On April 20, 2021, our license 3A-16915 was inspected for the first time, post opening to the public. The facility received a NOV citing failure to comply with 3AAC 306.330(c)(d). The NOV process has been an effective learning tool and brought to light our failure to keep the inventory in compliance. The post-NOV inventory procedures include increased frequency of counts and weighing followed by daily adjustments (as needed) to keep our physical stock and METRC reconciled.

AMCO RCVD 7/1/2021

# 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: 4/22/21

License #/Type: 16915 Marijuana Retail Stores

Licensee: Heather Allen

Address: 233 Airport Road, Dillingham, AK

DBA: Bristol Bay Bud Company

AMCO Case #: 21-0388

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 4-20-21, an inspection was conducted at the Bristol Bay Bud Co. Ten items were selected randomly to check against METRC. Following are the results:

| Tag # | Name | On Hand | Green Bits | METRC | Difference |
|---|---|---|---|---|---|
| 3037 | Mikado | 26.9g | 33.9g | 31.9g | Short 5g |
| 358 | Slurricane | 75.1g | 99.1g | 99.1g | Short 24g |
| 407 | Lucky Slipper | 31.9g | 26.54g | 26.54g | Over 5.36g |
| 3110 | Indian Moonshine Bubblegum | 80.4 | 89.1 | 86.9g | Short 6.5g |
| 463 | Fire OG | 386.3g | 397.6g | 264.8g | Over 121.5g |
| 743 | Pineapple Express | 48 1g Joints | 54 1g Joints | 16 1g Joints | Over 32 1g Joints |
| 48 | Ice Break Dabs | 29 1g each | 29 1g each | 29 1g each | 0 |
| 8739 | Hells Fire OG | 17 1g each | 17 1g each | 15 1g each | Over 2 1g each |
| 359 | Donny Burger | 100.2g | 121.3g | 121.3g | Short 21.1g |
| 429 | Raspberry Cough | 142.8g | 147.6g | 109.6g | Over 33.2g |

Your attention is directed to 3 AAC 306.330(c)(d): Marijuana inventory tracking system which reads in part (c) A retail marijuana store shall reconcile each transaction from the retail marijuana store's point-of-sale system and current inventory to its marijuana inventory tracking system at the close of business each day. (d) A retail marijuana store shall account for any variance in the quantity of marijuana or marijuana product the retail marijuana store received and the quantity it sold, transferred, or disposed of.

**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: M. Chiesa

Received by:

SIGNATURE: F.R. Hamilton

SIGNATURE:

Delivered VIA: Email

Date:

updated 4/23/19

Bristol Bay Bud Company

Bristol Bay Bud Company
233 Airport Rd
PO Box 1437
Dillingham, AK 99576
AMCO #3A-16915

May 2, 2021

Alcohol & Marijuana Control Office

Attn: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, AK 99501

Re: Response to AMCO Case#: 21-0388

Notice of Violation received April 22, 2021

Dear AMCO Board Members:

On April 22, 2021, Bristol Bay Bud Company's Dillingham Retail store received a Notice of Violation after the first inspection since opening the store in June 2019. Inspector Joe Hamilton arrived in Dillingham and conducted an audit on April 20, 2021, of 10 random items in the store. Of the products audited, we weighed seven strains of bulk flower that we sell deli style, two strains of concentrate units, and one strain of prerolls.

We had been relying on Green Bits point of sale to maintain compliance for the day-to-day sales, and then adjusting METRIC when the product/strain was physically sold out. I now realize that this practice was inadequate to comply with 3AAC 306.330(c)(d).

Heather Allen
907-843-2518
heather@bristolbaybudcompany.com

Susan Isaacs
907-843-0473
susan@bristolbaybudcompany.com

Richard Allen
907-843-2519
richard@bristolbaybudcompany.com

Gorden Isaacs
907-843-0474
gorden@bristolbaybudcompany.com

Bristol Bay Bud Company

Bristol Bay Bud Company
233 Airport Rd
PO Box 1437
Dillingham, AK 99576
AMCO #3A-16915

Since Inspector Hamilton's visit, I have inventoried ALL current products and adjusted to the actual quantities on hand. I have implemented a new inventory protocol that increases the frequency of auditing and adjusting of all products, with special focus on the bulk flower. The adjustments of audited products are now occurring at the end of business each day.

In response to this AMCO audit, I have hired a dedicated inventory control person. This employee is charged with controlling the inventory and keeping our products in compliance. The tasks for this position include organizing the inventory, controlling multiple batches, organizing and assigning audits, spot checking audits, labeling compliance, assigning products for labeling for the sales floor, and communicating with the working manager to correct any inventory issues that may arise.

Through this investigation, I additionally discovered that on February 17, 2021 and March 11, 2021 there were reporting issues between Green Bits and METRC. I now compare my Green Bits, in-store audits, and METRC, and follow up with any discrepancies. In the future, any notifications from my POS system regarding a reporting issue will result in a comparison between in-store quantity, Green Bits, and METRC. Any discrepancies will be investigated and any sales that were not reported, or does not appear to be reported to METRC will be noted and adjusted.

Heather Allen
907-843-2518
heather@bristolbaybudcompany.com

Richard Allen
907-843-2519
richard@bristolbaybudcompany.com

Susan Isaacs
907-843-0473
susan@bristolbaybudcompany.com

Gorden Isaacs
907-843-0474
gorden@bristolbaybudcompany.com

Bristol Bay Bud Company

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233 Airport Rd
PO Box 1437
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AMCO #3A-16915

I will welcome your opinion whether these new procedures seem adequate to maintain compliance, and any further suggestions the board may suggest.

I fully accept my responsibility in not correctly keeping the inventory in compliance. I have a fresh understanding of my responsibilities. I have implemented new inventory policies, staff positions, and audit/adjustment protocols. Thank you again for this opportunity to get Bristol Bay Bud Company Retail Store in compliance with 3 AAC 306.330(c)(d).

Respectfully,

Heather Allen.

Heather Allen
Managing Partner of HRGS Enterprises
Retail Store Manager, Bristol Bay Bud Company

P.S. I have attached a response to six of the audited products that were sold between the time Inspector Hamilton audited, and when he returned from Dillingham and checked METRC.

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AMCO Case# 21-0388

There was a lag between the in-store audit and when METRC was consulted due to the travel required on Inspector Hamilton. The following six item incurred sales during that lag time:

| | | | |
|---|---|---|---|
| 3037 | Mikado | 2g Sold | Bulk Flower |
| 3110 | Indian Moonshine Bubblegum | 2.2g Sold | Bulk Flower |
| 0463 | Fire OG | 68.5g Sold | Bulk Flower |
| 0743 | Pineapple Express (1.0g) | 18 (1.0g) units Sold | Prerolls |
| 8739 | Hell's Fire (1.0g) Shatter | 2 (1.0g) units Sold | Concentrate |
| 0429 | Raspberry Cough | 31.4g Sold | Bulk Flower |

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**550 W. 7th Ave, Suite 1600**
**Anchorage, Alaska 99501**
**amco.enforcement@alaska.gov**

Issuing Investigator: M. Chiesa

SIGNATURE: F.R. Hamilton

Delivered VIA: Email

Received by: Heather Allen

SIGNATURE: Heather Allen.

Date: 4/22/21 via email

updated 4/23/19