

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CANNABIS REGULATORY AGENCY¹

In the Matter of

Plan B Wellness, LLC
ERG No. 000394
License No. PC-000137

ENF Nos. 20-00067, 20-00110,
20-00112, 20-00119 & 20-00210

/ CONSENT ORDER AND STIPULATION

CONSENT ORDER

On December 14, 2020, the Cannabis Regulatory Agency (CRA) issued a second superseding formal complaint against the medical marijuana provisioning center license (no. PC-000137) of Plan B Wellness, LLC (Respondent) under the Medical Marijuana Facilities Licensing Act (MMFLA), MCL 333.27101 *et seq.*, and administrative rules promulgated thereunder. The complaint alleged Respondent violated MCL 333.274(3), 333.274(1)(c), 333.275(1)(a), 333.275(2), 333.235(11), 333.2343(1)(c) through (j), and Mich Admin Code, R 420.505(3)(d), R 420.303(11)(a), R 420.504(1)(h), R 420.504(k)(i) through (iii), R 420.18(1), R 420.803(1), R 420.18(3), R 420.803(3), R 420.209(5), R 420.212(1), R 420.505(3)(d), and R 420.303(11)(a).

The executive director or designee reviewed the stipulation contained in this document and agrees the public interest is best served by resolution of the complaint. Therefore, the executive director or designee finds that the allegations contained in the complaint are true and that Respondent violated MCL 333.274(3), 333.274(1)(c), 333.275(1)(a), 333.275(2), 333.235(11), 333.2343(1)(c) through (j), and

¹ The Marijuana Regulatory Agency was renamed the Cannabis Regulatory Agency under Executive Reorganization Order No. 2022-1, effective April 13, 2022. MCL 333.27002(1)(a).

Mich Admin Code, R 420.505(3)(d), R 420.303(11)(a), R 420.504(1)(h), R 420.504(k)(i) through (iii), R 420.18(1), R 420.803(1), R 420.18(3), R 420.803(3), R 420.209(5), R 420.212(1), R 420.505(3)(d), and R 420.303(11)(a).

Accordingly, for these violations, IT IS ORDERED:

1. Respondent must pay a fine in the amount of seventy-eight thousand and 00/100 dollars (\$78,000.00). This fine shall be paid within 90 days of the effective date of this order by check, money order, or online through Accela Citizen Access (ACA). CRA guidance on how to make compliance payments online is available under "Tips for Licensees" at www.michigan.gov/cra/bulletins. Checks or money orders shall be made payable to the State of Michigan with "ENF Nos. 20-00067, 20-00110, 20-00112, 20-00119, 20-00210" and "License No. PC-000137" clearly displayed on the check or money order and mailed to: Department of Licensing and Regulatory Affairs, Cannabis Regulatory Agency, P.O. 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 may be subject to additional fines and/or other sanctions.

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

CANNABIS REGULATORY AGENCY

Signed on: 6/6/2025

By: Brian Hanna
Executive Director Brian Hanna
or Designee
Cannabis Regulatory Agency

Digitally signed by: Brian Hanna
DN: CN = Brian Hanna email =
hannab@michigan.gov C = US O = CRA OU = CRA
Date: 2025.06.06 10:27:35 -0400

STIPULATION

The parties stipulate to the following:

1. The facts alleged in the second superseding formal complaint are true and constitute a violation of the MMFLA and administrative rules promulgated thereunder.
2. Respondent understands and intends that by signing this stipulation, Respondent is waiving the right under the MMFLA, administrative rules promulgated thereunder, and the Administrative Procedures Act of 1969, MCL 24.201 *et seq.*, to require the CRA to prove the charges set forth in the complaint by presentation of evidence and legal authority and to present a defense to the charges.
3. The parties considered the following in reaching this agreement:
 - a. Respondent destroyed all the products that failed full compliance testing.
 - b. The violations occurred during the early stages of the Covid pandemic when a lot of uncertainty in the industry was taking

place. Respondent was operating a curbside retail facility, faced a shortage of employees, and a high demand for product.

