



Alaska Marijuana Control Board

Preliminary Inspection Form
Form MJ-23a: Retail Marijuana Stores

Licensee:		License Number:	
Doing Business As:		Inspection Date:	

Section 1 – Inspection Checklist

SECURITY	PASS	FAIL	COMMENTS
1. 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 stored, where marijuana waste is destroyed, each point of sale area, and the entrance to the licensed premises 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 any objects, 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.			
2. 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.			



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3. Locks: Commercial grade, non-residential door locks on all exterior entry points to the licensed premises.			
4. Lighting: Exterior lighting must facilitate surveillance.			
5. Internal Policies & Procedures: Shall be designed to prevent diversion of marijuana and marijuana products and prevent loitering. Licensee must also describe the use of any additional security device, such as a motion detector, pressure switch, and duress, panic, or hold-up alarm to enhance security of the licensed premises. Licensee must describe the actions to be taken by a licensee, employee, or agent of the establishment when any automatic or electronic notification system alerts a local law enforcement agency of an unauthorized breach of security.			
6. Display of Identification: Each licensee, employee, or agent shall display an identification badge issued by the establishment at all times when on the licensed premises.			
7. Restricted Access Areas: A retail marijuana store shall restrict access to any part of the licensed premises where marijuana or marijuana product is 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 number of visitors shall be limited to not more than five visitors for each licensee, employee, or agent of the licensee who is actively engaged in supervising those visitors.			
b.) In a restricted access area, a licensee, employee, or agent of the marijuana establishment shall wear a current identification badge bearing the person's photograph. A person under 21 years of age may not enter a restricted access area. Any visitor to the restricted access area must show ID to prove they are at least 21 years old, obtain a visitor ID badge before entering the restricted access area, and be escorted at all times.			
c.) Each entry to a retail marijuana store must be posted with a sign that says "No one under 21 years of age allowed." The sign must be not less than 12 inches long and 12 inches wide, with letters at least one-half inch in height and in high contrast to the background of the sign.			
8. Metrc: Conduct facility audit. Ensure licensee is using the Metrc system properly and packages have been tagged in accordance with initial instruction provided by AMCO.			



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Section 2 – License Briefing

Licensee must sign initials, acknowledging understanding of and certifying compliance with each section:

Initials

1. ID Verification: 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. A valid form of photographic identification includes an unexpired, unaltered passport; an unexpired, unaltered driver's license, instruction permit, or identification card of any state or territory of the United States, the District of Columbia, or a province or territory of Canada; or an identification card issued by a federal or state agency authorized to issue a driver's license or identification card. **3 AAC 306.350**

2. Limit on Quantity Sold: A retail marijuana store may not sell in a single transaction more than **one ounce** of usable marijuana, more than **seven grams** of marijuana concentrate for inhalation or marijuana or marijuana products if the total amount of marijuana, marijuana products, or both marijuana and marijuana products sold contains more than **5600 milligrams** of the THC. **3 AAC 306.355**

3. Advertising: A retail marijuana store may have not more than three signs, visible to the general public from the public right-of-way, that identify the retail marijuana store by its business name. A sign may be placed in the retail marijuana store's window or attached to the outside of the licensed premises. The size of each sign may not exceed 4,800 square inches. **3 AAC 306.360**

a.) An advertisement for marijuana or a marijuana product may not contain a statement or illustration that is false or misleading; promotes excessive consumption; represents that the use of marijuana has curative or therapeutic effects; depicts a person under 21 years of age consuming marijuana; or includes an object or character, including a toy, a cartoon character, or any other depiction designed to appeal to a person under 21 years of age, that promotes consumption of marijuana.

b.) A retail marijuana store may not place an advertisement for marijuana or a marijuana product, except as provided in (a) of this section, within 1,000 feet of the perimeter of any child-centered facility, including a school, a child care facility or other facility providing services to children, a playground or recreation center, a public park, a library, or a game arcade that is open to persons under 21 years of age; on or in a public transit vehicle or public transit shelter; on or in a publicly owned or operated property; within 1,000 feet of a substance abuse or treatment facility; or on a campus for post-secondary education.

c.) A retail marijuana store may not use giveaway coupons as promotional materials, or conduct promotional activities such as games or competitions to encourage sale of marijuana or marijuana products.

4. Samples: A retail marijuana store may receive a free sample of marijuana from a cultivation facility if packaged in a sample jar containing no more than 3 1/2 grams of marijuana and protected by a plastic or metal mesh screen to allow customers to smell the product before purchase. **3 AAC 306.460**

a.) You may receive a free sample of marijuana from a cultivation facility if the sample is provided for the purpose of negotiating a sale and is no more than one ounce; you may not receive more than one ounce of marijuana per month free of charge for the purpose of negotiating a sale.



