



Alcoholic & Marijuana Control Office
550 W. 7th AVE, SUITE 1600
Anchorage, AK 99501

Date: 1-6-17
Number AB16-0691
Page 1 of 2

Notice of Violation

(3AAC 306.805)

Licensee RCFC, LLC	License Number 10005	Type of License Standard Marijuana Cultivation
D.B.A. Rosie Creek Farms	How Delivered [] Certified Mail # On-File [x] In Person	Law Enforcement Agency Alaska State Troopers
Street or P.O. Box 2659 Livingston Loop	City, State Fairbanks, AK	Zip 99709

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.

VIOLATION: On October 17, 2016 AMCO Investigators observed discrepancies in METRC in regards to Rosie Creek's marijuana inventory. Thousands of outdoor plants in the fields were listed in flowering stages for an extended period of time despite there had been a significant frost and cold weather in the Fairbanks area on or around September 30, 2016. There was significant missing, inconsistent, and inaccurate information regarding harvested plants in the METRC system. The destroyed plants had not been documented in METRC, nor had the licensee contacted AMCO to make notification of such a significant loss of crop.

On October 26, 2016 AMCO Investigator Stonecipher conducted an on-site inspection. There were several thousand plants that had been harvested and left in a pile. According to Mike Emers they had been destroyed on or around September 30, 2016 and removed from the field on or around October 24, 2016. The plants still had not been entered as destroyed.

Mike Emers admitted some of his employees were entering information into METRC incorrectly at the beginning of the season. He opted to enter the information himself, but wanted to wait until the entire season was over; leaving a long lapse in data entry.

Your attention is directed to 3 AAC 306.435 Marijuana Inventory Tracking System; 3 AAC 306.730 Marijuana Inventory Tracking System; and 3 AAC 306.755 Business Records (a)(8)(c).

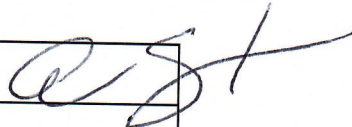
You are directed to respond to the Director of the Marijuana Control Board in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a recurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE MARIJUANA CONTROL BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please include your Marijuana License Number in your response.**

Cynthia Franklin, Director
Alcoholic Beverage Control Board
550 W. 7th Ave. Suite 1600
Anchorage, Alaska 99501

A Response is Required

3 AAC 306.805 provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Receipt:	Violation Observed By: Amanda Stonecipher 
Filed By: Investigator Amanda Stonecipher	Title: Investigator III



P.O. Box 181
Ester, Alaska 99725
907-479-3642

January 11, 2017

Sara Chambers
Interim Director, AMCO
550 W. 7th AVE, SUITE 1600
Anchorage, AK 99501

Dear Director Chambers,

My name is Michael Emers and I am the co-owner of RCFC, LLC dba Rosie Creek Farm (license # 10005). I am writing in response to the violation notice I received dated January 6th, 2017 and I would welcome a hearing with AMCO if one is required.

The information given in the violation notice is accurate as reported by officer Stonecipher. We were indeed delayed in entering data into Metrc which resulted in a delay in reporting to AMCO (through Metrc) when plants were actually destroyed making it seem as though plants were in a flowering phase much longer than actually happened. The fault was entirely ours in not alerting AMCO to the problem when it first occurred. What follows is an explanation of the circumstances.

Metrc was intended to be a simple method of entering data to track changes in the operation of our cultivation and harvest schedule. While this may be the case for an operation dealing with hundreds of plants, we found it became very difficult in an agricultural setting when keeping track of thousands of plants. We noticed this early in our season during the planting stage of our operation when we were planting thousands of plants per day just entering tag numbers. When we would go into Metrc in the afternoons or evenings to enter data, Metrc would both take a very long time to respond and crash often making it difficult to keep up to date. As we passed through the season into our harvest, entering both tag numbers and weights made the process very cumbersome to the point that we could no longer keep up. This was coupled with the fact that many mistakes were being made by our data entry person that were impossible to correct, resulting in the necessity of

issuing more tags to cover up our mistakes, costing us money. I made the decision to delay our harvest data entry into Metrc until after our seasonal crew left at the beginning of October. I should have alerted AMCO to our problems at this point and I did not. As it was, entering our harvest data into Metrc took me over a month to complete.

