

# Alcohol & Marijuana Control Office

Initiating License Application

6/11/2018 11:16:31 AM

**License Number:** 10021**License Status:** Active-Operating**License Type:** Retail Marijuana Store**Doing Business As:** ENLIGHTEN ALASKA, LLC**Business License Number:** 1032050**Designated Licensee:** Jane Stinson**Email Address:** jane@enlightenak.com**Local Government:** Anchorage (Municipality of)**Community Council:** Spenard**Latitude, Longitude:** 61.197330, -149.905812**Physical Address:** 2600 Spenard Road  
Anchorage, AK 99503-8934  
UNITED STATES**Licensee #1****Type:** Entity**Alaska Entity Number:** 10030528**Alaska Entity Name:** Enlighten Alaska, LLC**Phone Number:** 907-301-2428**Email Address:** jane@enlightenak.com**Mailing Address:** 2600 Spenard Road  
Anchorage, AK 99503-8934  
UNITED STATES**Entity Official #1****Type:** Individual**Name:** Evan Levinton  
[REDACTED]  
[REDACTED]**Phone Number:** 907-748-0989**Email Address:** evan@enlightenak.com**Mailing Address:** 2600 Spenard Road  
Anchorage, AK 99503-8934  
UNITED STATES**Entity Official #2****Type:** Individual**Name:** Leah Levinton  
[REDACTED]  
[REDACTED]**Phone Number:** 907-717-9889**Email Address:** leah@enlightenak.com**Mailing Address:** 2600 Spenard Road  
Anchorage, AK 99503-8934  
UNITED STATES**Entity Official #3****Type:** Individual**Name:** Jane Stinson  
[REDACTED]  
[REDACTED]**Phone Number:** 907-301-2428**Email Address:** jane@enlightenak.com**Mailing Address:** 2600 Spenard Road  
Anchorage, AK 99503-8934  
UNITED STATES**Note:** No affiliates entered for this license.



Alaska Marijuana Control Board

## Form MJ-20: Renewal Application Certifications

### What is this form?

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

**This form must be completed and submitted to AMCO's main office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.**

### Section 1 – Establishment Information

Enter information for the licensed establishment, as identified on the license application.

|                    |                        |                 |       |      |       |
|--------------------|------------------------|-----------------|-------|------|-------|
| Licensee:          | Enlighten Alaska, LLC  | License Number: | 10021 |      |       |
| License Type:      | Retail Marijuana Store |                 |       |      |       |
| Doing Business As: | ENLIGHTEN ALASKA, LLC  |                 |       |      |       |
| Premises Address:  | 2600 Spenard Road      |                 |       |      |       |
| City:              | Anchorage              | State:          | AK    | ZIP: | 99503 |

### Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

|        |               |
|--------|---------------|
| Name:  | Leah Levinton |
| Title: | Member        |

### Section 3 – Changes to Licensed Marijuana Establishment

Read each line below, and then sign your initials in the box to the right of only the applicable statement:

Initials

I certify that **no changes have been made**, except for those that have been previously reported or requested on a form prescribed by the Board, to this licensed establishment's business name, ownership, licensed premises diagram, or operating plan, and (for marijuana product manufacturers) that I do not wish to request Board approval for production of any new proposed marijuana products.



I certify that **a change has been or will be made** to one or more of the items listed above for this establishment, and I understand that an additional form(s) and fee(s) must be submitted to AMCO before any renewal application for this license can be considered complete.



*If you have selected the second certification, please list any and all of the types of changes that need to be reported/requested:*

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**Form MJ-20: Renewal Application Certifications****Section 4 – Certifications**

Read each line below, and then sign your initials in the box to the right of any applicable statements:

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.



I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.



I certify that a notice of violation has **not** been issued for this license.



Sign your initials to the following statement **only if you are unable to certify one or more of the above statements**:

Initials

I have attached a written explanation for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).



Read each line below, and then sign your initials in the box to the right of each statement:

Initials

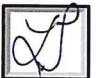
I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.



I certify that I meet the residency requirement under AS 43.23 for a permanent fund dividend in the 2018 calendar year.



I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.



I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.



I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.



I certify that I understand that providing a false statement on this form, the online application, or any other form provided by or to AMCO is grounds for rejection or denial of this application or revocation of any license issued.



As an applicant for a marijuana establishment license renewal, I declare under penalty of unsworn falsification that I have read and am familiar with AS 17.38 and 3 AAC 306, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Marijuana Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff may result in additional fees or expiration of this license.

*Leah Levinton*  
Signature of licensee

Leah Levinton

Printed name of licensee



*Christina Thibodeaux*  
Notary Public in and for the State of Alaska

My commission expires: March 31, 2021

Subscribed and sworn to before me this 14<sup>th</sup> day of May, 2018.





Alaska Marijuana Control Board

## Form MJ-20: Renewal Application Certifications

### What is this form?

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

**This form must be completed and submitted to AMCO's main office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.**

### Section 1 – Establishment Information

Enter information for the licensed establishment, as identified on the license application.

|                    |                        |                 |       |      |       |
|--------------------|------------------------|-----------------|-------|------|-------|
| Licensee:          | Enlighten Alaska, LLC  | License Number: | 10021 |      |       |
| License Type:      | Retail Marijuana Store |                 |       |      |       |
| Doing Business As: | ENLIGHTEN ALASKA, LLC  |                 |       |      |       |
| Premises Address:  | 2600 Spenard Road      |                 |       |      |       |
| City:              | Anchorage              | State:          | AK    | ZIP: | 99503 |

### Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

|        |               |
|--------|---------------|
| Name:  | Evan Levinton |
| Title: | Member        |

### Section 3 – Changes to Licensed Marijuana Establishment

Read each line below, and then sign your initials in the box to the right of only the applicable statement:

Initials

I certify that **no changes have been made**, except for those that have been previously reported or requested on a form prescribed by the Board, to this licensed establishment's business name, ownership, licensed premises diagram, or operating plan, and (for marijuana product manufacturers) that I do not wish to request Board approval for production of any new proposed marijuana products.

|     |
|-----|
| ESL |
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**Form MJ-20: Renewal Application Certifications****Section 4 – Certifications****Read each line below, and then sign your initials in the box to the right of any applicable statements:**

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.

