THE STATE of ALASKA
GOVERNOR BILL WALKER

Department of Environmental Conservation

DIVISION OF ENVIRONMENTAL HEALTH
FOOD SAFETY & SANITATION PROGRAM

43335 Kalifornsky Beach Rd Suite 11
Soldotna, Alaska 99669
Main: 907.262.3413
Fax: 907.262-2294
www.dec.alaska.gov/eh/fss
melanie.hollon@alaska.gov

January 5th, 2018

Deniece M Isaacs
Magical Gardens LLC
&Majestic Gardens LLC
Po Box 3526
Kenai, Alaska 99611

Subject: DEC Food Establishment Permit Not Required

Dear Operator Name,

Thank you for your recent application for a permit from the Department of Environmental Conservation's Food Safety and Sanitation program. This letter is to inform you that the marijuana establishment you have described in your application does not require a permit under the Alaska Food Code (18 AAC 31) since your plan is to sell only prepackaged, non-potentially hazard food (18 AAC 31.012(c)(1)).

Non-potentially hazardous foods are foods that do not support the growth of dangerous bacteria because of their water activity, pH, or a combination of the two. A good method to determine whether a food is non-potentially hazardous is whether it requires refrigeration to keep it safe or preserve it. If it does not require refrigeration, it is most likely non-potentially hazardous. If you are unsure about the safety of a product and whether it requires temperature control be sure to contact the Food Safety and Sanitation program for more information.

Please be aware that if you change the type of food that you sell at your establishment to include foods that are potentially hazardous, you will be required to submit a plan of your operations and apply for a food establishment permit.

Sincerely,

Melanie Hollon

Melanie Hollon
Environmental Health Officer III

Received by AMCO 1.5.18

Application for Food Establishment Permit

Alaska Department of Environmental Conservation
Division of Environmental Health
Food Safety and Sanitation Program

Permit ID: _____

Section 1- GENERAL INFORMATION *(All applicants complete entire section – please print).*

Purpose (check one) ☒ **New** ☐ **Information Change** ☐ **Extensive Remodel** ☐ **Change of owner/operator** ☐ **Reactivate**

Owner/Business Information	Name of Entity or Owner Responsible for Food Service: Deniece M Isaacs		AK Business License #: 1037289/1061106	
	Business/Corporate Mailing Address: POBox 3256	City: Kenai	State: Alaska	Zip: 99611
	Business/Corporate Phone: 907-398-3267	Email: magicalgardens@alaska.net		
	Owner(s) or Corporate Officer(s) & Title(s) or Responsible Party: Owner/Member		Fax: 907-283-7784	
	Type of Entity ☐ **Individual** ☐ **Partnership** ☐ **Corporation** ☒ **Other:** llc			
Establishment Information	Establishment Name: Magical Gardens llc & Majestic Gardens llc	Physical Location: 12656 Kenai Spur Hwy	Nearest Community: in the City Kenai	
	Establishment Mailing Address: POBox 3526	City: Kenai	State: AK	Zip: 99611
	Establishment Phone: 907-398-3267	Fax: 907-283-7784	Contact Person: Deniece M Isaacs	
	Establishment Physical Address: 12656 Kenai spur Hwy	City: Kenai	State: Alaska	Zip: 99611

SEATING: (Food Service Only) ☒ **N/A** ☐ **25 or less** ☐ **26-100** ☐ **> 101**

TYPE OF OPERATION *Please describe the type of facility you plan to open below (i.e. restaurant, bar, grocery store, etc.)*

We will have two business here 1) Magical Gardens llc - Garden Center & Majestic Gardens llc with 3 deparments Marijuana retail store, standard cutlivaiton facility ~~& a concintrate manufacturing.~~ Not doing per owner — See attached email.

