

# Advisory Notice

Marijuana Advisory (3 AAC 304.525)

Date: 12/30/22

To: **All Marijuana Establishment Licensees**

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.**

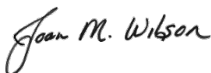
It is a violation of your marijuana establishment license<sup>1</sup> to incorporate into a product and/or dispense directly to consumers **hemp products not endorsed by the Alaska Department of Natural Resources, Division of Agriculture, State Hemp Plan (DNR)**. You can review DNR approved hemp products [here](#). Hemp products **not endorsed** by DNR include, but are not limited to:

1. Any product containing more the 50 milligrams of delta-9 THC or delta-9THC-O-acetate products sourced from industrial hemp
2. All delta-8 THC or delta-8 THC-O-acetate sourced from industrial hemp
3. All delta-6 THC or delta-6 THC-O-acetate sourced from industrial hemp
4. All delta-10 or delta-10-THC-O acetate sourced from industrial hemp
5. All delta-9 THCV sourced from industrial hemp
6. HHC sourced from industrial hemp
7. Synthetic Cannabinoids, including but not limited to Dronabinol, sourced from industrial hemp
8. Exo-tetrahydrocannabinol sourced from industrial hemp, or
9. Metabolites of THC sourced from industrial hemp, including but not limited to, 11-hydroxy-THC; 3-hydroxy-THC; 7-hydroxycannabidiol

**Please end incorporation and/or sales immediately.** Pursuant to the attached DNR Advisory, AMCO is further authorized to inspect on behalf of DNR all registrants and non-registrants for unregistered hemp products. In addition to risking your marijuana establishment license, you may further be subject to the following enforcement actions by DNR:

1. Issuance of notices of violation and civil fines
2. Issuance of stop orders
3. Seizure or direct destruction of hemp products not in compliance with 11 AAC 40
4. Temporary suspension of hemp registration
5. The suspension, revocation or denial of registrations and endorsements issued under 11 AAC 40
6. Criminal charges forwarded for prosecution

Based upon confusion caused by what the Farm Bill of 2018 may permit and what DNR's Hemp Plan prohibits, I believe it has not been your intent to violate the law. However, you are now on notice. Please immediately ensure you are following all applicable AMCO and DNR statutes and regulations.



**Joan M. Wilson**  
AMCO Director

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<sup>1</sup> Licensed marijuana establishments are required to comply with the public health, fire, and safety codes and ordinances of the State and local government in which they are located. 3 AAC 306.335 (retail stores), 3 AAC 306.440(a) (cultivators) 3 AAC 306.500(b)(2)(B) (manufacturers); 3 AAC 306.735(a) (health and safety standards – subject to inspection) 3 AAC 306.810(b)(5) (grounds for revocation or suspension).



December 6, 2022

## Industrial Hemp Retailer Advisory

**To:** Industrial Hemp Registered retailers

**From:** Division of Agriculture, Plant Materials Center, Industrial Hemp Program

**RE:** Unauthorized sale of non-endorsed hemp products

The purpose of this notice is to remind all Registered retailers that the sale of non-endorsed hemp products is illegal. The Division of Agriculture is aware that non-endorsed hemp products are being sold by both registered retailers and persons not registered to sell hemp products. Any person that sells hemp products in violation of 11 AAC 40 is subject to administrative, civil, or criminal liability. Enforcement may be carried out by the Division of Agriculture, Alcohol & Marijuana Control Office, Department of Public Safety, or other law enforcement agency.

Enforcement action may include, but is not limited to:

- the issuance of notices of violation and civil fines,
- the issuance of stop orders,
- the seizure or direct destruction of hemp products not in compliance with 11 AAC 40,
- the temporary suspension of a license,
- the suspension, revocation, or denial of registrations, endorsements, or permits issued under 11 AAC 40 (industrial hemp program) or 3 AAC 306 (recreational marijuana), and
- criminal charges.

Registered retailers may notice an increase in the number of inspections of premises where hemp products are produced, handled, or transported, as well as an increase in the number of inspections of records documenting the sale or transfer of hemp products. Registered retailers and persons not registered but selling hemp products may also notice an increase in the number of inspections conducted by the Alcohol & Marijuana Control Office.

Questions or comments about this advisory notice should be sent to [industrialhemp@alaska.gov](mailto:industrialhemp@alaska.gov)