ESL

I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.

ESL

I certify that a notice of violation has **not** been issued for this license.**Sign your initials to the following statement only if you are unable to certify one or more of the above statements:**

Initials

I have attached a written explanation for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).

ESL

**Read each line below, and then sign your initials in the box to the right of each statement:**

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.

ESL

I certify that I meet the residency requirement under AS 43.23 for a permanent fund dividend in the 2018 calendar year.

ESL

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

ESL

I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

ESL

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

ESL

I certify that I understand that providing a false statement on this form, the online application, or any other form provided by or to AMCO is grounds for rejection or denial of this application or revocation of any license issued.

ESL

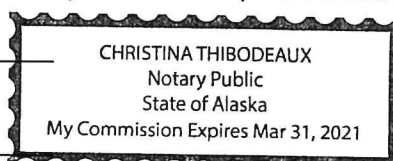
As an applicant for a marijuana establishment license renewal, I declare under penalty of unsworn falsification that I have read and am familiar with AS 17.38 and 3 AAC 306, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Marijuana Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff may result in additional fees or expiration of this license.



Signature of licensee

Evan Levinton

Printed name of licensee



Notary Public in and for the State of Alaska

My commission expires: March 31, 2021Subscribed and sworn to before me this 14<sup>th</sup> day of May, 2018.





Alaska Marijuana Control Board

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| License Type:      | Retail Marijuana Store |                 |       |      |       |
| Doing Business As: | ENLIGHTEN ALASKA, LLC  |                 |       |      |       |
| Premises Address:  | 2600 Spenard Road      |                 |       |      |       |
| City:              | Anchorage              | State:          | AK    | ZIP: | 99503 |

### Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

|        |              |
|--------|--------------|
| Name:  | Jane Stinson |
| Title: | Member       |

### Section 3 – Changes to Licensed Marijuana Establishment

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# Form MJ-20: Renewal Application Certifications

## Section 4 – Certifications

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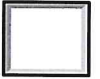
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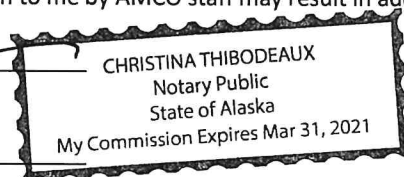


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Signature of licensee

Jane Stinson

Printed name of licensee



Notary Public in and for the State of Alaska

My commission expires: March 31, 2021

Subscribed and sworn to before me this 14<sup>th</sup> day of May, 2018.





Jana D. Weltzin  
Licensed in Alaska & Arizona  
3003 Minnesota Blvd., Suite 201  
Anchorage, Alaska 99501  
Phone 630-913-1113  
Main Office 907-231-3750  
JDW, LLC  
jana@jdwconsult.com

February 16, 2017

Marijuana Control Board  
Director Chambers  
AMCO Enforcement  
*Sent Via Email*

**Re: Enlighten Alaska License No 10021 – Notice of Violation and Hearing on Feb. 17, 2017**  
**RE: Products containing Hemp/CBDs**

Dear MCB Members, Director Chambers & AMCO Enforcement Division:

Thank you for your continued efforts with regulating the new commercial marijuana market in Alaska. This correspondence is submitted on behalf of License No. 10021 in response to Notice of Violation (“NOV”) Case Number AB17-0079.

Attached is an email from licensee Leah Levinton to Enforcement outlining the events that transpired on February 9, 2017 which lead to the NOV at issue. *See Email from Levinton attached as Exhibit A.*

Enlighten Alaska had the following list of products on display, in plain view, on the day they had their “Full Shelf Inspection” by AMCO enforcement agents, and kept them on their shelves until Leah removed the products on February 9, 2017:

**Therabis Hemp-Based Pet Care**

- ☐ Calm and Quiet – Large dog, qty 4, retail value: \$48
- ☐ Calm and Quiet – Medium dog, qty 6, retail value: \$60
- ☐ Calm and Quiet – Small dog, qty 5, retail value: \$40
- ☐ Stop the Itch – Large dog, qty 5, retail value: \$60
- ☐ Stop the Itch – Medium dog, qty 6, retail value: \$60
- ☐ Stop the itch – Small dog, qty 5, retail value: \$40
- ☐ Up and Moving – Large dog, qty 6, retail value: \$72
- ☐ Up and Moving – Medium dog, qty 6, retail value: \$60
- ☐ Up and Moving – Small dog, qty 5, retail value: \$40
- ☐ TOTAL RETAIL VALUE: \$480

**CBD for Life**

- ☐ Pure CBD Extract Pain Relief Spray – qty 7, retail value: \$210





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- ☐ Pure CBD Lip Balm - qty 1, retail value: \$10
- ☐ Pure CBD For Life Rub - qty 10, retail value: \$200
- ☐ Pure CBD Foot Cream - qty 2, retail value: \$40
- ☐ Pure CBD Face Cream - qty 7, retail value: \$245
- ☐ Pure CBD Face & Body Cleanser - qty 9, retail value: \$180
- ☐ TOTAL RETAIL VALUE: \$885

