

Notice of Violation

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 2/27/20

License #/Type: 15223 Limited Marijuana Cultivation Facilities

Licensee: Robert Gustafson

Address: 240 W. Kristy Drive Wasilla, AK 99654 UNITED STATES

DBA: Rock Hard Nugz

AMCO Case #: AM20-396

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 3/26/20 AMCO received a complaint that Rock Hard Nugz had employed Benjamin Robinson as a trimmer while he did not have a marijuana handler card. Benjamin Robinson stated that he worked from February 25th 2020 until March 13th 2020 at Rock Hard Nugz as a trimmer. He stated that he did not get his marijuana handler card until March 2nd 2020. Robert Gustafson, the licensee for Rock Hard Nugz, stated that they had unknowingly allowed Robinson to work without a handler card. Gustafson stated that Robinson was handling marijuana at Rock Hard Nugz on February 27th, 2020.

This is in violation of:

3 AAC 306.425. Marijuana handler permit 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 of Violation. A licensee may respond, either orally or in writing to the Notice. 3 AAC 306.810 (2)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation, to correct any defect that is the subject of the notice of violation of AS 17.8 or this chapter.

IT IS RECOMMENDED THAT YOU RESPOND IN WRITING TO DOCUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.

***Please send your response to the address below and include your marijuana license number in your response.**

Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: J. Rukes

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Email

Date: 4/13/20

From: [Robert and Josie Gustafson](#)
To: [CED AMCO Enforcement \(CED sponsored\)](#)
Cc: [Hoelscher, James C \(CED\)](#); [Rukes, Jeffrey B \(CED\)](#); [Davies, Jason M \(CED\)](#)
Subject: Fwd: NOV.pdf
Date: Thursday, April 16, 2020 4:19:19 PM
Attachments: [NOV.pdf](#)

Chief Investigator Hoelscher, Investigator Rukes, and AMCO Board Members,

In reference to the attached Notice of Violation issued to me as the licensee of Rock Hard Nugz AK, I sincerely apologize for having allowed the individual complainant, Benjamin Robinson, to work at our Limited Marijuana Cultivation Facility in the capacity as a trimmer for a few hours the day of February 27th, 2020 prior to him actually having received his handler's card ready for my inspection on March 2nd, 2020.

Since this individual was a close personal friend of my wife and mine, I did not question him when he said he got his handlers card taken care of. I believed he had actually obtained his handler's card prior to beginning trimming and had not just completed the required handler's course and passed the required test as just the prerequisites to obtaining his card on March 2nd.

The deficiency in my policy which I overlooked in bringing this person on-board as a trimmer, prior to him obtaining his handler's card on March 2nd, 2020, have been discussed between my wife and I. In the future, to ensure any staff we hire are fully approved by the State of Alaska by having obtained their required handler's card, a copy of that individual's handler's card will be made and placed in our files prior to any work being completed in the restricted access of my licensed premises.

I appreciate the gravity of this infraction and personally assure you all that future instances such this will not occur on the licensed premises of Rock Hard Nugz AK.

Best Regards,

Robert W. Gustafson
Licensee for Rock Hard Nugz AK #15223

----- Forwarded message -----

From: **Rukes, Jeffrey B (CED)** <jeff.rukes@alaska.gov>
Date: Mon, Apr 13, 2020 at 8:05 AM
Subject: NOV.pdf
To: RockHardNugzAK@gmail.com <RockHardNugzAK@gmail.com>
Cc: Davies, Jason M (CED) <jason.davies@alaska.gov>

Jason Please use this NOV for Rock Hard Nugz. There was another change.

Robert please reply to all so Jason has a copy.

Thanks