SECTION 2 – NEW OR EXTENSIVELY REMODELED FACILITIES

a. A plan review will be required if your facility has never been permitted by the Alaska's Food Safety and Sanitation Program; has not had an active permit in the last five years; will be extensively remodeled; or is a new construction. If any of these apply, a Plan Review Application is required to process your application. Have you attached the Plan Review Application? ☐ **Yes** ☒ **No**

SECTION 3 – COMPLETE FOR ALL FOOD ESTABLISHMENTS *(Check all that apply)*

FOOD SERVICE ESTABLISHMENTS

a. A copy of your menu will be required. Have you attached a copy of the proposed menu? ☐ **Yes** ☒ **No**

b. Attach appropriate label, placard, or menu notation for the consumer advisories if you serve:
☐ Wild Mushrooms ☐ Unpasteurized juices ☐ Farmed halibut, salmon, or sablefish
☐ Raw/undercooked animal foods such as beef, shell eggs, lamb, pork, poultry, seafood, and shellfish.

c. Methods of food preparation (check the one that most closely describes the establishment:
☐ Assembly of Ready to Eat Foods ☐ Cook and Serve
☐ Hot or cold Service for 2 hours or more is done
☐ Complex (Preparation 1 day or more in advance, cooling and reheating is done).

d. Style of Service: ☒ Counter Service ☐ Self Service (i.e. buffet line, salad bar) ☐ Table Service
☐ Other:

e. Do you plan to operate as a caterer? ☐ **Yes** ☒ **No**
If ***yes***, list all the equipment used to protect food from contamination and maintain product temperature during:
Transportation: Hot or Cold Holding:

Received by AMCO 1.5.18

Permit ID(s)_____ Establishment Name(s) Isaacs- Magaical Gardens llc & Majestic Gardens llc

f.	Will your food establishment be a kiosk or mobile unit?	☐ Yes	☒ No
	Are employee toilets available within 200 feet? *If you have an agreement with another business to use their restrooms, please attach written verification.*	☐ Yes	☐ No
	Portable water tanks, plumbing, and hoses are NSF or FDA approved components?	☐ Yes	☐ No
	If you have a kiosk, is it located outside of a building?	☐ Yes	☐ No
	Will you have a service provide water or remove wastewater? *If yes, provide a letter of agreement from water hauler or wastewater hauler outlining services provided and frequency.*	☐ Yes	☐ No
g.	Will another permitted food establishment (commissary) provide support to your facility? If yes, attach a copy of the Commissary Agreement.	☐ Yes	☒ No

FOOD PROCESSORS

a. A copy of a label for each type of product you will produce is required. Have you attached food labels of each product to be produced? ☐ Yes ☒ No

b. Describe who you will be distributing your product to (i.e. grocery stores, etc):
Water, candy, chips, crackers,bottled or canned beverages, health supplements, soil, hoticultural supplies

c. Will you be doing any of the following processes? Check all that apply.

☐ Reduced Oxygen Packaging ☐ Smoking ☐ Other:
☐ Low Acid Canned Foods ☐ Curing
☐ Shelf Stable Acidified Foods ☐ Dehydrating

Be sure to check with your local Environmental Health Officer for any applicable forms and FDA requirements.

d. Do you have a HACCP Plan? ☐ Yes ☐ No ☒ N/A
Required for high hazard food processors such as smoking, curing, acidifying, dehydrating, thermally processing low acid foods, reduced oxygen packaging, etc.

e. You are required to have a product coding system and a recall plan. Have you attached a copy of the coding system and recall procedures? ☐ Yes ☒ No

MOBILE RETAIL VENDOR SELLING SEAFOOD

a. A list of products that you will be selling is required. Have you attached a copy of the list of products? ☐ Yes ☒ No

b. Provide names of suppliers where you will be purchasing your product:
costco, 3bears,

c. Will ***all*** of your product be prepackaged? ☒ Yes ☐ No

d. Will another permitted food establishment (commissary) provide support to your facility? If yes, attach a copy of the Commissary Agreement. ☐ Yes ☒ No

MACHINES VENDING POTENTIALLY HAZARDOUS FOODS

a. Have you attached the label that will be affixed to the front of each machine with name, physical address, and phone number of the permitted food establishment servicing the machine? ☐ Yes ☒ No

SECTION 4 – Food Managers Certification/Alaska Safe Food Worker Card

a. Have you attached a copy of a Food Manager's Certification? ☐ Yes ☒ No ☐ N/A
The operator of a food establishment that serves and prepares unwrapped or unpackaged food, except for a bar, tavern, or limited food service, must have at least one Certified Food Protection Manager who is involved in the daily operations of the establishment.

b. Does everyone who works or will work at the food establishment have a Food Worker Card? ☒ Yes ☐ No ☐ N/A
An operator of a food establishment shall keep on file a copy of the Food Worker Card issued by the department for each employed food worker and make the copy available to the Department upon request.