**Alaska Cannabis Exchange**

- ☐ 100% Whole Plant CBD Hemp Oil 30 ml – qty 10, retail value: \$900
- ☐ 100% Whole Plant CBD Hemp Oil 60 ml – qty 9, retail value: \$1,485
- ☐ Pet: 100% Whole Plant CBD Pet Hemp Oil 15 ml – qty 6, retail value: \$210
- ☐ Pet: 100% Whole Plant CBD Pet Hemp Oil 30 ml – qty 8, retail value: \$520
- ☐ Vape: 100% Whole Plant CBD Hemp Oil 15 ml – qty 8, retail value: \$280
- ☐ Vape: 100% Whole Plant CBD Hemp Oil 30 ml – qty 12, retail value: \$780
- ☐ TOTAL RETAIL VALUE: \$4,175

**Total retail value of products taken off the shelf: \$5,540**

**Product Line CBD for Life Analysis:**

The product line named *CBD for Life* does not meet the definition of a marijuana product under the federal law or the state commercial marijuana statute and regulations. The definition section of the regulations, 3 AAC 306.990(25), defines marijuana to have the same meaning given in AS 17.38.900, which states:

(9) “marijuana” means all parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marijuana concentrate; “marijuana” **does not include** fiber produced from the stalks, **oil**, or cake **made from the seeds of the plant**, sterilized seed of the plant which is incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other products;

Alaska Stat. Ann. § 17.38.900 (West)(emphasis added). The definition adopted by the regulations specifically excludes certain parts of the marijuana plant from being considered marijuana, relevant to this particular brand of products, CBD for Life, is oil made from the seeds of the plants.



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Attached as *Exhibit B*, you will find pictures of the actual CBD for Life's ingredient list – the only cannabis related ingredient is **"cannabis sativa seed oil."** AS 17.38.900(9)'s definition of marijuana and applicable exemptions from the definition largely stem from the Federal Statutory definition which reads:

Under 21 U.S.C. § 802(16):

The term "marihuana" means all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or resin. **Such term does not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant,** any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination.

*Hemp Indus. Ass'n. v. Drug Enf't Admin.*, 357 F.3d 1012, 1017 (9th Cir. 2004)(emphasis added). In the *Hemp Indus. Ass'n* case, the Ninth Circuit held that the DEA may ban products that "contain any quantity" of THC only in so far as it does not apply that ban to non-psychoactive hemp products – as "such products do not contain a "schedule I controlled substance" as defined by Congress. *Id.* The Ninth Circuit concluded that, "[t]he non-psychoactive hemp in Appellants' **products is derived from the "mature stalks" or is "oil and cake made from the seeds" of the Cannabis plant, and therefore fits within the plainly stated exception to the CSA definition of marijuana."** *Id.*, at 1017. Finding that the Congressional definition of marijuana excludes non-psychoactive hemp, the appellate court ruled against the DEA, stating:

**The amendments to 21 C.F.R. § 1308.11(d)(27) that make THC applicable to all parts of the Cannabis plant are therefore void.**

*Id.* 1019.

Notably, our regulatory definition includes the same "seed oil" exclusion as the Federal scheme and therefore, the product line of CBD for Life is not a marijuana product. While we appreciate enforcement's protectionary stance illuminated in the press release No. 17.005, noting concerns with potential federal enforcement, this product is not a scheduled federal drug or a state controlled substance by definition.





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Enlighten Alaska Respectfully requests the MCB to allow this line to be continued and to be carried in its retail store and any accused violations relating to this product by enforcement be dismissed.

**Product Analysis for Therabis Hemp-Based Pet Care**

Attached as *Exhibit C* are pictures of Therabis Hemp-Based Pet Care products that were removed from the Enlighten Alaska shelves. The product is meant only for animal consumption and contain whole plant extract and hemp powder. 3 AAC 306.990(27) defines marijuana infused product as “a product that contains marijuana or marijuana concentrate **and is intended for human use.** AS 17.38.900(15) defines marijuana products to mean concentrated marijuana products and marijuana products that are comprised of marijuana and other ingredients and are intended for use or consumption...” The same chapter, at AS 17.38.900(3) defines consumption to mean the act of ingesting, inhaling, or otherwise introducing marijuana into the **human body.**”

This product is not intended for human use – therefore it is not a marijuana product by definition of the state statute or by regulation. Enlighten respectfully requests the MCB allows Enlighten to continue to sell this product on its retail shelves.

**Product Analysis for Alaska Cannabis Exchange (“ACE”):**

Alaska Cannabis Exchange’s product analysis is a bit different than the two above – unlike CBD for Life, which is only a seed oil extract in the product, these products use the whole hemp plant to create the oil.

However, two of the six products are whole plant CBD Pet Hemp products meant solely for animal consumption and not human consumption and therefore, as detailed above, are not marijuana products. See attached *Exhibit D*, pictures of ACE products.

The remaining four products are whole plant hemp CBD oil – the oil of which purports to be produced in Colorado under the pilot program of the Farm Bill 2014. Public Law 113-79 113<sup>th</sup> Congress Section 7606 Legitimacy of Industrial Hemp Research subsection (a) outlines the general requirements for an industrial hemp pilot program. Alaska currently does not have a industrial hemp program – but there currently is a bill in the Alaska Legislature (SB 6) which would develop an industrial hemp program.

