

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CANNABIS REGULATORY AGENCY

In the Matter of

Next Level Wellness LLC
dba Narvona
License No.: AU-G-C-000370

ENF No.: 24-00418

/ CONSENT ORDER AND STIPULATION

CONSENT ORDER

On June 17, 2024, the Cannabis Regulatory Agency (CRA) issued a formal complaint against the adult-use marijuana class C grower establishment license (AU-G-C-000370) of Next Level Wellness LLC dba Narvona (Respondent) under the Michigan Regulation and Taxation of Marihuana Act (MRTMA), MCL 333.27951 *et seq.*, and the administrative rules promulgated thereunder. The formal complaint alleged Respondent violated Mich Admin Code, R 420.108(8), R 420.203(2)(b)(ii), R 420.206a(1), R 420.206a(2), R 420.206a(3), R 420.209(6)(a)(i), R 420.209(14), R 420.210(2), R 420.211(8), and R 420.212(1).

The executive director reviewed the stipulation contained in this document and agrees the public interest is best served by resolution of the formal complaint. Therefore, the executive director finds that all of the allegations contained in the formal complaint are true and that Respondent violated Mich Admin Code, R 420.108(8), R 420.203(2)(b)(ii), R 420.206a(1), R 420.206a(2), R 420.206a(3), R 420.209(6)(a)(i), R 420.209(14), R 420.210(2), R 420.211(8), and R 420.212(1).

Accordingly, for these violations, IT IS ORDERED:

1. Respondent must pay a fine in the amount of thirty-thousand and 00/100 dollars (\$30,000.00). This fine shall be paid within 60 days of the effective date of this order by check, money order, or online through Accela Citizen Access (ACA). Instructions on how to make online payments can be found under the Tips for

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Licensees bulletin section at www.michigan.gov/cra. Check or money orders shall be made payable to the State of Michigan with enforcement number “24-00418” and license number “AU-G-C-000370” clearly displayed on the check or money order. Respondent shall mail the fine to Department of Licensing and Regulatory Affairs, Cannabis Regulatory Agency, PO BOX 30205, Lansing, Michigan 48909.

2. If Respondent fails to timely comply with the terms of this order, Respondent’s license shall be suspended until compliance is demonstrated.
3. Unless otherwise specified in this order, Respondent shall direct any communications to the CRA that are required by the terms of this order to CRA-CSS@michigan.gov.
4. Respondent shall be responsible for all costs and expenses incurred in complying with the terms and conditions of this consent order.
5. If Respondent violates any term or condition set forth in this order, Respondent shall be subject to fines and/or other sanctions under section 7(1)(c) of the MRTMA, MCL 333.27957, and Mich Admin Code, 420.808.
6. Upon timely compliance of the terms of this order by Respondent, the matters set forth in the formal complaint shall be deemed resolved and closed subject to this Consent Order.

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This order shall be effective 30 days after the date signed by the CRA's executive director or his designee, as set forth below.

CANNABIS REGULATORY AGENCY

Signed on: 1/24/2025

By: Brian Hanna

Digitally signed by: Brian Hanna
DN: CN = Brian Hanna email = hannaab@michigan.gov C = US O = CRA
OU = CRA
Date: 2025.01.24 16:19:06 -0500

Brian Hanna, Executive Director
or his designee
Cannabis Regulatory Agency

STIPULATION

The parties stipulate to the following:

1. The facts alleged in the formal complaint are true and constitute a violation of the administrative rules promulgated under the MRTMA.
2. Respondent understands and intends that by signing this stipulation, Respondent is waiving the right under the MRTMA, administrative rules promulgated thereunder, and the Administrative Procedures Act of 1969, MCL 24.201 *et seq.*, to require the CRA to prove the violations set forth in the formal complaint by presentation of evidence and legal authority, and to present a defense to the violations.
3. The parties considered the following in reaching this agreement:
 - a. Respondent stated that the burnt preroll roaches identified during the investigation were the owner's personal product.
 - b. Respondent destroyed the unidentified marijuana in the presence of CRA staff during the investigation, which included the following:
 - i. A bag of flower, approximately 10 grams;
 - ii. Burnt prerolls, approximately 3.6 grams;
 - iii. A bag of trim, approximately 600 grams;

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- iv. And a very small jar of resin.
 - c. Respondent provided an employee handbook and employee conduct agreement expressly prohibiting the use of cannabis on site.
 - d. Respondent provided correspondence from a CRA Regulation Officer stating that the employee handbook was sufficient for the standard operating procedures (SOPs) requested.
 - e. Respondent provided an SOP detailing the process by which the inventory manager creates packages in the statewide monitoring system (Metrc).
 - f. Respondent provided its camera access log and SOPs related to video surveillance and camera access logs upon email request.
 - g. Respondent provided an updated waste log to include additional required information and updated previous waste log entries to include the additional information.
 - h. Respondent was cooperative and wishes to resolve the allegations without the need for and expense of an administrative hearing.
4. The CRA's discipline resolution section manager or her designee must approve this proposed agreement before it is forwarded to the CRA's executive director or his designee for review and issuance of the above consent order. The parties reserve the right to proceed to an administrative hearing without prejudice to either party, should the CRA's centralized services director, executive director, or their designees reject the proposed consent order.