I completely understand the concerns brought about by our delay in entering our data and we did not have a concern about the AMCO officers reviewing our video footage to verify the gap between our last harvest and data entry. My main concern is that unless the process of data entry improves, we will run into similar problems next summer season when we are likely to triple the number of plants we will plant. I would welcome an opportunity to discuss the process with AMCO and troubleshoot solutions so that both the integrity of the tracking system is maintained and the ease of compliance for licensees improves. Metrc intended for us to take just a few minutes each day to complete. This is what we were told in our trainings with them. As explained above, we found this to be far from the case. One solution would be for Metrc to develop an Excel spreadsheet that could be uploaded into the tracking system. There also needs to be a section for "notes" so that explanations can be entered in real time.

I would welcome the opportunity to discuss this further if necessary.

Sincerely,

A handwritten signature in cursive script that reads "Michael Emers". The signature is written in dark ink and is positioned above the printed name.

Michael Emers
Rosie Creek Farm



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

Date: 12-19-16
Number AB16-0701
Page 1 of 1 Page

Notice of Violation

(3AAC 306.805)

Licensee	License Number	Type of License
Dankorage, LLC	10306	Retail Marijuana Store
D.B.A.	How Delivered	Law Enforcement Agency
Dankorage	Hand Delivered	Anchorage Police Department
Street or P.O. Box	City, State	Zip
2812 Spenard Road	Anchorage, AK	99503

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.

VIOLATION: On 12-16-16, you had an initial inspection done by AMCO and other city personnel. At that time, deficiencies were discussed and you did not receive your license. A follow up inspection was done 12-19-16 at which time it was learned that you had ordered and received 5lbs of product from a licensed facility when your license had not been issued to you. This is a violation

Your attention is directed to 3AAC306.005: Licensed required

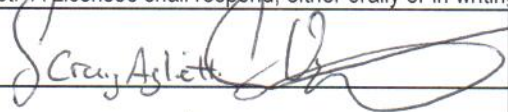

You are directed to respond to the Director of the Marijuana Control Board in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a reoccurrence of this violation. **FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD OF DIRECTORS AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.**

***Please include your Alcohol License Number in your response.**

Cynthia Franklin, Director
Alcohol & Marijuana Board
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501

A Response is Required

3 AAC 306.805 provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A licensee shall respond, either orally or in writing, to the Notice.

Receipt: 	Violation Observed By: F.R. Hamilton
Filed By: 	Title: Investigator III

From: [Franklin, Cynthia A \(CED\)](#)
To: [CED AMCO Enforcement \(CED sponsored\)](#); [Hoelscher, James C \(CED\)](#)
Subject: FW: Notice of Violation Response from Dankorage Lic#10306
Date: Tuesday, December 20, 2016 10:56:32 AM
Attachments: [VIOLATION 12-19-16 DANKORAGE.pdf](#)

Cynthia Franklin, Director
Alcohol & Marijuana Control Office
907-269-0351

From: cmaglietti@sssalaska.com [mailto:cmaglietti@sssalaska.com]
Sent: Tuesday, December 20, 2016 9:29 AM
To: Franklin, Cynthia A (CED)
Subject: Notice of Violation Response from Dankorage Lic#10306

Ms. Franklin,

We had our initial inspections on 12-15-16 by Enforcement and the various city departments. We were given small lists of corrections by all departments to complete before our final inspections which were scheduled for today, 12-19-16. 12-16-16 we were unlocked in Metrc and at this time we believed we were within our rights to order product, which we did. We received this product at our facility 12-18-16. We were under the impression that this product would be reviewed by Enforcement during our final inspection. We made no attempt to hide or mislead the inspectors, the product was out in plain view in our secure store room. We followed all regulations for receiving the product. Also, we understood we were not to sell this product until final approvals were granted. Currently, all inspections are complete and we have been instructed by Enforcement to visit the City of Anchorage Admin. office tomorrow morning to collect our final license.

Our understanding of the proper sequence of events for these final stages was that we would have our first round of inspections, get unlocked in Metrc and have a final "product inspection", wherein Enforcement could come back to check off their final items and also make sure we had received our first product shipments correctly. As you may imagine, the last

week and indeed the last few months have been extremely hectic. We have done everything possible to adhere to the regulations set forth by the state and will continue to do so. We did not willfully disregard the rules, this is a misunderstanding and a communication breakdown. We are one of the very first to work through this very complex process and would never intentionally do anything to endanger our position in the market. During our inspection this afternoon Enforcement admitted to me that we never should have been unlocked in Metrc. This was a mistake pure and simple. We were unlocked in Metrc, and acted in good faith and with all the information we had at the time.