The four ACE products that are intended for human consumption admittedly should have been tracked and regulated in the commercial marijuana regulatory structure. That said, enforcement’s decision to “raid” these fledging marijuana retail stores, making national news, and giving the overall appearance to the nation that these stores were funneling illegal products seems a bit contrary to the stated intent of the raids., i.e., to protect the state’s commercial industry from Federal intervention.





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These products were on the shelf at the time Enlighten had its final full shelf inspection – why weren't the products identified at that point as illegal marijuana products? On the date of Enlighten's full shelf inspection there was only one marijuana product manufacturing producing product – Frozen Bud's. As a side note, today the same holds true – only one manufacturing product company is actively producing product. It doesn't seem like it would be too difficult to spot a marijuana product that was not produced by a state licensed marijuana company, since there is only one actively producing products.

More likely, enforcement saw the hemp derived products, which are also carried in grocery stores like Natural Pantry, Rainbow Foods, head shops, etc., and assumed, just as the majority of these marijuana retail licensees assumed, this is not a marijuana infused product because it is hemp derived.

Moreover, the Municipality of Anchorage on December 5, 2016 issued the attached (*as Exhibit E*) AMC 12.50 Retail Sales Tax on Marijuana and Marijuana Products Informational No. 2 – Industrial Hemp informed the industry and the public that Hemp *"is not considered marijuana. Therefore, the Municipality of Anchorage's position is that industrial hemp is not subject to the retail marijuana sales tax."* The memorandum went on to explain that while both hemp and marijuana come from the same cannabis species, they are **"genetically distinct."** *Exhibit E.* The Anchorage memorandum explained the difference in THC content, which for hemp is less than 0.3% -- the ACE products sold by Enlighten were tested by Steep Hill in California and tested below the 0.3% threshold (see *Exhibit F testing results attached*) – confirming these ACE products are indeed hemp derived.

Another point of confusion (or clarity depending on the view) comes from SB 6 – currently in front of the Alaska legislature - that is urging the implementation of an industrial hemp program for Alaskan farmers – that bill specifically amends the definition of marijuana to exclude hemp.

Hemp truly is defined as a separate plant under federal law<sup>1</sup> - but given the sentiment of the press release issued by AMCO referenced above, it appears we are doing two things in this state – (1) taking enforcement actions with the pretext of staving off federal intervention by being tough regulators – (2) but then focusing enforcement actions on a product that is explicitly excluded from the definition of marijuana under federal law... The rationale is similar plugging your ears, when it smells bad outside – doesn't make too much sense.

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<sup>1</sup> 7 US Code 5940(b)(2) (2) Industrial hemp

The term "industrial hemp" means the plant *Cannabis sativa* L. and any part of such plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.



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JDW, LLC  
jana@jdwcounsel.com

Now assuming both parties made a mistake and were both wrong as to the classification of the hemp products at issue – and AMCO is now concerned that if it doesn't take action it would be putting the industry at risk for federal shut-down – does it really make sense to conduct a state-wide "raid" and create a national perception that these shop owners are funneling illegal marijuana through their legitimate businesses? Or, would it make more common sense, financial sense, and attract less negative federal attention to issue cease and desist letters to these businesses, clarifying that these hemp products need to be tracked and regulated and are classified as marijuana products.

These licensees have been nothing but honest in their responses, honest with their intent, and strive to be compliant in every way – but this is a new industry – and just as the enforcement agents who conducted Enlighten Alaska's full shelf inspection and granted them their paper license, Enlighten was not aware Hemp oil would be considered the same classification as THC oil.

Often in today's world we feel pressured to act in a manner that is a bit dramatic - make a big splash, create much attention and take actions that have rippling reactionary effects we often don't intend. We forget the importance of being mindful of perception and conservation of limited resources. In the event a similar issue such as this one occurs in the future, please feel free to use less forceful tactics – just reach out and let's work together to create a strong and fruitful industry – we are all on the same team here, we just have different positions to play. Let's play them together.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jana Weltzin', written over a horizontal line.

Jana D. Weltzin

# Exhibit A



Jana Weltzin

---

**From:** Leah Levinton <Leah@enlightenak.com>  
**Sent:** Monday, February 13, 2017 3:03 PM  
**To:** amco.enforcement@alaska.gov  
**Cc:** Evan Levinton; Jane Stinson; Valerie Mastolier; Jana Weltzin  
**Subject:** Enlighten Alaska CBD product explanation

Joe,

We appreciate the work that you do for AMCO. Your visit to Enlighten Alaska last Friday, February 10, 2017 was professional and courteous. During your visit with Evan Levinton and myself (co-owners), you asked that we send you detailed information about the CBD products we briefly had in our store; specifically the type (brand), quantity, when we purchased the product, and when and why we removed the products from our shelves.

We removed all CBD products from Enlighten on Feb. 10, 2017 because it came to the attention of our lawyer, Jana D. Weltzin, due to being altered by another company, that AMCO enforcement had indicated it a policy that certain CBD products should not be in a marijuana licensed facility. She wanted to make sure we didn't have any products that violated the regulations and immediately contacted us to confirm that we did not. Once she made contact with us and confirmed we did have these types products on our shelves, she alerted us that it appeared the opinion of AMCO enforcement that these products on our shelves may not be proper and to remain compliant with AMCO, until we received further clarification, we needed to remove the products.

All the products removed from the shelves of our stores are NOT derived from the marijuana plant – the CBD infused products in our store were ALL hemp based and not marijuana based – hence we were confused when we were instructed by legal counsel to remove the product – but to play it safe our attorney wanted us to remove until we had further clarification from AMCO and not to sell any more of the hemp based product until further notice. We complied with her counsel.