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- b.) You may not sell the marijuana sample to a customer, and shall either return the marijuana sample to the cultivation facility that provided the sample, or destroy the marijuana sample after use and document the destruction in the marijuana inventory tracking system.
5. **Marijuana Handler Permits:** Each licensee, employee, or agent of the retail marijuana store who sells or transports marijuana or marijuana product, or who checks the identification of a consumer or visitor, must obtain a marijuana handler permit from the board before being licensed or beginning employment at a marijuana establishment. The individual must keep the handler permit card in their immediate possession or a valid copy on file at the premises at times when on the licensed premises. **3 AAC 306.700**
6. **Licensed Premises, Alteration:** A license will be issued for a specific licensed premises, which is a place clearly designated in a license application and described by a line drawing submitted with the license application. The licensed premises must have adequate space for its approved operations, including packaging or storing marijuana or marijuana products, and be located and constructed to facilitate cleaning, maintenance, and proper operation. A marijuana establishment's license must be posted in a conspicuous place within the licensed premises. *A licensee seeking to change or modify the licensed premises must submit a complete copy of Form MJ-14: Licensed Premises Change, along with the \$250 fee, and receive the director's written approval before altering the functional floor plan or reducing or expanding the area of the licensed premises.* **3 AAC 306.705**
7. **Health and Safety Standards:** A licensed premises is subject to inspection by the local fire department, building inspector, or code enforcement officer to confirm that no health or safety concerns are present. Adequate sanitation principles must be used in any receiving, inspecting, transporting, and storing of marijuana or marijuana product and any marijuana or marijuana product must be held in a manner that prevents the growth of bacteria, microbes, or other undesirable microorganisms. A marijuana establishment shall ensure that any marijuana or marijuana product that has been stored beyond its usable life, or was stored improperly, is not salvaged and returned to the marketplace; "stored improperly" means being exposed to extremes in temperature, humidity, smoke, fumes, pressure, or radiation due to a natural disaster, fire, accident, or equipment failure. **3 AAC 306.735**
8. **Testing Required for Marijuana and Marijuana Products:** A retail marijuana store may not sell, give, distribute, deliver, or offer to sell, give, distribute, or deliver, marijuana or a marijuana product until all laboratory testing under 3 AAC 306.645 has been completed, and the label required under 3 AAC 306.475 or 3 AAC 306.570 is affixed. **3 AAC 306.340**
9. **Waste Disposal:** A marijuana establishment shall store, manage, and dispose of any solid or liquid waste, including wastewater generated during marijuana retail sales, in compliance with applicable federal, state, and local laws and regulations. **3 AAC 306.740**
- a.) Marijuana waste must be rendered unusable for any purpose for which it was grown or produced before it leaves a marijuana establishment.
- b.) Marijuana waste includes: marijuana plant waste, including roots, stalks, leaves, and stems that have not been processed with solvent and other waste as determined by the board. Keep a record of the final destination of marijuana waste made unusable.



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c.) Marijuana plant waste must be made unusable by grinding the marijuana plant waste and mixing it with at least an equal amount of other compostable or non-compostable materials. A marijuana establishment may use other methods to make marijuana waste unusable if the board approves the method in advance. Material that may be mixed with the marijuana waste includes *compostable materials* including food waste, yard waste, vegetable based grease or oils, or other wastes approved by the board when the mixed material can be used as compost feedstock or in another organic waste method such as an anaerobic digester with approval of any applicable local government entity; or *non-compostable materials* including paper waste, cardboard waste, plastic waste, oil, or other wastes approved by the board when the mixed material may be delivered to a permitted solid waste facility, incinerator, or other facility with approval of any applicable local government entity.

10. Packaging and Labeling: A retail marijuana store shall assure that marijuana sold on its licensed premises is packaged in compliance with 3 AAC 306.470 and 3 AAC 306.475 and any marijuana product sold on its licensed premises is packaged and labeled in compliance with 3 AAC 306.470 and 3 AAC306.570. **3 AAC 306.345**

a.) Marijuana or a marijuana product sold at a retail marijuana store must be packaged in opaque, resealable, child-resistant packaging when the purchaser leaves the retail section of the licensed premises. The packaging must be designed or constructed to be significantly difficult for children under five years of age to open, but not normally difficult for adults to use properly.

b.) The store shall affix a label to each package of marijuana or marijuana product that identifies the store selling the product by name or distinctive logo and marijuana establishment license number, the total estimated amount of THC in the product and the following statements:

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

11. Standardized 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. **3 AAC 306.745**

12. Transportation: A retail marijuana store may only transport marijuana to another retail marijuana store.

a.) A marijuana establishment from which a shipment of marijuana or marijuana product originates is responsible for preparing, packaging, and securing the marijuana or marijuana product during shipment, for recording the transfer in the marijuana inventory tracking system, and for preparing the transport manifest. Any individual transporting marijuana in compliance with this section shall have a marijuana handler permit required under 3 AAC 306.715.



