Veg	No	08/02/2018	Vegetative	08/29/2018		0 times
▶	1A40202000045EE000000232	Tracked	Black Domina	Veg	No	08/02/2018	Vegetative	08/29/2018		0 times
▶	1A40202000045EE000000233	Tracked	Black Domina	Veg	No	08/02/2018	Vegetative	08/29/2018		0 times
▶	1A40202000045EE000000234	Tracked	Black Domina	Veg	No	08/02/2018	Vegetative	08/29/2018		0 times
▶	1A40202000045EE000000235	Tracked	Black Domina	Veg	No	08/02/2018	Vegetative	08/29/2018		0 times
▶	1A40202000045EE000000236	Tracked	Black Domina	Veg	No	08/02/2018	Vegetative	08/29/2018		0 times

◀

1

Page

1

of 1

▶

⌂

... rows per page

Viewing 1 - 18 (18 total)

↺

Tag	State	Strain	Room	Hold	Group Date	Phase	Vegetative	Flowering	Harvested
▶ 1A4020200045EE000000109	Destroyed	Black Domina	Veg	No	03/23/2018	Vegetative	04/02/2018		0 times
▶ Id # 890129 (no tag)	Destroyed	Black Domina	Veg	No	08/02/2018	Vegetative	08/29/2018		0 times
▶ Id # 890130 (no tag)	Destroyed	Black Domina	Veg	No	08/02/2018	Vegetative	08/29/2018		0 times
▶ Id # 890131 (no tag)	Destroyed	Black Domina	Veg	No	08/02/2018	Vegetative	08/29/2018		0 times
▲ 1A4020200045EE000000223	Tracked	Black Domina	Veg	No	08/02/2018	Vegetative	08/29/2018		0 times

Description	Employee	Date	Reported	Sources	External App
Planted	Jon Mansker (12556)	08/02/2018	08/02/2018 02:02 pm	User	
- Plant Batch "Black Domina 45ct"	Jon Mansker (12556)	08/02/2018	08/02/2018 02:02 pm	User	
Plant moved to room "Veg"	Cleavon Muna (15366)	08/29/2018	08/29/2018 03:28 pm	User	
Changed Growth Phase to Vegetative	Cleavon Muna (15366)	08/29/2018	08/29/2018 03:28 pm	User	
Moved to room "Veg"	Jon Mansker (12556)	09/25/2018	09/25/2018 12:35 pm	User	
Attached tag 1A4020200045EE000000223	Jon Mansker (12556)	09/25/2018	09/25/2018 12:35 pm	User	

◀ ◁ 1 Page 1 of 1 ▶ ▷ 20 rows per page Viewing 1 - 6 (6 total) ↻

▲ 1A4020200045EE000000224	Tracked	Black Domina	Veg	No	08/02/2018	Vegetative	08/29/2018		0 times
---------------------------	---------	--------------	-----	----	------------	------------	------------	--	---------

- 1st Snapshot - Overall Screenshot of untagged the 17 untagged plants found. 2nd Screenshot – Example of plant life cycle and entry dates for plants tags ending in 223-236.

Musky Ox #10135 Standard Cultivation METRC account – Untagged Plants. ID #'s 890129, 890130, 890131 were not assigned tags as required when moved to vegetative state on 8/29/18. Plant Tags ending in 223-236 were also found to have a default ID assigned to them on 8/29/18 in lieu of being tagged as required. On 09/25/18 the licensee assigned tags, as shown above. A snapshot of the plants without a tag assigned was not taken upon initial review of the METRC plant records on or about 9/14/18. -AMS