Another reason we were taken by surprise by your visit relating to our CBD products is because at our initial inspection, all of the products itemized below and removed from our shelves were present and prominently displayed at the time and date of our final AMCO inspection. Enforcement agents from AMCO inspected the retail store, saw the products, but did not have any issue with them – we assumed because they are hemp based. Our attorney, Ms. Weltzin, advised us to take all the CBD products off the shelves, till further AMCO clarification, in full view of the surveillance cameras to ensure we properly recorded removing the product.

The products we removed are itemized below:

**Therabis Hemp-Based Pet Care**

- Calm and Quiet – Large dog, qty 4, retail value: \$48
- Calm and Quiet – Medium dog, qty 6, retail value: \$60
- Calm and Quiet – Small dog, qty 5, retail value: \$40
- Stop the Itch – Large dog, qty 5, retail value: \$60
- Stop the Itch – Medium dog, qty 6, retail value: \$60

- Stop the itch – Small dog, qty 5, retail value: \$40
- Up and Moving – Large dog, qty 6, retail value: \$72
- Up and Moving – Medium dog, qty 6, retail value: \$60
- Up and Moving – Small dog, qty 5, retail value: \$40
- TOTAL RETAIL VALUE: \$480

#### CBD for Life

- Pure CBD Extract Pain Relief Spray – qty 7, retail value: \$210
- Pure CBD Lip Balm - qty 1, retail value: \$10
- Pure CBD For Life Rub - qty 10, retail value: \$200
- Pure CBD Foot Cream - qty 2, retail value: \$40
- Pure CBD Face Cream - qty 7, retail value: \$245
- Pure CBD Face & Body Cleanser - qty 9, retail value: \$180
- TOTAL RETAIL VALUE: \$885

#### Alaska Cannabis Exchange

- 100% Whole Plant CBD Hemp Oil 30 ml – qty 10, retail value: \$900
- 100% Whole Plant CBD Hemp Oil 60 ml – qty 9, retail value: \$1,485
- Pet: 100% Whole Plant CBD Pet Hemp Oil 15 ml – qty 6, retail value: \$210
- Pet: 100% Whole Plant CBD Pet Hemp Oil 30 ml – qty 8, retail value: \$520
- Vape: 100% Whole Plant CBD Hemp Oil 15 ml – qty 8, retail value: \$280
- Vape: 100% Whole Plant CBD Hemp Oil 30 ml – qty 12, retail value: \$780
- TOTAL RETAIL VALUE: \$4,175

Total retail value of products taken off the shelf: \$5,540

As the products are all derived from the Hemp plant and not the marijuana plant, we believe the products are not containing marijuana as defined by AS 17.38.900, we are currently storing them in my personal home.

As you recall, we provided a complete walk through of the entire premises, including a view into our safe inside our vaulted product room to verify that all CBD product was off of our shelf and no longer located on the premises. We emphasized that we will be compliant and follow instructions from AMCO. We look forward to the AMCO resolving this issue with CBD so that in the future, we may provide our customers this non-psychoactive hemp product that most use for medicinal purposes. Thank you so much for your openness to learn about these hemp products. Our company would like to be on the forefront of these issues and we would like to assist as much as possible in the process to clarify this issue.

Please let me know if you have any questions or need anything else from our team at Enlighten Alaska.

Leah Levinton  
Enlighten Alaska  
2600 Spenard Rd.  
(907) 717-9889

## Exhibit B



**INGREDIENTS:**  
WATER (AQUA), GLYCERIN,  
CAPRYLIC/CAPRIC TRIGLYCERIDE,  
CYCLOPENTASILOXANE, PAULLINIA  
CUPANA SEED EXTRACT, CETEARYL  
ALCOHOL, PENTYLENE GLYCOL,  
CETYL ALCOHOL, STEARIC ACID,  
CANNABIS SATIVA SEED OIL,  
HYALURONIC ACID, DIMETHICONE,  
OLEA EUROPAEA (OLIVE) FRUIT  
OIL, PANTHENOL, ALOE BARBA-  
DENSIS LEAF JUICE, EUTERPE  
OLERACEA FRUIT EXTRACT, PINUS  
PINASTER BARK/BUD EXTRACT,  
CHAMOMILLA RECUTITA (MARI-  
CARIA) FLOWER EXTRACT,  
CAMELLIA →

## **CBD** FACE CREAM

This luxurious cream hydrates your skin and fights off dullness with natural Hemp extracts leaving your face with a radiant youthful glow.

Apply morning and night to face and neck after cleansing.



## Exhibit C



**HELPS PROMOTE  
HEALTHY  
JOINTS AND HIPS**

Manufactured by Therabis  
5080 Paris Street, Denver, CO 80239  
Made in USA

**CAUTION: FOR PET USE ONLY. NOT FOR HUMAN USE.**

Keep out of the reach of children and pets to avoid unintended consumption. Use with care and follow instructions closely. In case of accidental overdose, contact a health professional immediately. If your pet is ill or has a condition that does not improve, seek veterinary care. Safe use in pregnant animals or animals intended for breeding has not been proven.

**PROMOTES HEALTHY  
SKIN AND EASES  
SCRATCHING**

Manufactured by Therabis  
5080 Paris Street, Denver, CO 80239  
Made in USA

**CAUTION: FOR PET USE ONLY. NOT FOR HUMAN USE.**

Keep out of the reach of children and pets to avoid unintended consumption. Use with care and follow instructions closely. In case of accidental overdose, contact a health professional immediately. If your pet is ill or has a condition that does not improve, seek veterinary care. Safe use in pregnant animals or animals intended for breeding has not been proven.

