Notice(s) of Violation

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

Date: 12-19-16
Number AB16-0701

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 received 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 APPREARANCE, 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: Craig Aglietti	Violation Observed By: F.R. Hamilton
Filed By: F.R. Hamilton	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.

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

Date: 2-10-17
Case Number: AB17-0078

Notice of Violation

(3AAC 306.805)

Licensee	License Number	Type of License
Lily Bosshart	10306	Retail
D.B.A.	How Delivered Electronic/Certified Mail	Law Enforcement Agency
Dankorage, LLC	7013 2250 0000 9617 5101	AMCO
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.**

On 2/10/17, it was observed by an AMCO investigator that your location had marijuana oil (CBD Oil) manufactured from a source outside the State of Alaska for sale. This action is in violation of the following:

3AAC306.305-Retail Marijuana Store Privileges
3AAC306.310-Acts Prohibited at Retail Marijuana Store
3AAC306.330-Marijuana Inventory Tracking System
3AAC306.340-Testing Required for Marijuana and Marijuana Products
3AAC306.345-Packaging and Labelling

Reference:
AS17.38.010(b)(2),(3)
AS17.38.131-Enforcement Powers
AS17.38.900(10),(15)-Definitions
3AAC306.830-Seizure of Marijuana Product
3AAC306.830(b)-Seizure of Marijuana Product (Hearing within 10 Days)

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 Establishment License Number in your response.**

Alcohol & Marijuana Control Office
ATTN: Enforcement Unit
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 board and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice. A Licensee shall respond, either orally or in writing, to the Notice.

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

THE STATE of ALASKA
GOVERNOR BILL WALKER

Department of Commerce, Community, and Economic Development

ALCOHOL AND MARIJUANA CONTROL OFFICE

550 West 7th Ave, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350
Fax: 907.272.9412

February 10, 2017

Dankorage, LLC
2812 Spenard Road
Anchorage, AK 99503
Via Certified and Electronic Mail

NOTICE OF HEARING

Re: Alaska Retail Marijuana Store License #10306

You are hereby notified that, on February 9, 2017, the following marijuana product was seized from your licensed place of business in accordance with 3 AAC 306.830. Seizure of marijuana or marijuana product :

Description of Item	Estimated Weight/Volume/Amount
*Please see attached Written Inventory Receipt	

The marijuana product listed above was found to be in violation of regulations pertaining to licensure as a Marijuana Retail Establishment:

3 AAC 306.305. Retail marijuana store privileges

3 AAC 306.310. Acts prohibited at retail marijuana store

3 AAC 306.330. Marijuana inventory tracking system

3 AAC 306.340. Testing required for marijuana and marijuana products

A hearing before the board has been scheduled to discuss the disposition of the items listed above.

Time: 2:30 pm
Date: 2-17-17
Location: 550 West 7th Avenue Suite 1600 Conference room, Anchorage, AK 99501

To participate telephonically, you must provide the following investigator the telephone number at which a registered representative of the licensed business may be reached. Your representative will be contacted at this number at the appointed time of hearing.

Investigator: Joe Bankowski
Email address: joe.bankowski@alaska.gov
Phone number: 907-269-0355

If a registered representative of the licensed business does not appear in person or participate telephonically at this hearing, or if after a hearing the board finds that seizure of the marijuana product was justified, the marijuana product may be destroyed.

A registered representative of the licensed business may request a reasonable delay by notifying the investigator listed above no later than 48 hours prior to the hearing. The seized items will remain in the possession of the state until the board has rendered a decision.

Please contact the investigator listed above with any additional questions you may have.

From: **Lily Bosshart** lbosshart@dankorage.com
Subject:
Date: February 10, 2017 at 12:34 PM
To:

2 - 30ml ingestible
9 - 60ml ingestible

11 - 15ml pet
10 - 30ml pet

10 - 15ml vape
11 - 30ml vape

WHOLE PLANT -

2 - 30 ml

9 - 60 ml

11 - 15 ml pet

10 - 30 ml pet

10 - 15ml vape

11 - 30ml vape

2-10-17 Seized Dankorage

FRTO
E.R. Hamilton
AMCO Inv.

Lily Bosshart

DANKORAGE

Dankorage

License #10306

2812 Spenard Rd

Anchorage, AK 99503

Case # AB17-0078

Director of Marijuana Control Board,

We stocked Hemp derived CBD oil in our shop which contains negligible amounts (if any) of THC. These products have been available for purchase at many local health food stores for years, so we naturally assumed there would be no problem in carrying these products. Enforcement notified us that they would be coming to seize these products and we would receive "a violation warning". We have cooperated fully. When Enforcement came to seize the products in question they served Dankorage with a Violation. We will not stock this product again unless it is available and fully approved through Metrc. We will appear before the board to discuss the deposition of the seized products as well as the validity of the violation 2/17/17.

Good day,

Craig M. Aglietti

Owner

Dankorage

2-14-17