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

Alaska Marijuana Control Board

Operating Plan Supplemental
Form MJ-03: Retail Marijuana Store

What is this form?

This operating plan supplemental form is required for all applicants seeking a retail marijuana store license and must accompany the **Marijuana Establishment Operating Plan (Form MJ-01)**, per 3 AAC 306.020(b)(11). Applicants should review **Chapter 306: Article 3** of the **Alaska Administrative Code.** This form will be used to document how an applicant intends to meet the requirements of those regulations. If your business has a formal operating plan, you may include a copy of that operating plan with your application, but all fields of this form must still be completed per 3 AAC 306.020 and 3 AAC 306.315(2).

What additional information is required for retail stores?

Applicants must identify how the proposed establishment will comply with applicable regulations regarding the following:

- Prohibitions
- On-site consumption
- Displays and sales
- Exit packaging and labeling
- Security

This form must be submitted to AMCO's main office before any retail marijuana store license application will be considered complete.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Eden Management Group, LLC	**License Number:**	12866		
License Type:	Retail Marijuana Store				
Doing Business As:	UNCLE HERB'S				
Premises Address:	1213 Ocean Drive, Unit 2				
City:	Homer	**State:**	ALASKA	**ZIP:**	99603

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Section 2 – Prohibitions

Applicants should review 3 AAC 306.310 and be able to answer "Agree" to all items below.

The retail marijuana store will not:	Agree	Disagree
Sell, give, distribute, deliver, or offer to sell, give, distribute, or deliver marijuana or marijuana product in a quantity exceeding the limit set out in 3 AAC 306.355	☑	☐
Sell, give, distribute, deliver, or offer to sell, give, distribute, or deliver marijuana or marijuana product over the internet	☑	☐
Offer or deliver to a consumer, as a marketing promotion or for any other reason, free marijuana or marijuana product, including a sample	☑	☐
Offer or deliver to a consumer, as a marketing promotion or for any other reason, alcoholic beverages, free or for compensation	☑	☐
Allow a person to consume marijuana or a marijuana product on the licensed premises, except as provided in 3 AAC 306.305(a)(4)	☑	☐

Describe how you will ensure that the retail marijuana store will not sell, give, distribute, or deliver marijuana or marijuana product to a person who is under the influence of an alcoholic beverage, inhalant, or controlled substance:

Uncle Herb's will not sell, offer to sell, give, distribute, or deliver marijuana to any consumers who are: (1) not physically present on the licensed premises; (2) under the influence of an alcoholic beverage, inhalant, or controlled substance; or (3) not at least twenty one (21) years of age at the time of purchase, as evidenced by that consumer's government-issued identification. Company agents will greet the customers and check their ID for the age requirement. The facility will have very visible posted warning signs explaining that the establishment is not allowed to sell cannabis to anyone who is intoxicated. If a person enters the premises exhibiting signs of impairment, Uncle Herb's employees and agents will be trained to recognize those signs, refuse all service and sale to that individual, and escort them safely from the premises. If an agent suspects a customer of being intoxicated with any substance upon entrance, the customer will be asked to leave and come back at a later date. Additionally, employees and management will exercise strict diligence and compliance with the sale limits embodied in 3 AAC 306.355. No customer, in a single transaction, shall be sold more than the following quantity of marijuana or marijuana product in a single transaction: (1) one ounce of usable marijuana; (2) seven grams of marijuana concentrate for inhalation; or (3) marijuana or marijuana products containing more than a total of 5600 milligrams of THC per single transaction. All employees will be required to obtain a Marijuana Handlers Permit, as required by state regulations. In addition to the permit, all employees will receive in-house training prior to their employment start date. This comprehensive training module will include tools to target the prevention of marijuana or marijuana product sales to consumers who are under the influence of alcohol, inhalants, or a controlled substance. If intoxication is detected after the individual has already entered the premises and display area, the agents have the authority to refuse service to anyone, and may ask any customer to leave the facility at any time. A manager and security personnel will be on hand to help manage customer ingress and egress. Should an individual be escorted off the premises, management will ensure that each removed individual has a safe ride or a taxi called for their safe departure.