**HELPS MAINTAIN  
A CALM  
AND QUIET DEMEANOR**

Manufactured by Therabis  
5080 Paris Street, Denver, CO 80239  
Made in USA

**CAUTION: FOR PET USE ONLY. NOT FOR HUMAN USE.**

Keep out of the reach of children and pets to avoid unintended consumption. Use with care and follow instructions closely. In case of accidental overdose, contact a health professional immediately. If your pet is ill or has a condition that does not improve, seek veterinary care. Safe use in pregnant animals or animals intended for breeding has not been proven.



Therabis' Up And Moving

leverages our powerful formula to promote

healthy joints. Our core

formula of whole-plant

cannabinoids, hemp

powder, green tipped

mussel, vitamin C,

and chromium come

together to keep your

furry family members

Up And Moving.

Therabis' Stop The Itch

leverages our powerful

formula to soothe your

dog's skin. Our unique

combination of

whole-plant cannabinoids

paired with bromelain

and quercetin protect

cells from oxidative

stress and helps ease

the torment of itching

and scratching.

Therabis' Calm And Quiet

leverages our powerful

formula to ease anxiety

and help dogs maintain a

calm demeanor. Our

powerful combination of

whole-plant cannabinoids

and L-theanine come

together to keep your dog

at their social and

emotional best for a

happier, healthier pet.



## Exhibit D





IN (200)  
as needed  
HEED WITH  
THE FDA'S  
not intended  
any disease  
in accordance  
fill of 2014

8

12/15/2016  
12/15/2017  
12/15/2018

Direction: Use if vaped at 24-30  
18 years of age. Use as  
needed.

THIS PRODUCT HAS NOT BEEN  
MANUFACTURED  
IN ACCORDANCE WITH  
THE FDA'S  
requirements for  
treat, cure, or prevent

Delta-9 Tetrahydrocannabinol (THC)  
AMCO and the Federal Farm Bill of 2014

05641 24683

AMCO.COM

10-15 Servings  
per 100 mg of  
oil. Use as needed.  
This product is  
not intended to  
treat, cure, or  
prevent any disease.

Delta-9 Tetrahydrocannabinol (THC)  
AMCO and the Federal Farm Bill of 2014

05641 40604

Directions: 2-4 drops in your  
food, 1-2 drops in your  
oil, or 1-2 drops in your  
juice. Increase as needed.

Caution: Do not  
use if you are  
pregnant or  
breastfeeding.  
Do not use if  
you are taking  
any other  
medication.  
Do not use if  
you are taking  
any other  
medication.

Delta-9 Tetrahydrocannabinol (THC)  
AMCO and the Federal Farm Bill of 2014

05641 40605

Directions: Use if you are  
pregnant or  
breastfeeding.  
Do not use if  
you are taking  
any other  
medication.  
Do not use if  
you are taking  
any other  
medication.

Delta-9 Tetrahydrocannabinol (THC)  
AMCO and the Federal Farm Bill of 2014

05641 24683

Directions & Usage:  
Shake well before using.  
Add to your  
food or drink.  
If you have a  
pharmaceutical drug, you  
may want to  
consult your  
physician.  
Do not use if  
safety seal is  
broken.  
Keep out of  
reach of children.  
This PRODUCT  
HAS NOT BEEN  
MANUFACTURED  
IN ACCORDANCE  
WITH THE FDA'S  
requirements for  
treat, cure, or  
prevent any disease.


Delta-9 Tetrahydrocannabinol (THC)  
AMCO and the Federal Farm Bill of 2014

05641 24683

AMCO.COM



## Exhibit E

|   |                                  |   |  |
|---|----------------------------------|---|--|
|  | <b>MUNICIPALITY OF ANCHORAGE</b> |   |  |
| Finance Dep't., Treasury Div.<br>Fax: (907) 343-6677                              |                                  | <u>Mailing Address</u><br>P.O. Box 196650<br>Anchorage, AK 99519-6650 | <u>Physical Address</u><br>632 W. 6 <sup>th</sup> Avenue, 3 <sup>rd</sup> Floor<br>Anchorage, AK 99501 |

**AMC 12.50 Retail Sales Tax on Marijuana and Marijuana Products**  
**INFORMATIONAL #2**  
**Industrial Hemp**
**Issued: 12/5/2016**

**Is industrial hemp exempt from the Retail Marijuana Sales Tax?**

AMC 12.50.010 defines marijuana as "*all parts of the plant of the genus Cannabis...*" However, industrial hemp is not considered marijuana. Therefore the Municipality of Anchorage's position is that **industrial hemp is not subject to the retail marijuana sales tax.**

**What is industrial hemp?**

Industrial Hemp refers to the non-psychoactive (less than 0.3% THC) varieties of Cannabis sativa L. Both hemp and marijuana come from the same cannabis species but are genetically distinct. Industrial hemp has no value as a recreational drug due to its non-psychoactive properties. Industrial hemp is usually grown outdoors, in a variety of climates and soil types.

**What are uses of industrial hemp?**

Industrial hemp has a multitude of uses. Unlike marijuana, which is harvested for the buds, the entire hemp plant can be harvested. Hemp stalk can be used to make biomass energy, paper products, clothes, insulation, plastic and more. Hemp seed can be used to make health food, organic body care and fuel.

**Why is the MOA excluding industrial hemp?**

Industrial hemp, as defined in U.S. Code Title 7 § 5940(b)(2), distinguishes marijuana from industrial hemp. Colorado has already followed suit by enacting a state law allowing commercial hemp cultivation. Senate Bill 8, an act relating to the regulation and production of industrial hemp, was introduced into the Alaska State Legislature in 2015. Therefore, MOA is also following suit by excluding industrial hemp from the retail marijuana sales tax due to its minimal THC content.

