



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

December 11, 2019

Compliance Action – Citation

TGMD, LLC
Assumed Name: The Green Mile Detroit

ERG No.: 000400
License No.: PC-000144
CMP No.: 19-000092
ENF No.: 19-00039

Following an investigation, the Marijuana Regulatory Agency (MRA) determined that TGMD, LLC ("Respondent"), license no. PC-000144, violated the Medical Marihuana Facilities Licensing Act (MMFLA), and/or administrative rules promulgated thereunder as follows:

1. On July 29, 2019, Respondent sold to a patient, marijuana product that was in a vial within a white bag. The vial was labeled with the patient name and number; a string of numbers ending in "35052," which is not a valid identification number in the statewide monitoring system (METRC); product strain "Platinum Candy;" and a product weight of "1.30 g." The product was identified in METRC with current package #1A4040100000191000000509, source package #1A4040100000191000000567, product strain "Platinum," harvest date "04/18," and testing status "TestPassed." The label did not include other required information, including the name and license number of the producer and tag or source number assigned by METRC; name and license number of the licensee that packaged the product, if different; unique identification number for the package or harvest; date of harvest; net weight in United States customary and metric units; concentration of tetrahydrocannabinol (THC) and cannabidiol (CBD); activation time; name of the safety compliance facility that performed any test, any associated test batch number, and any test analysis date; universal symbol for marijuana product published on the MRA's website; required warning statements; and National Poison Control Center phone number. There was no label attached to the bag.
2. Based on the above, Respondent sold marijuana product that was not in a container, bag, or product labeled with all required information, in violation of Mich Admin Code, R 333.273(1).

Mich Admin Code, R 333.219 provides that a licensee found in violation of the MMFLA and/or administrative rules may be subject to sanctions, including fines. For the above violations, the MRA intends to impose a fine of \$2,000.00.

If you agree to resolve this citation as set forth in the citation agreement below, you must sign

MARIJUANA REGULATORY AGENCY
2407 NORTH GRAND RIVER • P.O. BOX 30205 • LANSING, MICHIGAN 48909
www.michigan.gov/MRA

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and return the attached citation agreement within 30 days after receipt of the citation. The fine must be paid within 30 days after you receive the citation agreement signed by the enforcement director. Return the signed agreement and submit payment by:

Mailing to:

Department of Licensing & Regulatory Affairs
Marijuana Regulatory Agency
P.O. Box. 30205
Lansing, Michigan 48909

Appearing in Person:

Department of Licensing & Regulatory Affairs
Marijuana Regulatory Agency
2407 North Grand River
Lansing, Michigan 48906

Online:

You may use the online Accela Citizen Access Portal (<https://aca3.accela.com/MIMM>) to upload the signed citation agreement and remit payment.

Checks must be made payable to the State of Michigan and include the above enforcement (ENF) number on the memorandum line.

A fully executed citation agreement may be disclosed to the public. You may submit a one-page explanation that will be placed in your license record and the explanation may be disclosed each time the issuance of the citation is disclosed to the public. ***If no further disciplinary actions are imposed on your license within five calendar years after the citation is issued, the Agency will remove this citation from this license record.***


If you fail to sign the citation agreement and timely pay the fine, the allegations in this citation will be incorporated into a formal complaint and will result in further administrative proceedings.

Continued or repeated non-compliance or repeated violations may result in further action, including the imposition of fines and/or other sanctions against your license.

Any questions about this citation should be directed to the Marijuana Regulatory Agency's legal section at (517) 284-8527 or MRA-LegalHearings@michigan.gov.

Dated: 12/11/2019

MARIJUANA REGULATORY AGENCY

By: 
Kavita Kale, Enforcement Division Director

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CITATION AGREEMENT ("Agreement")


By signing below, Respondent and the Marijuana Regulatory Agency (MRA) agree that:

1. This agreement is not valid or enforceable until executed by both the enforcement director and Respondent.
2. This agreement constitutes a full and final resolution of this citation. However, this agreement does not preclude the MRA from opening a separate investigation and pursuing appropriate disciplinary action based on information that was knowingly or unknowingly withheld by Respondent or otherwise not discovered during the initial investigation.
3. Respondent and the MRA agree that each has the authority to settle the citation in accordance with the terms of this agreement.
4. The interests of the public, the MRA, and Respondent are best served by entering into this agreement without further proceedings.
5. Respondent agrees to timely pay the fine set forth in the citation.
6. Respondent does not admit the truth of the allegations in the citation but agrees that the MRA may treat the allegations as true for purposes of resolving the citation.
7. The MRA reserves the right to consider this agreement in the context of subsequent disciplinary proceedings and license application or renewal decisions.

TGMD, LLC,
Assumed Name: The Green Mile Detroit;
License No. PC-000144

Marijuana Regulatory Agency


Arlando Yaldao (Jan 21, 2020)



By: Arlando Yaldao

By: Kavita Kale

Title: Member

Title: Enforcement Division Director

Date: 01/21/2020

Date: 1/30/2020

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January 21, 2020

TGMD, LLC

6650 E 8 Mile Road,
Detroit, MI 48234

Assumed Name: The Green Mile Detroit

ERG: NO: 000400
License No: PC-000144
CMP No: 19-000092
ENF No: 19-00039

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JAN 29 2020

Legal Section
Marijuana Regulatory Agency


To Whom It May Concern,

Enclosed please find TGMD's signed citation agreement, copy of the check mailed to the MRA for the fine regarding the above referenced citation in the amount of \$2,000, and important factors/circumstances for the MRA's consideration, which are listed below:

- The citation is dated December 11, 2019, when the date in question was July 29, 2019, which means the citation was issued over 5 months after the alleged incident took place. The delay in the MRA issuing this citation prejudiced Respondent TGMD significantly given: a) surveillance video of the date in question is no longer available (MRA requires Licensees to maintain surveillance video for 30 days and it has been over 5 months); and b) The employee involved in the incident at question, is no longer working at Respondent's place of business was the operating manager at TGMD until October 2019);
- Contrary to the Citation, the improperly labeled product was **not** identified in METRC or Respondent's Point of Sales system. As such, there is no record of this product being sold on the date of question (July 29, 2019);
- TGMD properly trains all staff and personnel according to MMFLA/ MRA rules, processes, and procedures;
- Supporting evidence was not provided with the citation;
- Respondent was also not given an opportunity to speak with investigator regarding the accusations/allegations in the citation;
- During the five months between when the incident allegedly occurred and the citation being issued, neither the MRA or the investigators contacted TGMD's ownership to put them on notice so as to ensure remedial measures (if needed), would have been put in place; and
- TGMD strives to cooperate and comply with any and all MRA requirements to provide the best patient care it possibly can.

Sincerely,

TGMD, LLC.,



Arlando Yaldao (Jan 21, 2020)
Arlando Yaldao