Lastly, Dankorage takes full responsibility for this mistake and we are prepared to do whatever is necessary to correct it. Please let me know if you require anything further. Thank you very much for your consideration and we hope you have a happy holidays.

Craig M. Aglietti
Owner/Operator
DANKORAGE LLC

Office 907-279-DANK
Cell 907-441-0378
Fax 907-929-5927
www.DANKORAGE.com

This e-mail is intended for the addressee shown. It contains information that is confidential and protected from disclosure. Any review, dissemination or use of this transmission or its contents by persons or unauthorized employees of the intended organizations is strictly prohibited.



Alcoholic & Marijuana Control Office
-7-550 W. 7th AVE, SUITE 1600
Anchorage, AK 99501

Date: 1-6-17
Number AB17-0005
Page 1 of 2

Notice of Violation

(3AAC 306.805)

Licensee Glen Kroshus, Barbara Kroshus	License Number 10288	Type of License Standard Marijuana Cultivation
D.B.A. Foxy Enterprises	How Delivered <input type="checkbox"/> Certified Mail # On-File <input checked="" type="checkbox"/> In Person	Law Enforcement Agency Alaska State Troopers
Street or P.O. Box 2330 Gunner Land	City, State Fairbanks, AK	Zip 99712

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.

VIOLATION: On January 5, 2017 AMCO Investigators observed discrepancies in METRC in regards to Foxy Enterprise's marijuana inventory. Harvest batches from the same strain and plants were being divided into two separate harvest batches; one for bud and flower and the other for leaf and trim. According to METRC training, the harvest batches should include all material from the plant harvested. Testing should be done for every 5 pounds of product from the harvest batch. Once the testing passes, then the bud/flower and leaf/trim can be packaged for sale.

Due to the way Foxy Enterprises created two separate harvest batches for the same strain instead of one, it resulted in a potential health and safety hazard to the public. The strain "Hash" bud and flower failed testing. The "Hash" trim and leaf did not fail, even though they were from the same plants and harvests. This resulted in the testing facility locking the failed bud and flower but not the trim and leaf. An administrative hold had to be placed on the leaf and trim by AMCO Investigators to insure the product did not get sold to the public with possible contamination.

Your attention is directed to 3 AAC 306.435 Marijuana Inventory Tracking System; 3 AAC 306.730 Marijuana Inventory Tracking System; and 3 AAC 306.755 Business Records (a)(8)(c).

You are directed to respond to the Director of the Marijuana Control Board in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a reoccurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE MARIJUANA CONTROL BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please include your Marijuana License Number in your response.**

Cynthia Franklin, Director
Alcoholic Beverage Control Board
550 W. 7th Ave. Suite 1600
Anchorage, Alaska 99501

A Response is Required

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Receipt:	Violation Observed By: Amanda Stonecipher
Filed By: Investigator Amanda Stonecipher	Title: Investigator III

Foxy Enterprises
PO BOX 60948
Fairbanks, Alaska 99706
907 457 8999
License Number 10288

AMCO
550 W 7th Ave Suite 1600
Anchorage, Alaska 99501

REF: Notice of Violation #AB17-0005

We understand our representative has made an error in entering the Hash harvest in the METRC system. This will not happen again. We now have a better understanding of the METRC system. We will be able to ask more informed questions. We will attend additional METRC training as it becomes available.

Any questions please call.

Barbara Kroshus



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

Date: 1-5-17
Number AB17-0002
Page 1 of 1 Page

Notice of Violation

(3AAC 306.805)

Licensee Destiny S. Neade	License Number 10012	Type of License Marijuana Product Manufacturing Facility
D.B.A. Frozen Budz	How Delivered USPS Certified Mail7013 2250 0000 9617 5361	Law Enforcement Agency Fairbanks Police Department
Street or P.O. Box 3915 Peger Road	City, State Fairbanks, AK	Zip 99709

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 received an Accusation and Notice of your right to an Administrative Hearing.

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

VIOLATION: On 11-29-16, a walk through was being conducted at a retail marijuana facility. The facility was selling marijuana cookies. Two to a package for a total of 20mg of THC. The cookies did not have demarcation lines in them.