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b.) When any marijuana or marijuana product is transported, the marijuana establishment that originates the transport shall use the marijuana tracking system to record the type, amount, and weight of marijuana or marijuana product being transported, the name of the transporter, the time of departure and expected delivery, and the make, model, and license plate number of the transporting vehicle. A complete printed transport manifest on a form prescribed by the board must be kept with the marijuana or marijuana product at all times.

c.) During transport, any marijuana or marijuana product must be in a sealed package or container in a locked, safe, and secure storage compartment in the vehicle transporting the marijuana or marijuana product. The sealed package may not be opened during transport. Any vehicle transporting marijuana or marijuana product must travel directly from the shipping marijuana establishment to the receiving marijuana establishment, and must not make any unnecessary stops in between except to deliver or pick up marijuana or marijuana product at any other licensed marijuana establishment.

d.) When a marijuana establishment receives marijuana or a marijuana product transported in compliance with this section, the recipient of the shipment shall use the marijuana inventory tracking system to report the type, amount, and weight of marijuana or marijuana product received. The licensed recipient shall refuse to accept any shipment of marijuana or marijuana product that is not accompanied by the transport manifest.
3 AAC 306.750

13. Business Records: A marijuana establishment shall maintain, in a format that is readily understood by a reasonably prudent business person, the following information (**3 AAC 306.755**):

- All books and records necessary to fully account for the business transactions conducted under its license for the current year and three preceding calendar years; records for the last six months must be maintained on the marijuana establishment's licensed premises; older records may be archived on or off premises;
- A current employee list setting out the full name and marijuana handler permit number of each licensee, employee, and agent who works at the marijuana establishment;
- The business contact information for vendors that maintain video surveillance systems and security alarm systems for the licensed premises;
- Records related to advertising and marketing;
- A current diagram of the licensed premises including each restricted access area;
- A log recording the name, and date and time of entry of each visitor permitted in a restricted access area;
- All records normally retained for tax purposes;
- Accurate and comprehensive inventory tracking records that account for all marijuana inventory activity from seed or immature plant stage until the marijuana or marijuana product is sold to a consumer or to another marijuana establishment, or is destroyed;
- Transportation records for marijuana and marijuana product as required under 3 AAC 306.745(f).

a.) A marijuana establishment shall provide any record required to be kept on the licensed premises to an employee of the board upon request. Any record kept off premises must be provided to the board's employees within three business days after a request for the record.



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b.) A marijuana establishment is required to exercise due diligence in preserving and maintaining all required records. *Loss of records and data, including electronically maintained records, will not be considered an excuse for a violation of this rule. Failure to retain records required under this section may be interpreted by the board as a license violation affecting public safety.*

14. Inspection and Investigation: A marijuana establishment, and any licensee, employee, or agent in charge shall cooperate with the director, an enforcement agent, an employee of the board, or a peace officer acting in an official capacity, to enforce the laws related to marijuana, including permitting entry upon and inspection of the licensed premises and providing access to business records at reasonable times when requested by the director, an enforcement agent, an employee of the board, or a peace officer. The director, an enforcement agent, an employee of the board, or a peace officer acting in an official capacity, may

- Inspect the licensed premises of any marijuana establishment, including any marijuana and marijuana product on the premises, equipment used in cultivating, processing, testing, or storing marijuana, the marijuana establishment's inventory tracking system, business records, and computers, at any reasonable time and in a reasonable manner;
- Issue a report or notice as provided in 3 AAC 306.805;
- As authorized under AS 17.38.085, exercise peace officer powers and take any other action the director determines is necessary.

3 AAC 306.800

15. Report or Notice of Violation: The director, an enforcement agent, an employee of the board, or a peace officer acting in an official capacity, may issue an inspection report, an advisory report, or a notice of violation before taking action to suspend or revoke a marijuana establishment license.

- An **advisory notice** may be issued when an incident occurs or a defect is noted that could result in a violation of a statute, regulation, or municipal ordinance. An advisory notice may result from an inspection report, but is not a basis for administrative action unless the incident or defect continues or is not corrected.
- A **notice of violation** may be issued when an inspection report or other credible information shows a marijuana establishment is in violation of AS 17.38, 3 AAC 306, or other law relating to marijuana. The notice of violation must be delivered to the marijuana establishment at its licensed premises, and to the board. The notice must describe any violation, and cite an applicable statute, regulation, or order of the board. A marijuana establishment that receives a notice of violation may respond to the notice orally or in writing, and may, within ten days after receiving the notice, request an opportunity to appear before the board. A notice of violation may be the basis of a proceeding to suspend or revoke a marijuana establishment's license as provided under 3 AAC 306.810.



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Alcohol and Marijuana Control Office

550 W 7th Avenue, Suite 1600

Anchorage, AK 99501

marijuana.licensing@alaska.gov

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

Phone: 907.269.0350

Section 3 – Inspection and Briefing Acknowledgement

I have received information on the above subjects, and I am aware I must become familiar with and abide by the laws covering the licensing and operation of my business as prescribed in AS 17.38 and 3 AAC 306. I understand I am responsible to operate my business in compliance with all Alaska laws and regulations.

Signature of licensee

Investigator

Printed name of licensee

Date