I declare, under penalty of unsworn falsification, that this application (including any accompanying statements) has been examined by me and to the best of my knowledge and belief is true, correct, and complete. I agree to pay all fees before operating.

Applicant's Signature **Date** 1/2/2018

Applicant's Printed Name Deniece M Isaacs **Title** Owner / Member

Received by AMCO 1.5.18

Hollon, Melanie B (DEC)

From: Majestic Gardens llc <majesticgardens@alaska.net>
Sent: Friday, January 5, 2018 9:34 AM
To: Hollon, Melanie B (DEC)
Subject: RE: Letter for Marijuana controll board.

Yes please, I consent to cross out the concentrate where necessary.

Thank you

On Fri, 5 Jan 2018 01:34:50 +0000, "Hollon, Melanie B (DEC)" wrote:

I'm going to cross it out with your permission then.

-----Original Message-----
From: Majestic Gardens llc [mailto:majesticgardens@alaska.net]
Sent: Thursday, January 4, 2018 4:04 PM
To: Hollon, Melanie B (DEC)
Subject: RE: Letter for Marijuana controll board.

Thank you, when we decide to get that license we will get those requirements under way. Right now we are just doing the two retail stores and the cultivation.

Thanks for the extra time and your help

On Fri, 5 Jan 2018 00:40:17 +0000, "Hollon, Melanie B (DEC)" wrote:

Okay, I'm asking because there is a permit for manufacturing concentrates; it's called an "FP-8 MJ Concentrates" and it requires a HACCP Plan. A HACCP Plan is a plan that says how your company will mitigate the hazards involved with a food product going through a process that could provide a breeding ground for bacteria or toxins to grow. This is maybe why there was confusion with AMCO about your permit. The reason concentrates are highly regulated is because that are often used in foods or placed in the mouth, so then they must meet food safety requirements.

So in order to write the letter that says you don't need a permit you will have to take off the manufacturing of concentrates in your application and reapply for that permit when you are ready for it :-)

-----Original Message-----
From: Majestic Gardens llc [mailto:majesticgardens@alaska.net]
Sent: Thursday, January 4, 2018 3:31 PM
To: Hollon, Melanie B (DEC)
Subject: RE: Letter for Marijuana controll board.

Received by AMCO 1.5.18

We hope to do a form of concentrate manufacturing in the future.

We will NOT be doing anything that BLOWS UP or uses SOLVENTS of ANY KIND. Once our flowers are dry if we trim them over a screen the cristals fall through the screen and collects or use ice & water with screens to have a similar result.

We will NOT be doing a product manufacturing, which is more like a kitchen of sorts, and we will not be doing anything that can blow up.

If any equipment or our business plan changes we will seek the proper all approvals before attempting to purchase or make such changes or additions.

On Thu, 4 Jan 2018 22:27:34 +0000, "Hollon, Melanie B (DEC)" wrote:

Hi Deniece,
Will you be making concentrates?
Melanie

-----Original Message-----
From: Majestic Gardens llc [mailto:majesticgardens@alaska.net]
Sent: Wednesday, January 3, 2018 9:13 AM
To: Hollon, Melanie B (DEC)
Subject: Letter for Marijuana controll board.

Hello Melanie,

We bought a commercial lot and are building. We will have 2 stores, one garden center and a marijuana retail store, cultivation and concentrate.

building is still under construction, if anything changes on the application we will update at that time.

Thank you for everything.

Deniece & Ronald Isaacs
majesticgardens@alaska.net
907-283-778

Received by AMCO 1.5.18