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By signing this stipulation, the parties confirm that they have read, understand, and agree with the terms of the consent order.

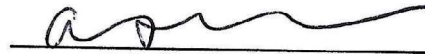
AGREED TO BY:

AGREED TO BY:

Alyssa A. Grissom Digitally signed by Alyssa A. Grissom
Date: 2025.01.23 11:41:50 -05'00'

Alyssa Grissom, DRS Manager
or her designee
Cannabis Regulatory Agency

Dated: 1/23/2025



Alexandra Rothermel, Authorized Officer
on behalf of Respondent
Next Level Wellness LLC
dba Narvona

Dated: 1-22-2025

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STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CANNABIS REGULATORY AGENCY

In the Matter of

Next Level Wellness, LLC
dba Narvona
License No: AU-G-C-000370

ENF No: 24-00418

FORMAL COMPLAINT

The Cannabis Regulatory Agency (CRA) files this formal complaint against Next Level Wellness, LLC, dba Narvona (Respondent) alleging upon information and belief as follows:

1. The CRA is authorized under the Michigan Regulation and Taxation of Marihuana Act (MRTMA), MCL 333.27951, *et seq.*, and Executive Reorganization Order No.2019-2, MCL 333.27001, to investigate alleged violations of the MRTMA and the administrative rules promulgated thereunder, take disciplinary action to prevent such violations, and impose fines and other sanctions against applicants and licensees that violate the MRTMA or administrative rules.

2. Section 8(1)(d) of the MRTMA provides that the administrative rules must ensure the health, safety, and security of the public and integrity of the marijuana establishment operations.

FACTUAL ALLEGATIONS AND INTENDED ACTION OF THE CRA

3. Respondent holds an active state license under the MRTMA to operate an adult use Class C grower establishment in the state of Michigan.

4. Respondent operated at 4403 Clio Road, Unit 1, Flint, Michigan 48504, at all times relevant to this complaint.

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5. Following an investigation, the CRA determined that Respondent violated the MRTMA and/or the administrative rules promulgated thereunder as set forth below:

- a. On March 11, 2024, the CRA received a complaint from a former employee of Respondent alleging, among other things, that Respondent's owner, J.C., was smoking marijuana in his onsite office.
- b. On March 18, 2024, a CRA Regulation Agent (RA) conducted an unannounced visit to Respondent's establishment to follow up.
- c. The RA found the following marijuana products without statewide monitoring system (Metr) tags on the desk in J.C.'s office:
 - i. An ashtray containing at least 13 burnt pre-roll roaches, with a total weight of approximately 3.6 grams, along with a lighter, and various paraphernalia for assembling pre-rolls.
 - ii. A clear plastic baggie containing marijuana buds, and a small amount of loose flower on a rolling tray and scattered across the desktop, with a total weight of approximately 10 grams.
 - iii. A small brown glass jar containing a very small amount of yellow-colored resin.
- d. The RA also found a large clear bag of marijuana without a Metr tag or Metr numbers in Respondent's vault. The bag had a white and blue sticker with the following handwritten notes: "370, Too Cool, H33, W: 622.3g/1.37 lb., G: 660.7g/1.45lb", 9-8, 1 of 1, trim".
- e. The RA determined Respondent was unable to trace the untagged products found in the office and the vault to existing entries in Metr.
- f. J.C. admitted he smoked pre-rolls in his office to evaluate their quality.
- g. The RA observed, and J.C. admitted, that the office where the untagged products were found was not under video surveillance.
- h. The RA requested Respondent's video surveillance log. J.C. stated Respondent did not have one.

- i. The RA reviewed Respondent's waste log, which only included columns with the following headers: license, harvest, harvest date, Metrc #, and weight. The recorded entries did not provide sufficient detail to account for all waste activities. Specifically, they did not include the dates, methods and locations of destruction; and there were no units of measurement for the recorded weights.
- j. The RA requested Respondent's standard operating procedure (SOP) for video surveillance. J.C. stated Respondent did not have one.
- k. Respondent did not have a compliant SOP to address smoking of marijuana onsite. Respondent provided an employee handbook which stated onsite use and possession of marijuana was prohibited and illegal. The RA reviewed and determined it was deficient, as it did not detail specific business operations and activities to ensure compliance.
- l. The RA reviewed Respondent's SOP for creating packages in Metrc and observed it was also deficient, as it did not include necessary steps and instructions for creating intermediate child packages.