Your attention is directed to 3AAC306(b)(2)

You are directed to respond to the Director of the Marijuana Control Board in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a reoccurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD OF DIRECTORS AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please include your Alcohol License Number in your response.**

Sara Chambers, Acting Director
Alcohol & Marijuana Board
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501

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Receipt:	Violation Observed By: F.R. Hamilton
Filed By: <i>F.R. Hamilton</i>	Title: Investigator III

From: [Nick Neade](#)
To: [CED AMCO Enforcement \(CED sponsored\)](#)
Cc: [Hoelscher, James C \(CED\)](#)
Subject: Frozen Budz License #10012 NOV Response
Date: Wednesday, January 25, 2017 5:18:26 PM
Attachments: [Edible Checklist.pdf](#)

January 23, 2017

Frozen Budz License #10012
3915 Peger Road
Fairbanks, AK 99709

Sara Chambers, Acting Director
Alcohol & Marijuana Board
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501

Dear Sara Chambers,

On January 16th, 2017, we received a Notice of Violation number AB17-0002 from F.R. Hamilton for Frozen Budz Marijuana Product Manufacturing Facility License # 10012. The violation states that a walk through was conducted and one of our products did not have a serving line demarcation. We were made aware of this violation and took immediate action to correct the violation. We have developed a packaging checklist, which I have attached, for our packagers to complete and initial during the packaging of edibles. This checklist will be completed with each edible unit lot to ensure all regulations are met. We believe this quality assurance and control form will ensure that every product has a serving line.

Please review the checklist attachment and contact us if you have any questions or concerns. Please let us know if this is a satisfactory corrective action for the violation. Thank you for your time and consideration in this matter.

Sincerely,
Destiny Neade
Frozen Budz Owner
907-978-1485

Frozen Budz Edible Manufacturing Standard Operating Procedures Checklist

This checklist will be used during packaging to ensure all requirements are met

- ☐ Product is aesthetic and has serving line
- ☐ Product is secure in cellophane
- ☐ Product is in Frozen Budz packaging with label that has:
 - ☐ Manufacture's Name, Address, and License #
 - ☐ Product Name and net weight
 - ☐ Serving size and number of servings per package
 - ☐ Concentration of THC in each serving
 - ☐ Concentration of THC in entire package
 - ☐ List of ingredients and allergy warning
 - ☐ If perishable: keep refrigerated/frozen
 - ☐ Best by date
 - ☐ Directions for use with activation time
 - ☐ Marijuana warning label

Frozen Budz Edible Manufacturing Standard Operating Procedures Checklist

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 - ☐ Product Name and net weight
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 - ☐ Concentration of THC in each serving
 - ☐ Concentration of THC in entire package
 - ☐ List of ingredients and allergy warning
 - ☐ If perishable: keep refrigerated/frozen
 - ☐ Best by date
 - ☐ Directions for use with activation time
 - ☐ Marijuana warning label

Frozen Budz Edible Manufacturing Standard Operating Procedures Checklist

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 - ☐ Manufacture's Name, Address, and License #
 - ☐ Product Name and net weight
 - ☐ Serving size and number of servings per package
 - ☐ Concentration of THC in each serving
 - ☐ Concentration of THC in entire package
 - ☐ List of ingredients and allergy warning
 - ☐ If perishable: keep refrigerated/frozen
 - ☐ Best by date
 - ☐ Directions for use with activation time
 - ☐ Marijuana warning label



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

Date: 1/24/16
Number AB17-0045
Page 1 of 1 Page

Notice of Violation

(3AAC 306.805)

Licensee Michael Emers	License Number 10005	Type of License Standard Marijuana Cultivation Facility
D.B.A. Rosie Creek Farm	How Delivered Email	Law Enforcement Agency Alaska State Troopers
Street or P.O. Box 2659 Livingston Loop	City, State Fairbanks, AK	Zip 99709

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.

VIOLATION: On January 19th, 2017 Rosie Creek Farm initiated transport manifest #0000017201 in Metrc for two 4g packages (test samples) to be transported to Canntest, LLC in Anchorage. The route to be traveled read as follows: Farm to Parks Highway, to Geist Road, to Johansen Expressway, meet with Black Rapids LLC (License #10027) at Walmart. Time of departure 1/19/17 at 1:30pm; time of arrival 1/19/17 2:00pm. Grant Anderson of Black Rapids LLC was listed as the sole person transporting the product.

Further investigation revealed that Emers drove the product to Walmart where he met with Anderson in the parking lot and the two packages were given to Anderson. I located a second manifest, #0000017301, which originated from Black Rapids LLC and included two of their own 4g test sample packages. This is the manifest that then accompanied manifest #17201 above, however there is nothing explaining this connection on either manifest. Manifest #17301 time of departure is not until 1/20/17 at 5:00am. There is nothing to account for the whereabouts of Emers' two packages from manifest #10027 once they were given to Anderson 15 hours earlier.