- c. Respondent provided the initially requested videos, but when additional requests came in, they were not able to provide the requested video due to equipment failures at the security company provider. Contact information was provided to the CRA to confirm the equipment failure.
- d. Respondent created new labels containing the appropriate language for caregiver product as soon as they were made aware of the violation.
- e. Respondent implemented various revised standard operating procedures since the incidents occurred that are intended to prevent future recurrences. Such as:
 - i. Employees who have access to the video surveillance system must engage in daily checks to verify all areas are being recorded.
 - ii. Employees who have access to video surveillance must do periodic checks to ensure the cameras are permanently attached, operable, using appropriate motion detection, and contain the correct time and date stamp,
 - iii. Managers must ensure that the storage device for the surveillance cameras is not tampered with or stolen and is in good working condition. If there are damages to the system or it stops working, the management will close the facility until repairs are made.
 - iv. Employees are not allowed to delete footage. The footage will automatically delete after 30 days, unless requested by CRA.
 - v. An appropriate video log will be used and maintained.
 - vi. If the CRA requests video, all cameras will be attached to a new recording device or backed up to the cloud to ensure there are not gaps in recording.
 - vii. Inventory employees shall store medical products separate from adult use.

- viii. Inventory employees will ensure that marijuana products in final form are stored separately from other products.
 - ix. Inventory employees will ensure that marijuana products are not stored near hazardous or flammable materials.
 - x. Inventory employees shall periodically check storage areas to ensure all marijuana products are stored and labeled properly.
 - xi. Instituting a new step-by-step process to ensure patients do not exceed the daily allowance permitted.
 - xii. Instituting a procedure regarding caregiver waiver forms for any product sold that includes four separate employees ensuring the forms are handled compliantly.
 - xiii. Inventory employees and sales employees, before placing product in inventory or selling will ensure that the product has all required labels and warnings.
 - xiv. Instituting a new procedure for handling products during the sampling stage and while pending test results to avoid any mixing of products or confusion.
- f. Respondent has been licensed since the incidents and has not been subject to discipline. These incidents date back to 2020.
 - g. Respondent was cooperative and wishes to resolve the allegations without the need for and expense of an administrative hearing.

4. The CRA's operations director or designee must approve this proposed agreement before it is forwarded to the CRA's executive director or 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 operations director, executive director, or designees reject the proposed consent order.

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

AGREED TO BY:

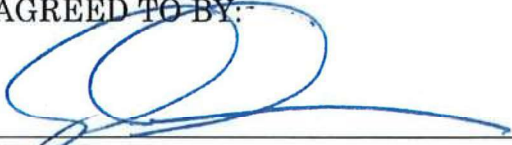
Alyssa A. Grissom Digitally signed by Alyssa A. Grissom
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Desmond Mitchell
Operations Director
or Designee
Cannabis Regulatory Agency
Dated: 6/5/2025


/s/Sarah E. Huyser

Sarah E. Huyser (P70500)
Assistant Attorney General
Attorney for Cannabis Regulatory Agency
Dated: June 3, 2025

AGREED TO BY:



Cory Cannova
Authorized Representative
On behalf of Respondent
Plan B Wellness Center
Dated: 4/8/2025



Robert Huth, Jr. (P42531)
Attorney for Respondent
Dated: 5/2/2025

LF: 2023-0367352-A/CRA v Plan B Wellness, LLC (ERG 000394)/Consent Order and Stipulation 2025-04-02

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

In the Matter of

Plan B Wellness, LLC
ERG No.: 000394
License No.: PC-000137
ENF Nos.: 20-00067, 20-00110, 20-00112,
20-00119, & 20-00210

CMP Nos.: 20-000612, 20-000235, 20-000890,
20-001010, & 20-001207

SECOND SUPERSEDING FORMAL COMPLAINT

The Marijuana Regulatory Agency (“Complainant”) files this second superseding formal complaint against Plan B Wellness, LLC (“Respondent”) alleging upon information and belief as follows:

1. The Marijuana Regulatory Agency (MRA) is authorized under the Medical Marijuana Facilities Licensing Act (MMFLA), MCL 333.27101 *et seq.*, and Executive Reorganization Order No.2019-2, MCL 333.27001, to investigate alleged violations of the MMFLA and administrative rules promulgated thereunder, take disciplinary action to prevent such violations, and impose fines and other sanctions against applicants and licensees that violate the MMFLA or rules.
2. Section 402(12) of the MMFLA provides that the expiration of a license does not terminate the MRA’s authority to impose sanctions on the license.
3. Section 206(c) of the MMFLA provides that the administrative rules must ensure the health, safety, and security of the public and integrity of the marijuana facility operations.
4. Respondent’s conduct as described below is a risk to public health and safety and/or the integrity of marijuana facility operations.

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FACTUAL ALLEGATIONS AND INTENDED ACTION OF THE MRA

5. Respondent holds an active state operating license under the MMFLA to operate a medical marihuana provisioning center in the state of Michigan.

6. Respondent operated at 20101 8 Mile Rd., Detroit, Michigan, 48219, at all times relevant to this complaint.

7. Following an investigation the MRA determined that Respondent violated the MMFLA and/or administrative rules promulgated thereunder as set forth below:

a. ENF: 20-00067

- i. On May 1, 2020, Respondent made a sale to a patient; upon review of video footage and that patient's information in the statewide monitoring system (METRC), the last transaction recorded for that patient was on April 18, 2020. Respondent sold medical marijuana product to a patient and did not maintain appropriate records of all sales or transfers under the act and these rules in violation of Mich Admin Code, R 333.274(3).
- ii. Based on the above, on May 1, 2020, Respondent did not verify in METRC that the patient did not exceed the prescribed daily and monthly purchasing limits in violation of Mich Admin Code, R 333.274(1)(c), R 333.275(1)(a), R 333.275(2).
- iii. On May 11, 15, 19, and 20, 2020, the MRA requested Respondent provide all video footage from May 1, 2020. Respondent did not provide all of the requested video footage on any of those dates. On June 1, 2020, Respondent informed the MRA the video footage was lost. Respondent failed to immediately provide all surveillance recordings for inspection by the Agency in violation of Mich Admin Code, R 333.235(11).
- iv. On May 15, 2020, Respondent provided images of labels from its medical marijuana products that showed the labels did not contain all the required

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information. The following information was missing in violation of Mich Admin Code, R 333.3273(1)(c)(d)(f)(g)(h)(i)(j):

- A. The unique identification number for the package or the harvest, if applicable.
- B. Date of harvest, if applicable.
- C. Net weight in United States customary and metric units.
- D. Concentration of THC and cannabidiol (CBD).
- E. Activation time expressed in words or through a pictogram.
- F. Name of the safety compliance facility that performed any test, any associated test batch number, and any test analysis date.
- G. The universal symbol for marijuana product published on the department's website.

b. ENF: 20-000112

- i. On August 12, 2020, Respondent sold caregiver, marijuana product Taste Buds Gummies 200mg, statewide monitoring system (METRC) package tag number 1A405010000426A000000105 (package tag #00105), without patient waivers which notify patients that the marijuana product has not received full compliance testing. Caregiver product may only be sold with patient waivers.
- ii. In addition, on August 12, 2020, Respondent made 433 caregiver sale but only proffered 11 patient waivers for that day.
- iii. Based on the sales from August 12, 2020, Respondent failed to obtain full compliance testing and sold the marijuana product without patient waivers in violation of Mich Admin Code, R 420.505(3)(d).
- iv. Further based on the above, Respondent sold marijuana products to patients without receiving passing test results in METRC in violation of Mich Admin Code, R 420.303(11)(a).
- v. On September 15, 2020, Respondent's marijuana product, Taste Buds Gummies 200mg, METRC package tag #00105, did not contain all the required information on its labels. The following information was missing in violation of Mich Admin Code, R 420.504(1)(h)(k)(ii)(iii):