If you have any questions about this matter, please contact the Treasury Division of the Municipality of Anchorage at the numbers listed below between 8:00 a.m. and 5:00 p.m., Monday through Friday, except on holidays.

For more information, please visit our website at: [www.muni.org/treasury](http://www.muni.org/treasury) and click the "Marijuana Tax" link, or contact us: Supervisor (907) 343-6965, Enforcement Officers (907) 343-6686, 6757, 6634, 6676 or 6964

## Exhibit F



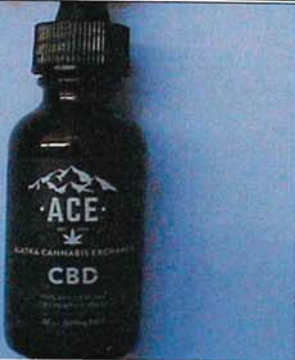
## LABORATORY CANNABINOID PROFILE CERTIFICATE OF ANALYSIS

Extraction Date:08-Feb-17

Analysis Date/Time:08-Feb-17, 16:41:09

| CUSTOMER INFORMATION |                          | SAMPLE DETAILS     |                            |
|----------------------|--------------------------|--------------------|----------------------------|
| Company:             | Alaska Cannabis Exchange | Sample name        | ACE Hemp Oil in MCT (30mL) |
| Contact Person:      | Darrick Fitz             | Sample number      | 4429                       |
| Contact Email:       | fitzdarrick@yahoo.com    | Sample Information | 600mg CBD                  |
| Contact phone:       | 303-330-5681             |                    |                            |

### Substance Potency Analysis

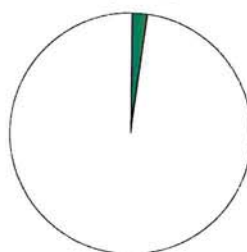
| CANNABINOID   | Mg. PER GRAM | TOTAL Mg. IN A | <u>1</u>  | GRAM PACKAGE (as reported by client) |
|---------------|--------------|----------------|---|--------------------------------------|
| CBD MAXIMUM * | 18.536       | 18.536         |  |                                      |
| THC MAXIMUM * | 0.735        | 0.735          |   |                                      |
| CBDA          | 0.080        | 0.080          |   |                                      |
| CBG           | 0.602        | 0.602          |   |                                      |
| CBD           | 18.466       | 18.466         |   |                                      |
| CBN           | 0.052        | 0.052          |   |                                      |
| THC           | 0.735        | 0.735          |   |                                      |
| CBC           | 1.143        | 1.143          |   |                                      |
| THCA          | 0.000        | 0.000          |   |                                      |

CANNABINOIDS REPORTED AS "0" WERE BELOW DETECTABLE LEVELS

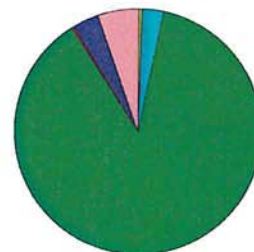
### Substance Distribution Analysis

| COLOR CODE | CANNABINOID | % BY WEIGHT | Distribution |
|------------|-------------|-------------|--------------|
|            | CBDA        | 0.008       | 0.38%        |
|            | CBG         | 0.060       | 2.85%        |
|            | CBD         | 1.847       | 87.61%       |
|            | CBN         | 0.005       | 0.25%        |
|            | THC         | 0.074       | 3.49%        |
|            | CBC         | 0.114       | 5.42%        |
|            | THCA        | 0.000       | 0.00%        |

% By Weight



Distribution



White in % by weight is inert material

\* All cannabinoids in their acid forms (ending in "A") are convertible to their non-acid forms via a decarboxylation process (heating). The THC and CBD maximum values reported above are the maximum theoretical amounts of THC and CBD the tested product would have if it were fully decarboxylated.

*MacKenzie Keller*

MacKenzie Keller  
Laboratory Director

\*\* Maximum % THC values exceeding three-tenths of one percent (0.3%) on a dry weight basis do not qualify as industrial hemp

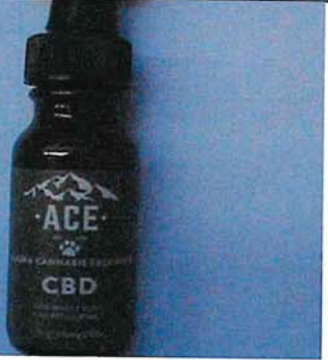
\*\* Maximum % THC Value for this sample is: 0.07 %

## LABORATORY CANNABINOID PROFILE CERTIFICATE OF ANALYSIS

Extraction Date: 08-Feb-17  
Analysis Date/Time: 08-Feb-17, 17:03:58


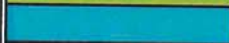





| CUSTOMER INFORMATION |                          | SAMPLE DETAILS     |                               |
|----------------------|--------------------------|--------------------|-------------------------------|
| Company:             | Alaska Cannabis Exchange | Sample name        | ACE CBD Pet Oil in MCT (15mL) |
| Contact Person:      | Darrick Fitz             | Sample number      | 4430                          |
| Contact Email:       | fitzdarrick@yahoo.com    | Sample Information | 150mg CBD                     |
| Contact phone:       | 303-330-5681             |                    |                               |