Metrc does not allow untested marijuana, including test samples, to be transferred between licensees other than directly from a cultivator to a testing facility. The "transfer" between Emers and Anderson was therefore not recorded in Metrc. Black Rapids LLC cannot represent itself while concurrently representing Rosie Creek Farm as its agent (transporter in this case).

Your attention is directed to 3 AAC 306.435 Marijuana inventory tracking system, 3 AAC 306.455 Required laboratory testing, 3 AAC 306.750 Transportation

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

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***Please include your Marijuana Establishment License Number in your response.**

**Sara Chambers, Acting Director
Alcohol & Marijuana Control Office
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501**

A Response is Required

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Receipt:	Violation Observed By: J. Bankowski
Filed By:	Title: Investigator III



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

Date: 1/24/16
Number AB17-0048
Page 1 of 1 Page

Notice of Violation

(3AAC 306.805)

Licensee	License Number	Type of License
Grant Anderson	10027	Standard Marijuana Cultivation Facility
D.B.A.	How Delivered	Law Enforcement Agency
Black Rapids LLC	Email	Alaska State Troopers
Street or P.O. Box	City, State	Zip
721 Cloud Rd	North Pole, AK	99709

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.

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Metrc does not allow untested marijuana, including test samples, to be transferred between licensees other than directly from a cultivator to a testing facility. The "transfer" between Emers and Anderson was therefore not recorded in Metrc. Black Rapids LLC cannot represent itself while concurrently representing Rosie Creek Farm as its agent (transporter in this case).

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***Please include your Marijuana Establishment License Number in your response.**

**Sara Chambers, Acting Director
Alcohol & Marijuana Control Office
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501**

A Response is Required

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Receipt:	Violation Observed By: J. Bankowski
Filed By:	Title: Investigator III



Alcohol & Marijuana Control Office
550 W. 7th Ave, Suite 1600
Anchorage, AK 99501

Date: 1/25/2017
Number AB17-0051
Page 1 of 2

Notice of Violation

(3AAC 304.525)

Licensee	License Number	Type of License
Pakalolo Supply Company, Inc	10230	Standard Marijuana Cultivation Facility
D.B.A.	How Delivered	Law Enforcement Agency
Pakalolo Supply Company	Via e-mail receipt to	Fairbanks Police Department
Street or P.O. Box	City, State	Zip
3264 Riverview Drive	Fairbanks, AK	99709

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage 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.

VIOLATION:

Pakalolo Supply Company – License #10230 sent in numerous batches to Canntest, LLC for retesting without requesting Marijuana Board approval.

Reference METRC Packages: 1A40203000000C90000000042, 1A40203000000C90000000060, 1A40203000000C90000000063, 1A40203000000C90000000083

On 1/6//17 during a conversation at the testing facility Canntest, LLC it was mentioned that they did approximately two retests for Pakalolo Company Inc. and the retesting had the Marijuana Board's approval. The Marijuana Board advised there was no petition or record of consideration to retest the above samples. AMCO also did not receive any requests for a retest of prior failed marijuana tests.

Your attention is directed to

3 AAC 306.660. Failed materials; retests (a) If a sample tested by a marijuana testing facility does not pass the required tests based on the standards set out in **3 AAC 306.645**, the marijuana establishment that provided the sample shall (1) dispose of the entire harvest batch or production lot from which the sample was taken; and (2) document the disposal of the sample using the marijuana establishment's marijuana inventory tracking system. (b) If a sample of marijuana fails a required test, any marijuana plant trim, leaf, and other usable material from the same plants automatically fail the required test. The board may approve a request to allow a batch of marijuana that fails a required test to be used to make a carbon dioxide- or solvent-based extract. After processing, the carbon dioxide- or solvent-based extract must pass all required tests. (c) If a marijuana cultivation facility or a marijuana product manufacturing facility petitions for a retest of marijuana or a marijuana product that failed a required test, the board may authorize a retest to validate the test results. The marijuana cultivation facility or a marijuana product manufacturing facility shall pay all costs of a retest.

You are directed to respond to the Director of the Alcohol & Marijuana Control Office in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a reoccurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD OF DIRECTORS AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please include your Alcohol License Number in your response.**

**Sara Chambers, Acting Director
Alcohol & Marijuana Control Office
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501**

A Response is Required

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Receipt:	Violation Observed By: Kendrick Whiteman
Filed By: Kendrick Whiteman	Title: Investigator III

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