

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

In the Matter of

Field Health & Wellness, LLC
dba Cherry Brands
License No.: AU-R-001080

ENF No.: 24-00470

_____/ CONSENT ORDER AND STIPULATION

CONSENT ORDER

On July 3, 2024, the Cannabis Regulatory Agency (CRA) issued a formal complaint against the adult-use marijuana retailer license (no. AU-R-001080) of Field Health & Wellness, LLC dba Cherry Brands (Respondent) under the Michigan Regulation and Taxation of Marihuana Act (MRTMA), MCL 333.27951 *et seq.*, and administrative rules promulgated thereunder. The complaint alleged Respondent violated Mich Admin Code, R 420.104(3)(b), R 420.502(1) and R 420.502(5).

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 Mich Admin Code, R 420.502(1) and R 420.502(5).

Accordingly, for these violations, IT IS ORDERED:

1. Respondent must pay a fine in the amount of ten thousand and 00/100 dollars (\$10,000.00). This fine shall be paid within 30 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 No. 24-00470” and “License No. AU-R-001080” 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. Count I of the complaint, alleging a violation of Mich Admin Code, R 420.104(3)(b) is dismissed.

3. If Respondent fails to timely comply with the terms of this order, Respondent’s license shall be suspended until compliance is demonstrated.

4. 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.

5. Respondent shall be responsible for all costs and expenses incurred in complying with the terms and conditions of this consent order.

6. 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.

Signed on: 2/9/2026

CANNABIS REGULATORY AGENCY

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: 2026.02.09 08:51:15 -05'00'

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 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 stated the issue stemmed from an employee failing to confirm the marijuana products on the manifest corresponded with what was physically received. Respondent confirmed that the employee should have rejected the shipment because the product labels and Metrc tag numbers on the manifest did not correspond with the product received.
 - b. Respondent implemented a revised standard operating procedure (SOP) for receiving product that is intended to prevent future recurrences. The CRA approved the SOP on June 2, 2025.
 - c. Respondent provided documentation showing retraining of staff on the new SOP for receiving product.
 - d. Respondent was cooperative and wishes to resolve the allegations without the need for and expense of an administrative hearing.
4. The CRA's Legal Division 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 Legal Division 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
Date: 2026.02.05 20:07:24 -05'00'

Alyssa A. Grissom
Legal Division Director
or Designee
Cannabis Regulatory Agency

Dated: 2/5/2026

Audrey E. Elzerman
Audrey E. Elzerman (P82596)
Assistant Attorney General
Attorney for Cannabis Regulatory Agency
Dated: 2/3/2026

AGREED TO BY:

Clint Cerney
~~Clint Cerney~~
Authorized Representative
On behalf of Respondent
Field Health and Wellness, LLC dba
Cherry Brands
Dated: 2/2/26

M. Stein
Michael D. Stein (P71421)
Attorney for Respondent
Dated: 2/2/26

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

In the Matter of

Field Health & Wellness, LLC
dba Cherry Brands
License No.: AU-R-001080

ENF No.: 24-00470

FORMAL COMPLAINT

The Cannabis Regulatory Agency (CRA) files this formal complaint against Field Health & Wellness, LLC dba Cherry Brands (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 marijuana retailer establishment in the state of Michigan.

4. Respondent operated at 3245 East Michigan Avenue, Jackson, Michigan, 49202, 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 administrative rules promulgated thereunder as set forth below:

- a. On February 14, 2024, the CRA placed marijuana products with statewide monitoring system (Metrc) tag numbers 1A405300038CFE000014323(-4323) and 1A405300038CFE000014321(-4321) on administrative hold.
- b. On April 2, 2024, the CRA Operational Support Section (OSS) conducted a compliance review of marijuana products that were placed on administrative hold. Upon review, the CRA OSS generated a complaint which alleged that Respondent sold marijuana products that were placed on administrative hold from a retail store location in Jackson, Michigan.
- c. A CRA Regulation Agent (RA) reviewed the compliance monitoring record of Respondent. Respondent removed Metrc tag numbers ending -4321 and -4323 from the sales floor the same day the marijuana products were placed on administrative hold. However, on March 7, 2024, Respondent returned the marijuana product with Metrc tag number ending in -4323 to the sales floor and sold all the marijuana product.
- d. For marijuana package with Metrc tag number ending in -4323, on March 7, 2024, Respondent made four transactions with sales totaled \$75.80. On March 8, 2024, Respondent made two transactions with sales totaled \$65.00. On March 9, 2024, Respondent made five transactions with sales totaled \$83.20.
- e. On April 16, 2024, the CRA RA contacted Respondent by email and requested an explanation for the selling of the marijuana products between March 7, 2024, and March 9, 2024, while the marijuana products were on administrative hold.
- f. On April 17, 2024, during an onsite visit to the Respondent's establishment, the CRA RA met with Respondent's Operation Director, A.H., who explained that Respondent received two shipments of

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marijuana products as Peach Mango 1g infused pre-roll under Metrc tag number ending in -4321 and Metrc tag number ending in -4323, which were placed on administrative hold. A.H. admitted that Respondent sold the marijuana product Peach Mango 1g infused pre-rolled with Metrc tag number ending in -4323, while it was placed on administrative hold because Respondent's employees did not accurately track the inventory in Metrc or point of sale system.

- g. Respondent said that another marijuana product that was labeled Peach Mango 1g infused pre-roll with Metrc tag number ending in -4323 was sold because it was a different product with different packaging but had the corresponding Metrc number as the marijuana product Peach Mango 1g infused pre-rolled that was on administrative hold.
- h. A.H. claimed the marijuana product under with Metrc tag number ending in -4323 was incorrectly labeled and all the Peach Mango 1g infused pre-rolled, with Metrc tag number ending in -4323, should have been tagged as Metrc tag number ending in -4321 and not Metrc tag number ending in -4323.
- i. A.H. admitted that employees did not physically check nor confirmed the labels alongside the manifest when they accepted the product and did not reject the shipment once the product labels and the manifest did not match.

Count I

Respondent's actions as described above in paragraphs b, c, d, e, f, g, h and i demonstrate a violation of Mich Admin Code R 420.104(3)(b), which states a marihuana retailer shall comply with all of the following: (b) Accurately enter all transactions, current inventory, and other information into the statewide monitoring system as required in these rules.

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Count II

Respondent's actions as described above in paragraphs d, e, f, g, h, i demonstrate a violation of Mich Admin Code R 420.502(1), which states each marihuana products sold or transferred must be clearly labeled with the tracking identification numbers assigned by the statewide monitoring system affixed, tagged, or labeled and recorded, and any other information required by the agency, the acts, and these rules.

Count III

Respondent's actions as described above in paragraphs a, b, c, d, e, f, g, h, i demonstrate a violation of Mich Admin Code R 420.502(5), which states prior to selling or transferring a marihuana product, a marihuana business must verify in the statewide monitoring system, that the marihuana product has not been placed on an administrative hold, recalled, or ordered to be destroyed.

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 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

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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.

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: 7/3/24

By: Alyssa A. Grissom
Digitally signed by Alyssa A. Grissom
Date: 2024.07.03 09:57:57 -04'00'

Alyssa A. Grissom
Legal Section Manager
Cannabis Regulatory Agency

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