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Section 3 – On-site Consumption

	Yes	No
Do you plan to request approval of the board with your initial application to permit consumption of marijuana or marijuana product in a designated area on the proposed premises?	☐	☑

If "Yes", describe how you ensure that only marijuana or marijuana products that were purchased at your proposed premises are being consumed, per 3 AAC 306.305(a)(4):

Section 4 – Displays and Sales

Describe how marijuana and marijuana products at the retail marijuana store will be displayed and sold:

All marijuana will be displayed in locked and secured display cases and cabinets which require employee assistance to access. Product displays will be in full view of a working video surveillance camera at all times that marijuana or marijuana product is stored in the display. Marijuana will be placed in the secured displays at opening, and will only be on display during business hours. Marijuana and marijuana products will be secured in a locked case at all times where customers may be present on the premises. Only marijuana that is packaged and labeled in accordance with all state laws and regulations, and in accordance with Uncle Herb's policies, will be placed in product displays and accessed for sale to the public. All employees will be trained and regularly monitored to ensure compliance with the display and closing policies, and that all product is secured and accounted for at all times. The facility will have education material positioned around the shopping area with product details and information. TV monitors will be positioned in the facility to inform and educate customer(s) on displayed products and pricing. When customers have made their purchasing decisions, they will then head to the check-out counter. All sell-able edibles, concentrates, and flowers will be stored behind the check-out counter. All products on the shopping floor will be for display only. Cashiers will take the customer order and fulfill them from behind the counter. Concentrates and edibles will all be prepackaged and labeled. Flower will be sold in a hybrid system. Some will be prepackaged in heat sealed mylar bags (smell proof) in 1g, 3.5g, and 7g increments. These bags will be per-labeled. Other options will be "Deli" style. Large glass jars with batch labeled strains will be on display. If a customer wants that strain, the agent will weigh flower at the check-out counter using a certified scale. Once weighed to the desired amount, the agent will register the purchase in the POS system, seal the product into a child-proof container, and print the packaging label. The prepackaged products will be in secured bins on the shelves in the shopping area, or on hooks against the back wall behind the counter, well out of the reach of the customers. Any edibles will be stored in a refrigerator, also securely placed behind the counter out of reach of the customers. Any non-marijuana inventory will be stored in bins on the shelves, on hooks against the back wall, or out on the shopping floor in a separate display case.

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Section 5 – Exit Packaging and Labeling

Review the requirements under 3 AAC 306.345, and identify how the proposed establishment will meet the listed requirements.

Describe how the retail marijuana store will ensure that marijuana and marijuana products sold on its licensed premises will meet the packaging and labeling requirements set forth in 3 AAC 306.345(a):

The company quality control unit (QCU) is responsible for inspecting and approving all marijuana and related products that will be sold. This includes all packaging, equipment, labeling, and testing policies and results. The QCU will consist of selected members from management and ownership to ensure all aspects of the business are reviewed for total quality control. Cannabis products transported from cultivation or manufacturing facilities will be inspected by a QCU agent for quality and consistency with the travel manifest documentation. Once approved, inventory will be entered into the POS tracking system with all mandatory information designated by the MC Board. Purchase order entry information will be stored on the server, and printed and stored as official business records. When cannabis-infused edibles and marijuana concentrates are delivered from a manufacturer, QCU will inspect the products for contamination, the travel manifest documentation consistency, and the label information. Labels will be checked for: (1) name and license number of the providing entity; (2) production lot and batch number; (3) strain Information; (4) net weight of the product in the package (not including weight of packaging); and (5) packaging date and expiration date. The travel manifest paperwork will be checked for: (1) name and license number of the providing entity; (2) delivery date; (3) start time and estimated arrival time; (4) strain and batch information; (5) delivery driver name and handler's card verification; and (6) the weight of the products transferred. The manager accepting the product will take photocopies of all paperwork involved in the transfer. Both the provider and the receiver of the marijuana products will sign paperwork expressing that all information is correct and the transfer took place. No packaging or labels will be used on marijuana products which have not first been approved by the QCU for sale to consumers. All marijuana bud and flower sold to a customer shall be packaged for sale in a package not exceeding one (1) ounce. All marijuana product sold to a customer shall be packaged for sale in a package not to exceed seven (7) grams for marijuana concentrate meant for inhalation. The packages will meet all labeling requirements of the state, municipality, and the MC Board, will protect the product from contamination, will not impart any toxic or damaging substance to the product, and will not have any printed images, including cartoon characters, that specifically target individuals under the age of 21.

Provide a sample label that the retail marijuana store will use to meet the labeling requirements under 3 AAC 306.645(b):

Uncle Herbs will secure a label to every package that includes; (1) the retail store's business name and license number (2) the total estimated amount of THC (3) each of the statements listed in 3 AAC 306.345(b) word for word;(4) and production/cultivation business/license info

Business Name: Uncle Herb's
License Number: 12866
Strain:
Batch / Lot Number:
Gross Weight:
Net MJ Weight:
Packaging Date:
Expiration Date:
THC Amount (mg or % based on product type) :

Alaska Safety Warning: 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 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.

From:	Christina Thibodeaux
To:	Marijuana Licensing (CED sponsored)
Cc:	Jana Weltzin; Valerie Mastolier; Lloyd Stiassny
Subject:	RE: Incomplete Response - #12866 Uncle Herb"s
Date:	Friday, August 11, 2017 1:08:13 PM
Attachments:	delete label.PNG delete label 2.PNG delete label 3.PNG

Hi Jane,

The sample label provided on page 4 of MJ-03 *is* a sample of the actual label that the retailer will use in accordance with 3 AAC 306.345(b), it meets all of the requirements of the regulation. Some retailers only use the METRC generated label that includes all of the information required under this regulation (just a white sticky label with black text) and sometimes the retailer doesn't affix anything in addition to the manufacturer's label (I've attached some photos as examples). In this example, the manufacturer attached the label which meets all of the requirements of 306.345 and the retailer does not need to affix any additional labeling.

We are unsure of what else to provide for this request. Please advise.

Thank you!

Tina Thibodeaux
JDW, LLC
Paralegal
3003 Minnesota Drive Suite 201
Anchorage, Alaska 99503
907-231-3750
info@jdwcounsel.com
christina@jdwcounsel.com

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From: Marijuana Licensing (CED sponsored) [mailto:marijuana.licensing@alaska.gov]
Sent: Friday, August 11, 2017 11:25 AM
To: Christina Thibodeaux <christina@jdwcounsel.com>
Cc: Jana Weltzin <jana@jdwcounsel.com>; Valerie Mastolier <valerie@jdwcounsel.com>; Lloyd Stiassny <STAZZ@msn.com>
Subject: RE: Incomplete Response - #12866 Uncle Herb's

One more thing on this one.

I did not see a sample of the actual label that the retail will use that MJ-03

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Section 6 – Security

Identification Requirement to Prevent Sale to Person Under 21 (3 AAC 306.350):

Describe the retail marijuana store's procedures for ensuring a form of valid photographic identification has been produced before selling marijuana or marijuana product to a person, per 3 AAC 306.350(a):

All customers will enter the main door into the reception and lobby area (no marijuana will be accessible in this area). Once an individual enters the facility into the lobby area, a receptionist will greet the customer and check their government-issued ID for the age requirement. Uncle Herb's will not sell, offer to sell, give, distribute, or deliver marijuana or marijuana products to any consumers who are (1) not physically on the licensed premises; (2) under the influence of an alcoholic beverage, inhalant, or controlled substance; or (3) not at least twenty one (21) years of age at the time of purchase, as evidenced by the customer's government-issued ID. Uncle Herb's reserves the right to refuse to sell marijuana or marijuana product to any consumer, even if a valid ID is presented. The entrance, lobby, display area, and all weighing, packaging, and check-out counters will be monitored by video surveillance at all times. Management and security will be present in the facility during all operating hours to ensure the company remains in compliance with all laws, rules, and regulations.

I declare under penalty of perjury that I have examined this form, including all accompanying schedules and statements, and to the best of my knowledge and belief find it to be true, correct, and complete.

Signature of licensee

Lloyd Stiassny

Printed name

Subscribed and sworn to before me this 17 day of May, 2017.

CHRISTINA THIBODEAUX
Notary Public
State of Alaska
My Commission Expires Mar 31, 2021

Christina Thibodeaux

Notary Public in and for the State of Alaska.

My commission expires: March 31, 2021

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(Additional Space as Needed):