

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

In the Matter of

Medical Greens Inc.
License No.: AU-G-B-000141

ENF Nos: 22-00609 & 22-00704

/ CONSENT ORDER AND STIPULATION

CONSENT ORDER

On March 3, 2023, the Cannabis Regulatory Agency (CRA) issued a formal complaint against the adult use Class B marijuana grow establishment license (AU-G-B-000141) of Medical Greens, Inc. (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 420.18(1), R 420.208(6)(b)(i), R 420.208(6)(b)(ii), R 420.208(6)(b)(iii), R 420.208(6)(b)(iv), R 420.209(6)(a)(i), R 420.209(6)(a)(ii), R 420.209(6)(a)(iii), R 420.209(6)(a)(iv), R 420.209(6)(b), R 420.802(3)(b), R 420.802(3)(f)(i), R 420.802(3)(f)(ii), R 420.802(3)(f)(iii), R 420.802(3)(f)(iv), and R 420.802(3)(f)(v).

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 the following sections of the Mich Admin Code:

ENF 22-00609:

- A. R 420.209(6)(a)(i), R 420.209(6)(a)(ii), R 420.209(6)(a)(iii), R 420.209(6)(a)(iv), and R 420.209(6)(b) as to paragraph c of the amended formal complaint.
- B. R 420.18(1), R 420.802(3)(f)(i), R 420.802(3)(f)(ii), R 420.802(3)(f)(iii), R 420.802(3)(f)(iv), R 420.802(3)(f)(v) as to paragraph d of the amended formal complaint.

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

LARA is an equal opportunity employer/program

ENF 22-00704:

- A. 420.18(1), R 420.802(3)(b), R 420.802(3)(f)(i), R 420.802(3)(f)(ii), R 420.802(3)(f)(iii) and R 420.802(3)(f)(v) as to paragraphs b and c of the amended formal complaint.

Accordingly, for these violations, IT IS ORDERED:

1. Respondent must pay a fine in the amount of fifteen thousand and 00/100 dollars (\$15,000.00). 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). 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 "22-00609 & 22-00704" and license number "AU-G-B-000141" 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. Within 30 days of the effective date of this order, Respondent must submit standard operating procedures (SOPs) detailing all operational steps necessary to ensure that material changes are reported to and approved by the CRA before they are implemented, and for compliant surveillance.
3. The CRA will review Respondent's SOPs, and if necessary, issue notices of deficiency (NODs). Within 30 days of receiving an NOD, Respondent must correct the deficiencies and submit a revised SOP for the CRA to review again.
4. If Respondent fails to timely comply with the terms of this order, Respondent's license shall be suspended until compliance is demonstrated.

CONTINUED ON NEXT PAGE

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

LARA is an equal opportunity employer/program

5. The following alleged violations of the Mich Admin Code are DISMISSED:

ENF 22-00704:

- a. R 420.18(1), R 420.803(3)(f)(iii), and R 420.803(3)(f)(v) as to paragraph a of the amended formal complaint.
- b. R 420.208(6)(b)(i), R 420.208(6)(b)(ii), R 420.208(6)(b)(iii), and R 420.208(6)(b)(iv) as to paragraph c of the amended formal complaint.

6. 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.

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

8. 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.

9. 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.

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: 01/22/2024

By: Brian Hanna



Digitally signed by: Brian Hanna
DN: CN = Brian Hanna email = hannab@michigan.gov C = US O = CRA OU = CRA
Date: 2024.01.22 10:24:26 -0500'

Brian Hanna, Executive Director
or his designee
Cannabis Regulatory Agency

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

LARA is an equal opportunity employer/program

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, the 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. All plants observed onsite appeared to be appropriately tagged and entered in the statewide monitoring system (Metrc).
 - b. On May 24, 2022, the CRA confirmed Respondent's surveillance system was fixed and fully operational again.
 - c. On October 5, 2022, Respondent submitted the required reporting form to the CRA for the new Megabucker (harvest machine).
 - d. On October 7, 2022, the Bureau of Fire Services (BFS) inspector advised that the changes required to install the new Megabucker were minor in scope, and he did not need to inspect and approve them.
 - e. On October 11, 2022, Respondent submitted the required reporting form to the CRA for the new pole barn.
 - f. On October 31, 2022, BFS approved the new pole barn.
 - g. On November 14, 2022, the CRA approved the pole barn and the Megabucker.
 - h. Respondent was cooperative and wishes to resolve the allegations without the need for and expense of an administrative hearing.