Count I

Respondent's actions as described above in paragraphs c, d, and e, demonstrate a violation of Mich Admin Code, R 420.108(8) which states a grower accurately enter all transactions, current inventory, and other information into the statewide monitoring system as required in the MMFLA, these rules, and the marihuana tracking act.

Count II

Respondent's actions as described above in paragraph f demonstrate a violation of Mich Admin Code, R 420.203(2)(b)(ii), which states in relevant part, a marihuana business shall not allow onsite or as part of the marihuana business any consumption, use, or inhalation of a marihuana product unless the licensee has

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been granted a designated consumption establishment or temporary marihuana event license under the MRTMA.

Count III

Respondent's actions as described above in paragraph j demonstrate a violation of Mich Admin Code, R 420.206a(1), which states a marihuana business must have up-to-date written standard operating procedures on site at all times.

Count IV

Respondent's actions as described above in paragraph j demonstrate a violation of Mich Admin Code, R 420.206a(2), which states standard operating procedures must be made available to the agency upon request.

Count V

Respondent's actions as described above in paragraphs k and l demonstrate a violation of Mich Admin Code, R 420.206a(3), which states standard operating procedures must detail the marihuana business operations and activities necessary for the marihuana business to comply with the acts and these rules.

Count VI

Respondent's actions as described above in paragraph g demonstrate a violation of Mich Admin Code, R 420.209(6)(a)(i) which states in relevant part, a licensee shall ensure its video surveillance system records all areas where marihuana products are weighed, packed, stored, prepared, or moved within the marihuana business.

Count VII

Respondent's actions as described above in paragraph h demonstrate a violation of Mich Admin Code, R 420.209(14) which states a licensee shall maintain a log of the recordings, which includes all of the following: (a) The identity of the employee or employees responsible for monitoring the video surveillance system. (b) The

identity of the employee who removed any recording from the video surveillance system storage device and the time and date removed. (c) The identity of the employee who destroyed any recording.

Count VIII

Respondent's actions as described above in paragraphs c and d demonstrate a violation of Mich Admin Code, R 420.210(2) which states, except for a designated consumption establishment or temporary marihuana event licensed under the MRTMA, a marihuana business must not have any marihuana product without a batch number or identification tag or label pursuant to these rules. A licensee shall immediately tag, identify, or record as part of a batch in the statewide monitoring system any marihuana product as provided in these rules.

Count IX

Respondent's actions as described above in paragraph i demonstrate a violation of Mich Admin Code, R 420.211(8) which states in relevant part, licensees shall maintain accurate and comprehensive records regarding marihuana plant waste that accounts for, reconciles, and evidences all waste activity related to the disposal.

Count X

Respondent's actions as described above in paragraphs c, d, and e, demonstrate a violation of Mich Admin Code, R 420.212(1) which states in relevant part, marihuana products stored at a marijuana business must be tracked consistently in the statewide monitoring system under these rules.

THEREFORE, based on the above, the CRA gives notice of its intent to impose fines and/or other sanctions against Respondent's license, which may include the suspension, revocation, restriction, and/or refusal to renew Respondent's license.

Pursuant to Mich Admin Code, R 420.704(2), any party aggrieved by an action of the

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CRA suspending, revoking, restricting, or refusing to renew a license, or imposing a fine, shall be given a hearing upon request. A request for a hearing must be submitted to the CRA in writing within 21 days after service of this complaint. Notice served by certified mail is considered complete on the business day following the date of the mailing.

Respondent also has the right to request a compliance conference under Mich Admin Code, R 420.704(1). A compliance conference is an informal meeting at which Respondent has the opportunity to discuss the allegations in this complaint and demonstrate compliance under the MRTMA and/or the administrative rules. A compliance conference request must be submitted to the CRA in writing.

Hearing and compliance conference requests must be submitted in writing by one of the following methods:

By Mail: Department of Licensing & Regulatory Affairs
Cannabis Regulatory Agency
P.O. Box 30205
Lansing, Michigan 48909

In Person: Department of Licensing & Regulatory Affairs
Cannabis Regulatory Agency
2407 North Grand River
Lansing, Michigan 48906

By Email: CRA-LegalHearings@michigan.gov

If Respondent fails to timely respond to this formal complaint, a contested case hearing will be scheduled to resolve this matter.

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Questions about this complaint should be directed to the Cannabis Regulatory Agency's legal section at (517) 284-8599 or CRA-LegalHearings@michigan.gov.

Dated: 06/17/2024

By: Alyssa A. Grissom
Alyssa A. Grissom
Legal Section Manager
Cannabis Regulatory Agency

Digitally signed by Alyssa
A. Grissom
Date: 2024.06.17
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