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- A. Activation time expressed in words or through a pictogram.
- B. A warning that states all the following:
 - 1. “National Poison Control Center 1-800-222-1222.”
 - 2. For products being sold by a licensee under the medical marihuana facilities licensing act that exceed the maximum THC levels allowed for products sold under MRTMA, “For use by registered qualifying patients only. Keep out of reach of children.”

c. ENF: 20-00110

- vi. On September 17, 2020, Respondent sold marijuana product, 1g – Mac- Oil – Mac Original, that did not contain all the required information on its labels, after being advised on September 15, 2020, to ensure all labeling requirements were met. The following information was missing in violation of Mich Admin Code, R 420.504(1)(h)(k)(i)(ii)(iii):

- A. Activation time expressed in words or through a pictogram.
- B. A warning that states all the following:
 - 1. "It is illegal to drive a motor vehicle while under the influence of marihuana."
 - 2. “National Poison Control Center 1-800-222-1222.”
 - 3. “For products being sold by a licensee under the medical marihuana facilities licensing act that exceed the maximum THC levels allowed for products sold under MRTMA, “For use by registered qualifying patients only. Keep out of reach of children.”

d. ENF: 20-00119

- i. On September 23, 2020, Respondent was storing approximately 20,000 marijuana product (vape products) at 20103 8 Mile Road which is a location that is not included in Respondent’s facility plan, floor plan, inspections, or included in the certificate of occupancy.
- ii. Respondent storing vape products at 20103 8 Mile Road is de facto an addition of a storage room and a change or modification to the marijuana facility after licensure and failure to notify and obtain approval from the MRA before this

change or modification was made is a violation of Mich Admin Code, R 420.18(1) and R 420.803(1).

- iii. Furthermore, Respondent failed to produce written municipal approval of the new marijuana facility change or modification in violation of Mich Admin Code, R 420.18(3) and R 420.803(3).
 - iv. Also, Respondent's unapproved storage room where vape products were being stored did not possess a video surveillance system in violation of Mich Admin Code, R 420.209(5).
 - v. Finally, Respondent's unapproved storage room where vape products were being stored is not a secured limited access area or a restricted access area at the marijuana business in violation of Mich Admin Code, R 420.212(1).
- e. ENF: 20-00210
- i. On November 16, 2020, Respondent had two packages METRC tag 1A405010000426A000001021 (tag #1021) and 1A405010000426A000000031 (tag #0031) in Metrc that did not receive Vitamin E Acetate testing before sales were made from the packages.
 - ii. Tag #1021 had 254 sales made from it with the current inventory being 146 eaches; sales dates range from June 13, 2020 through November 14, 2020.
 - iii. Tag #0031 had 17 sales made from it with the current inventory being negative 17 eaches; sales dates range from May 17, 2020 through November 11, 2020.
 - vii. Based on the November 16 information, Respondent failed to obtain full compliance testing in violation of Mich Admin Code, R 420.505(3)(d).
 - viii. Further based on the above, Respondent sold marijuana products to patients without receiving passing test results in METRC in violation of Mich Admin Code, R 420.303(11)(a).

THEREFORE, based on the above, the MRA 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.

Under MCL 333.27407(4) and Mich Admin Code, R 333.294(2), any party aggrieved by an

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action of the MRA 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 MRA 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 333.294(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 MMFLA and/or rules. A compliance conference request must be submitted to the MRA 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
Marijuana Regulatory Agency
P.O. Box 30205
Lansing, Michigan 48909

By Email: MRA-LegalHearing@michigan.gov

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

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

The formal complaint filed against the Respondent on October 14, 2020, is hereby WITHDRAWN and replaced in full by this superseding complaint.

Dated: December 14, 2020

MARIJUANA REGULATORY AGENCY

By: **Claire Patterson**
Claire T. Patterson, Manager Scientific & Legal Section

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PattersonC8@michigan.gov C = US O = MRA OU = LARA
Date: 2020.12.14 15:22:22 -05'00'

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