<u>Source/Tag #</u>	<u>Weight</u>	<u>Type</u>	<u>Reason</u>	<u>Date</u>	<u>Notes</u>
Veg room	169 g	Veg trim	Cloning and defoliate	2/19/2018	Excess waste from cuttings and defoliate - will separate in the future.
...0009	279g	Whole Plant	Male	2/19/2018	Not keeping males at this time
...0034	152g	Whole plant	male	2/19/2018	
Harvest 3/31/18	905g	harvest	Final Trim/harvest	4/11/2018	standard harvest waste
harvest 4/12/18	356g	harvest	wet chop	4/12/2018	leaves off floor and cleanup from harvest
harvest 4/12/18	1079g	harvest trim/package	final trim / package	4/21/2018	waste from 4/20 - 4/21 trim / package TK and GTH
harvest 4/12/18	1620g	harvest trim/package	final trim/package	4/25/2018	
untracked trim	467g	trim	mistake by owner	5/15/2018	did not package in metrc right away. Lost track so we are destroying.
Tag 46-49, 50-51	680g	Sticks and Leaves	Harvest Package	5/15/2018	Standard harvest waste
tag 53	202g	clone waste	Cloning and defoliate	5/18/2018	Blue Berry Headband
#52	239g	clone waste	Cloning and defoliate	6/26/2018	44 clones
#53	203g	clone waste	Cloning and defoliate	6/26/2018	20 clones
#53	8g	transplant waste	clones did not survive	7/14/2018	27 survived out of 44
#52	3g	transplant waste	clones did not survive	7/14/2018	13 survived out of 20
#109	119g	clone waste	Cloning and defoliate	7/15/2018	Black Domina 32 clones
BD clones 32ct	4g	clone waste	clones did not survive	7/25/2018	Black Domina 32 clones
#109	84g	clone waste	Cloning and defoliate	7/26/2018	Black Domina 45 clones
#110	52g	defoliate	Air movement	7/28/2018	Cali Hash Plant
OJ clones 25ct	13g	clone waste	clones did not survive	8/12/2018	Oh Jesus
GTH clones 5ct	4g	clone waste	clones did not survive	8/12/2018	Ghost Train Haze
TK clones 6ct	5g	clone waste	clones did not survive	8/12/2018	Tangerine Kush
#122	10g	trim	top cola bud rot	8/21/2018	Blue Berry Headband
#122	7g	trim	branch cola bud rot	8/21/2018	Blue Berry Headband
#116	5g	trim	branch cola bud rot	8/21/2018	Blue Berry Headband
#124	11g	trim	top cola bud rot	8/21/2018	Blue Berry Headband
#130	13g	trim	top cola bud rot	8/21/2018	Blue Berry Headband
#119	18g	trim	top cola bud rot	8/21/2018	Blue Berry Headband
#113	15g	trim	top cola bud rot	8/21/2018	Blue Berry Headband
#78-84	566g	harvest	final trim	8/25/2018	Ghost Train Haze
#87	745g	destroyed	old	8/28/2018	Oh Jesus
#89	605g	destroyed	old	8/28/2018	Oh Jesus
#132	16g	trim	Top and Branch cola	8/31/2018	Blue Berry Headband bud rot
#128	9g	trim	branch cola bud rot	8/31/2018	Blue Berry Headband
#116	31g	trim	Top and Branch cola	8/31/2018	Blue Berry Headband bud rot
#129	32g	trim	Top and Branch cola	8/31/2018	Blue Berry Headband bud rot
#130	13g	trim	branch cola bud rot	8/31/2018	Blue Berry Headband
#112	17g	trim	branch cola bud rot	8/31/2018	Blue Berry Headband
#126	17g	trim	Top and Branch cola	8/31/2018	Blue Berry Headband bud rot
#133	19g	trim	Top and Branch cola	8/31/2018	Blue Berry Headband bud rot
#131	26g	trim	Top and Branch cola	8/31/2018	Blue Berry Headband bud rot
#125	4g	trim	branch cola bud rot	8/31/2018	Blue Berry Headband
#119	11g	trim	Top and Branch cola	8/31/2018	Blue Berry Headband bud rot
#115	16g	trim	Top and Branch cola	8/31/2018	Blue Berry Headband bud rot
#122	10g	trim	Top and Branch cola	8/31/2018	Blue Berry Headband bud rot
#118	24g	trim	Top and Branch cola	8/31/2018	Blue Berry Headband bud rot
#127	41g	trim	Top and Branch cola	8/31/2018	Blue Berry Headband bud rot
#121	24g	trim	Top and Branch cola	8/31/2018	Blue Berry Headband bud rot
#117	11g	trim	branch cola bud rot	8/31/2018	Blue Berry Headband
Veg room	1g	clone waste	clones did not survive	9/1/2018	Black Domina 3 clones
#53	1012g	Whole Plant	did not survive	9/18/2018	lack of care
#109	719g	Whole Plant	did not survive	9/18/2018	lack of care
#52	779g	Whole Plant	did not survive	9/18/2018	lack of care
#110	418g	Whole Plant	did not survive	9/18/2018	lack of care
#111-157	742g	harvest trim / hang	final trim	9/20/2018	bluberry headband harvest
54-69 OJ					
78-84 GTH					
70-77 TK					
91-94 GTH					
85-95 OJ	2819g	sticks/leaves	final trim	9/20/2018	this is for row 57-61 all these strains were harvested at the same time

