

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

In the Matter of

Pure Releaf N. Union, LLC
License No.: AU-R-000147

ENF No.: 21-00211

/ CONSENT ORDER AND STIPULATION

CONSENT ORDER

On September 2, 2021, the Cannabis Regulatory Agency (CRA) issued a formal complaint against the adult-use marijuana retailer establishment license (AU-R-000147) of Pure Releaf N. Union, LLC ("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 420.507(2), R 420.504(1)(a), R 420.504(1)(d), R 420.504(1)(g), and R 420.504(1)(i).

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 some of the allegations contained in the formal complaint are true and that Respondent violated Mich Admin Code, R 420.507(2).

Accordingly, for these violations, IT IS ORDERED:

1. Respondent must pay a fine in the amount of twelve thousand and 00/100 dollars (\$12,000.00). 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). Instructions on how to make online payments can be found under the Tips for Licensees bulletin section at www.michigan.gov/cra. Check or money orders shall be made payable to the State of Michigan with enforcement number "21-00211" and license number "AU-R-000147" clearly displayed on the check or

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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. The alleged violations of Mich Admin Code R 420.504(1)(a), R 420.504(1)(d), R 420.504(1)(g), and R 420.504(1)(i) found in paragraphs 6.e., 6.f., and 6.g. of the formal complaint are DISMISSED.
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-LegalHearings@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 will be subject to fines and/or other sanctions under section 7(1)(c) of the MRTMA, MCL 333.27957, and Mich Admin Code, R 420.808.
7. 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.

CONTINUED ONTO NEXT PAGE

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: 07/28/2023

By: Adam Sandoval Digitally signed by Adam Sandoval
Date: 2023.07.28 08:36:41 -04'00'

Brian Hanna, Executive Director
or his designee
Cannabis Regulatory Agency

STIPULATION

The parties stipulate to the following:

1. Some of 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 provided documentation of a standard operating procedure (SOP) and checklist to ensure future compliance with packaging and labeling requirements found in the administrative rules.
 - b. Respondent stated it trained its employees on its packaging and labeling SOP.
 - c. There was no evidence that the marijuana product at issue was sold to a customer.

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d. 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 his 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 operations director, executive director, or their 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:


Desmond
Mitchell

Digitally signed by Desmond
Mitchell
Date: 2023.07.18 14:21:17
-04'00'

Desmond Mitchell, Operations Director
or his designee
Cannabis Regulatory Agency

Dated: 7/18/2023

AGREED TO BY:



Jigarkumar Patel, Authorized Officer
on behalf of Respondent
Pure Relief N Union, LLC

Dated: 7-17-2023



Travis Copenhaver, P77902
Attorney for Respondent

Dated: 7/17/2023

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

In the Matter of

Pure Releaf N Union, LLC
AU-ER No.: 000204
License No.: AU-R-000147
ENF No.: 21-00211

CMP No.: 21-000287

FORMAL COMPLAINT

The Marijuana Regulatory Agency (“Complainant”) files this formal complaint against Pure Releaf N Union, LLC (“Respondent”) alleging upon information and belief as follows:

1. The Marijuana Regulatory Agency (MRA) is authorized under the Michigan Regulation and Taxation of Marihuana Act (MRTMA), 2018 IL1, *et seq.*, and Executive Reorganization Order No.2019-2, MCL 333.27001, to investigate alleged violations of the MRTMA and the Administrative Rule 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 marihuana establishment operations.

3. Respondent’s conduct as described below is a risk to public health and safety and/or the integrity of marihuana establishment operations.

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FACTUAL ALLEGATIONS AND INTENDED ACTION OF THE MRA

4. Respondent holds an active state license under the MRTMA to operate an adult use retail establishment in the state of Michigan.

5. Respondent operated at 3480 E. North Union Road, Bay City, Michigan 48706, at all times relevant to this complaint.

6. Following an investigation, the MRA determined that Respondent violated the MRTMA and/or Administrative Rules promulgated thereunder as set forth below:

- a. On April 14, 2021, the MRA reviewed photos of various adult-use marijuana products in Respondent's inventory.
- b. The photos were provided by a store manager to the MRA.
- c. The photos were of the following products:
 - I. Redbud Roots Vape Cart;
 - II. 99 Problems – Terp Sugar;
 - III. Natures Medicines Punch Breath Buds;
 - IV. Now N Later Cookies Flower.
- d. All of the products listed above contained on the label, Respondent equivalent medical license number, not the required adult-use license number. The products are in violation of Mich Admin Code, R 420.507(2) which states that a person shall not make any deceptive, false, or misleading assertions or statements on any marijuana product.
- e. The marijuana product 99 Problems – Terp Sugar was missing the required statement on the label that the actual value of THC and CBD may vary from the reported value by 10% in violation of Mich Admin Code, R 420.504(1)(g).
- f. Natures Medicines Punch Breath flower did not contain the following items required on the label: date of harvest, name of the laboratory that performed

any test, and any test analysis date, the name and state license number of the producer, and the statement that the actual value of THC and CBD may vary from the reported value by 10% in violation of Mich Admin Code, R 420.504(1)(d), (i), (a), and (g).

- g. Now N Later Cookies did not contain the following items required on the label: date of harvest, name of the laboratory that performed any test, and any test analysis date, the name and state license number of the producer, and the statement that the actual value of THC and CBD may vary from the reported value by 10% in violation of Mich Admin Code, R 420.504(1)(d), (i), (a), and (g).

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 333.27957 (1)(c) and Mich Admin Code, R 420.704(2), any party aggrieved by an 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 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 Emergency 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

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

By Email: MRA-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 Marijuana Regulatory Agency's legal section at (517) 284-8599 or MRA-LegalHearings@michigan.gov.

Dated: 9/2/21

By: Claire Patterson
Claire Patterson, Manger
Scientific and Legal Section Manager
Enforcement Division
Marijuana Regulatory Agency

Digitally signed by Claire
Patterson
Date: 2021.09.02
16:58:00 -04'00'