### Substance Potency Analysis

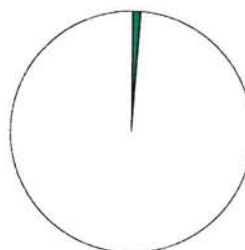
| CANNABINOID   | Mg. PER GRAM | TOTAL Mg. IN A | <u>1</u>  | GRAM PACKAGE (as reported by client) |
|---------------|--------------|----------------|---|--------------------------------------|
| CBD MAXIMUM * | 10.303       | 10.303         |  |                                      |
| THC MAXIMUM * | 0.384        | 0.384          |   |                                      |
| CBDA          | 0.049        | 0.049          |   |                                      |
| CBG           | 0.343        | 0.343          |   |                                      |
| CBD           | 10.260       | 10.260         |   |                                      |
| CBN           | 0.024        | 0.024          |   |                                      |
| THC           | 0.384        | 0.384          |   |                                      |
| CBC           | 0.651        | 0.651          |   |                                      |
| THCA          | 0.000        | 0.000          |   |                                      |

CANNABINOIDS REPORTED AS "0" WERE BELOW DETECTABLE LEVELS

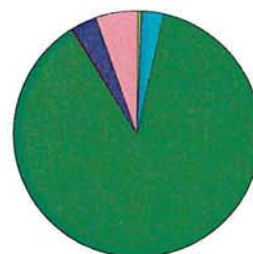
### Substance Distribution Analysis

| COLOR CODE   | CANNABINOID | % BY WEIGHT | Distribution |
|--|-------------|-------------|--------------|
|  | CBDA        | 0.005       | 0.42%        |
|  | CBG         | 0.034       | 2.92%        |
|  | CBD         | 1.026       | 87.61%       |
|  | CBN         | 0.002       | 0.20%        |
|  | THC         | 0.038       | 3.28%        |
|  | CBC         | 0.065       | 5.56%        |
|  | THCA        | 0.000       | 0.00%        |

% By Weight



Distribution



White in % by weight is inert material

\* All cannabinoids in their acid forms (ending in "A") are convertible to their non-acid forms via a decarboxylation process (heating). The THC and CBD maximum values reported above are the maximum theoretical amounts of THC and CBD the tested product would have if it were fully decarboxylated.

*MacKenzie Keller*

MacKenzie Keller  
Laboratory Director

\*\* Maximum % THC values exceeding three-tenths of one percent (0.3%) on a dry weight basis do not qualify as industrial hemp

\*\* Maximum % THC Value for this sample is: 0.04 %




## LABORATORY CANNABINOID PROFILE CERTIFICATE OF ANALYSIS

Extraction Date:08-Feb-17

Analysis Date/Time:08-Feb-17, 16:18:20

| CUSTOMER INFORMATION |                          | SAMPLE DETAILS     |                         |
|----------------------|--------------------------|--------------------|-------------------------|
| Company:             | Alaska Cannabis Exchange | Sample name        | ACE CBD Vape Oil (15mL) |
| Contact Person:      | Darrick Fitz             | Sample number      | 4428                    |
| Contact Email:       | fitzdarrick@yahoo.com    | Sample Information | 150mg CBD               |
| Contact phone:       | 303-330-5681             |                    |                         |

### Substance Potency Analysis

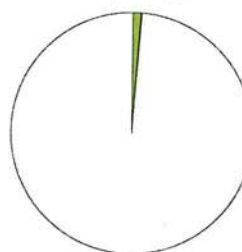
| CANNABINOID   | Mg. PER GRAM | TOTAL Mg. IN A | <u>1</u>  | GRAM PACKAGE (as reported by client) |
|---------------|--------------|----------------|---|--------------------------------------|
| CBD MAXIMUM * | 10.113       | 10.113         |  |                                      |
| THC MAXIMUM * | 0.274        | 0.274          |   |                                      |
| CBDA          | 10.978       | 10.978         |   |                                      |
| CBG           | 0.024        | 0.024          |   |                                      |
| CBD           | 0.551        | 0.551          |   |                                      |
| CBN           | 0.042        | 0.042          |   |                                      |
| THC           | 0.050        | 0.050          |   |                                      |
| CBC           | 0.046        | 0.046          |   |                                      |
| THCA          | 0.255        | 0.255          |   |                                      |

CANNABINOIDS REPORTED AS "0" WERE BELOW DETECTABLE LEVELS

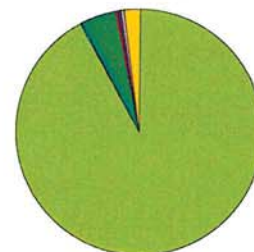
### Substance Distribution Analysis

| COLOR CODE | CANNABINOID | % BY WEIGHT | Distribution |
|------------|-------------|-------------|--------------|
|            | CBDA        | 1.098       | 91.89%       |
|            | CBG         | 0.002       | 0.20%        |
|            | CBD         | 0.055       | 4.61%        |
|            | CBN         | 0.004       | 0.35%        |
|            | THC         | 0.005       | 0.42%        |
|            | CBC         | 0.005       | 0.39%        |
|            | THCA        | 0.026       | 2.14%        |

% By Weight



Distribution



White in % by weight is inert material

\* All cannabinoids in their acid forms (ending in "A") are convertible to their non-acid forms via a decarboxylation process (heating). The THC and CBD maximum values reported above are the maximum theoretical amounts of THC and CBD the tested product would have if it were fully decarboxylated.

*MacKenzie Keller*

MacKenzie Keller  
Laboratory Director

\*\* Maximum % THC values exceeding three-tenths of one percent (0.3%) on a dry weight basis do not qualify as industrial hemp

\*\* Maximum % THC Value for this sample is: 0.03 %