	Harvest Batch	Room	Strain	Plants	Wet Wgt.	Waste	Total Pkg'd	Pkg's	Weight / M.L.	Restored	Lab Testing	A.H.	Date	F...	D...	F...	
▶	Q * BH 111-157	Dry	Blueberry Headband	47	16,845 g	0 g	13 g	2	16,832 g	0 g	TestPassed	No	09/20/2018			No	Test Samples
▶	Q * GTH 5/21/2018	Dry	Ghost Train Haze	4	4,351 g	0 g	5 g	1	4,346 g	0 g	TestPassed	No	08/28/2018			No	Test Samples
▶	Q * OJ 5/21/2018	Dry	Oh Jesus	5	4,990 g	0 g	5 g	1	4,985 g	0 g	TestPassed	No	08/28/2018			No	Test Samples
▶	Q * OJ 6Feb	Dry		16	10,987 g	0 g	5 g	1	10,982 g	0 g	TestPassed	No	06/27/2018			No	Test Samples
▶	Q * GTH 9Feb	Dry		7	5,533 g	0 g	5 g	1	5,528 g	0 g	TestPassed	No	06/27/2018			No	Test Samples
▶	Q * TK 9Feb	Dry		8	5,104 g	0 g	5 g	1	5,099 g	0 g	TestPassed	No	06/27/2018			No	Test Samples
▶	Q * Proud Mary 50-51	Dry		2	485 g	0 g	184 g	3	301 g	0 g	TestPassed	No	05/04/2018			No	Test Samples
▶	Q * Fluidic 46-49	Dry		4	1,542 g	0 g	477 g	4	1,065 g	0 g	TestPassed	No	05/04/2018			No	Test Samples
▶	Q * TK 4/12/18	Dry		5	2,441 g	0 g	703 g	3	1,738 g	0 g	TestPassed	No	04/12/2018			No	Test Samples
▶	Q * OJ 4/12/18	Dry		1	737 g	0 g	287 g	3	450 g	0 g	TestPassed	No	04/12/2018			No	Test Samples
▶	Q * NHL 4/12/18	Dry		15	9,686 g	0 g	1,910 g	6	7,776 g	0 g	TestPassed	No	04/12/2018			No	Test Samples
▶	Q * GTH 4.12.18	Dry		9	7,043 g	0 g	1,503 g	5	5,540 g	0 g	TestPassed	No	04/12/2018			No	Test Samples
▶	Q * 2018-04-03-Dry-H	Dry		13	8,140 g	1,395 g	975 g	1	5,770 g	0 g	NotSubmitted	No	04/03/2018			No	Test Samples
▶	Q * OJ redo 105-108	Dry		4	2,184 g	0 g	423 g	2	1,761 g	0 g	TestPassed	No	03/31/2018			No	Test Samples
▶	Q * GTH redo 96-104	Dry		9	5,956 g	0 g	978 g	2	4,978 g	0 g	TestPassed	No	03/31/2018			No	Test Samples
▶	Q * TK, OJ 1st trim	Dry		10	169 g	169 g	0 g	0	0 g	0 g	NotSubmitted	No	02/06/2018			No	Test Samples
<div> <div> 1 Page 1 of 1 20 rows per page </div> <div>Viewing 1 - 16 (16 total)</div> </div>																	

Harvest Batches from Musky Ox #10135 Standard Cultivation showing all but one of 15 harvests without waste weight reported as required. - AMS

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: 10-01-18

Licensee: Glen & Barbara Kroshus

DBA: Foxy Enterprises

License #/Type: #10288 Standard Cultivation

Address: 2330 Gunner Lane, Fairbanks, AK 99712

AMCO Case #: AB 18-001195

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 9/17/18 Foxy Enterprises self-reported via email they had not been reporting waste via email as required per MCB ruling. The licensee was notified of the ruling regarding waste reporting on 12/19/17. The notification included detailed instructions regarding how to properly report. An employee representing Foxy Enterprises stated via email, "We did receive the email, however when we began our season in April we no longer had access to it. (new computer). We knew we needed to record our waste, however we have not emailed our reports to anyone." Education on how to properly report waste was provided. The employee representing the licensees has agreed to immediately correct the issue and report as required in the future. No further action recommended by Enforcement at this time.

This is a violation of: 3 AAC 306.740 (c)(1) Waste Disposal

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. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

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 Establishment 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: A. Stonecipher

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Email

Date:

Article #

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: 10/01/2018

Licensee: Mark Woodward

DBA: The Stoney Moose

License #/Type: 10873/ Retail Marijuana Facility

Address: 127 Stedman St., Ketchikan, AK 99901

AMCO Case #: AB18001159

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.

Top Hat Concentrates and The Stoney Moose self reported that The Stoney Moose (retail facility) had transferred package #0000466901 to Top Hat Concentrates (product manufacturing facility). The package was believed to be from Calm-N-Collective but had been manifested to Stoney Moose. Interviews with parties revealed it was a mistake made by a new employee who has since been trained. The package was rejected by Top Hat and returned to Stoney Moose.

This violation was self reported and resolved in a timely manner.

No further action requested by enforcement.

Sec. 17.38.070. Lawful operation of marijuana-related facilities.

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. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

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 Establishment 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: S. Johnson

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Mail

Date: