



Alaska Marijuana Control Board

Preliminary Inspection Form

Form MJ-23b: Marijuana Cultivation Facilities

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 grown, cured, stored, 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.			
2. Alarm System: A security alarm system is required on all exterior doors and windows.			



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SECURITY	PASS	FAIL	COMMENTS
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 marijuana cultivation facility shall restrict access to any part of the licensed premises where marijuana is grown, processed, 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.) 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.			
d.) Ensure that any marijuana at the marijuana cultivation facility cannot be observed by the public from outside the marijuana cultivation facility and does not emit an odor that is detectable by the public from outside the facility except as allowed by a local government conditional use permit process.			
8. Metrc: Conduct facility audit. Ensure licensee is using the Metrc system properly and all plants 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. Marijuana Handler Permits: Each licensee, employee, or agent of the marijuana cultivation facility who cultivates, or transports marijuana or who checks the identification of a 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**

2. 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 growing, processing, packaging, or storing marijuana, 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**

3. 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 and any marijuana 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 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**

4. Required Laboratory Testing: A marijuana cultivation facility shall provide a sample of each harvest batch of marijuana cultivated at the facility to a marijuana testing facility, and may not sell or transport any marijuana until all laboratory testing required by 3 AAC 306.645 has been completed. A marijuana cultivation facility must:

- Collect a random, homogenous sample for testing by segregating harvested marijuana into batches of individual strains of bud and flower, then selecting a random sample from each batch in an amount required by the marijuana testing facility;
- Designate an individual responsible for collecting each sample who will prepare a signed statement showing that each sample has been randomly selected for testing; provide the signed statement to the testing facility; and maintain a copy as a business record;
- Transport the sample to the testing facility;
- Segregate the entire batch from which the testing sample was selected until the marijuana testing facility reports the results from its tests. During this period of segregation, the marijuana cultivation facility that provided the sample shall maintain the batch in a secure, cool, and dry location to prevent the marijuana from becoming contaminated or losing its efficacy. The facility that provided the sample may not sell or transport any marijuana from the segregated batch until the marijuana testing facility has completed its testing and provided those results, in writing, to the marijuana cultivation facility that provided the sample. The marijuana cultivation facility shall maintain the testing results as part of its business books and records. **3 AAC 306.455**



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5. Random Sampling: The board or the director will from time to time require a standard or limited marijuana cultivation facility to provide samples of the growing medium, soil amendments, fertilizers, crop production aids, pesticides, or water for random compliance checks. The sample may be screened for pesticides and chemical residues, unsafe levels of metals, and used for other laboratory tests the director finds to be in the interests of the public. The marijuana cultivation facility shall bear all costs of the testing. When the board or the director orders this type of random sampling, the director will identify a licensed marijuana testing facility to perform the testing. The marijuana testing facility will collect the test samples; the marijuana cultivation facility shall cooperate to facilitate the collection of samples.

6. Waste Disposal: A marijuana establishment shall store, manage, and dispose of any solid or liquid waste, including wastewater generated during marijuana cultivation production, 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

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.

7. Packaging of Marijuana: A marijuana cultivation facility shall package its marijuana bud and flower for sale to:

- A retail marijuana store, either in a package not exceeding one ounce for resale to consumers without additional handling by the retail marijuana store except to add the retail marijuana store's own identifying name or logo and license number or in a wholesale package not exceeding five pounds for re-packaging by the retail marijuana store.

- A marijuana product manufacturing facility in a wholesale package not exceeding five pounds, consisting of a single strain or a mixture of strains as identified on the label.

a.) When a licensed marijuana cultivation facility packages marijuana for a retail marijuana store to sell to a consumer without re-packaging, the packaging may not have any printed images, including cartoon characters that specifically target individuals under the age of 21. In addition, the packaging must protect the product from contamination and must not impart any toxic or damaging substance to the marijuana.



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b.) Each package prepared in compliance with this section must be identified by a tracking tag or label generated for tracking by the marijuana cultivation facility's marijuana inventory control system. **3 AAC 306.470**

8. **Labeling of Marijuana:** When a marijuana cultivation packages marijuana for a retail marijuana store to sell to a consumer without repackaging, the marijuana cultivation facility shall affix a label to each package of marijuana or marijuana product that contains the following statements:

- "Marijuana has intoxicating effects and may be habit forming and addictive."
- "Marijuana impairs concentration, coordination, and judgement. 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 reach of children."
- "Marijuana should not be used by women who are pregnant or breast feeding."

a.) With each harvest batch of marijuana sold, a marijuana cultivation facility must disclose in writing each soil amendment, fertilizer, and other crop production aid applied to the growing medium or marijuana plant included in the batch, along with the name of the licensed marijuana testing facility that performed any required laboratory test and the results of each required laboratory test.

b.) A marijuana cultivation facility may not label marijuana as organic.

c.) A marijuana cultivation facility shall affix a label containing the following information to each package of marijuana sold to another marijuana establishment: the name and license number of the marijuana cultivation facility where the marijuana was grown; the harvest batch number assigned to the marijuana in the package; the net weight of the marijuana in the package, not including weight of the shipping container, using a standard of measure compatible with the inventory tracking system; and a complete list of all pesticides, fungicides, and herbicides used in cultivation of the marijuana.

d.) If a marijuana cultivation facility transports wholesale marijuana to another marijuana establishment for sale at retail or for use in manufacturing a marijuana product, then a label must be affixed to the shipping container showing that a licensed marijuana testing facility has tested each harvest batch in the shipment as provided in 3 AAC 306.645. The label must report the test results, including:

- A cannabinoid potency profile expressed as a range of percentages that extends from the lowest percentage to highest percentage of concentration for each cannabinoid listed from every test conducted on that strain of marijuana from the same marijuana cultivation facility within the last three months;
- A statement listing the results of microbial testing required by 3 AAC 306.645(b)(2);
- A statement listing any contaminants for which the product was tested in addition to contaminants for which 3 AAC 306.645(b) requires testing; any additional tested contaminants include molds, mildew and filth; herbicides, pesticides, and fungicides; and harmful chemicals.

e.) If a marijuana cultivation facility ships wholesale marijuana from a harvest batch that has not been tested for any additional contaminate listed in 3 AAC 306.475(e)(4), the label for that batch must include a statement identifying each of those contaminants for which that harvest batch has not been tested. **3 AAC 306.475**



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9. 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**

10. Transportation: A marijuana cultivation facility may only transport marijuana to another marijuana cultivation facility, a marijuana product manufacturing facility, a marijuana testing facility, or a retail marijuana store. **3 AAC 306.750**

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.

b.) When any marijuana is transported, the marijuana establishment that originates the transport shall use the marijuana tracking system to record the type, amount, and weight of marijuana 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 at all times.

c.) During transport, any marijuana 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 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 at any other licensed marijuana establishment.

d.) When a marijuana establishment receives marijuana 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 received. The licensed recipient shall refuse to accept any shipment of marijuana that is not accompanied by the transport manifest.

11. Samples: A marijuana cultivation facility may provide a free sample of marijuana to a retail marijuana store if packaged in a sample jar containing no more than 3.5 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.) A marijuana cultivation facility may provide a free sample of marijuana to a retail marijuana store or marijuana product manufacturing facility as follows: a sample provided for the purpose of negotiating a sale may be no more than one ounce; a marijuana cultivation facility may not provide any one licensed retail marijuana store or marijuana product manufacturing facility with more than one ounce of marijuana per month free of charge for the purpose of negotiating a sale.

b.) A retail marijuana store that receives a marijuana sample 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 its marijuana inventory control system.



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12. 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.

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.*

13. 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



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14. 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.

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