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

LARA is an equal opportunity employer/program

4. The CRA's centralized services director 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.

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

AGREED TO BY:

Sara E.
Hernandez

Digitally signed by Sara E. Hernandez
DN: CN = Sara E. Hernandez email =
hernandezs1@michigan.gov C = AD
O = LARA OU = MRA
Date: 2024.01.19 16:32:03 -05'00'

Sara Hernandez, CSD Director
or her designee
Cannabis Regulatory Agency

Dated: 1/19/24

AGREED TO BY:



Monique Laquerique, President
on behalf of Respondent
Medical Greens, Inc.

Dated: 1/19/2024

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

LARA is an equal opportunity employer/program

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

In the Matter of

Medical Greens Inc.
License No.: AU-G-B-000141

ENF Nos: 22-00609 & 22-00704

_____ /

FORMAL COMPLAINT

The Cannabis Regulatory Agency (“Complainant”) files this formal complaint against Medical Greens Inc. (“Respondent”) alleging upon information and belief as follows:

1. The Cannabis Regulatory Agency (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 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 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 B grower establishment in the state of Michigan.

4. Respondent operated at 1204 West US Hwy 2, Germfask, Michigan 49836, at all times relevant to this complaint.

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

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

LARA is an equal opportunity employer/program

ENF 22-00609

- a. On May 11, 2022, a CRA regulation officer conducted a semi-annual inspection at Respondent's adult use class B grower establishment.
- b. The CRA regulation officer discovered Respondent's greenhouse structure had collapsed several weeks prior to the inspection. There were no plants in the greenhouse at the time of inspection. Respondent indicated that there were no plants in the greenhouse at the time of collapse.
- c. As a result of the greenhouse collapse, Respondent's video surveillance system was lost with multiple cameras not operating, leaving the establishment without sufficient surveillance.
- d. On July 27, 2022, CRA investigators returned to Respondent's class B grower establishment and discovered a new "freezer building", which was not on the marijuana business location plan. The material changes and modification to the marijuana business were not submitted to or approved by the CRA prior to use.

Count I

Respondent's actions as described above in paragraph d demonstrate a violation of Mich Admin Code, R 420.18(1), which states any change or modification to the marijuana business after licensure is governed by the standards and procedures set forth in these rules and any regulations adopted pursuant to the acts. Any material change or modification to the marijuana business must be approved by the agency before the change or modification is made.

Count II

Respondent's actions as described above in paragraph c demonstrate a violation of Mich Admin Code, R 420.209(6)(a)(i), which states a licensee shall ensure the video surveillance system does all the following: (a) Records, at a minimum, the following areas: (i) Any areas where marijuana products are weighed, packed,

stored, loaded, and unloaded for transportation, prepared, or moved within the marihuana business.

Count III

Respondent's actions as described above in paragraph c demonstrate a violation of Mich Admin Code, R 420.209(6)(a)(ii), which states a licensee shall ensure the video surveillance system does all the following: (a) Records, at a minimum, the following areas: (ii) Limited access areas and security rooms. Transfers between rooms must be recorded.

Count IV

Respondent's actions as described above in paragraph c demonstrate a violation of Mich Admin Code, R 420.209(6)(a)(iii), which states a licensee shall ensure the video surveillance system does all the following: (a) Records, at a minimum, the following areas: (iii) Areas storing a surveillance system storage device with not less than 1 camera recording the access points to the secured surveillance recording area.

Count V

Respondent's actions as described above in paragraph c demonstrate a violation of Mich Admin Code, R 420.209(6)(a)(iv), which states a licensee shall ensure the video surveillance system does all the following: (a) Records, at a minimum, the following areas: (iv) The entrances and exits to the building, which must be recorded from both indoor and outdoor vantage points.

Count VI

Respondent's actions as described above in paragraph c demonstrate a violation of Mich Admin Code, R 420.209(6)(b), which states a licensee shall ensure the video surveillance system does all the following: (b) Records images effectively and efficiently of the area under surveillance with a minimum of 720p resolution.

Count VII

Respondent's actions as described above in paragraph d demonstrate a violation of Mich Admin Code, R 420.802(3)(f)(i), which states licensees shall report to the agency any proposed material changes to the marihuana business before making a material change. A proposed material change is any action that would result in alterations or changes being made to the marihuana business to effectuate the desired outcome of a material change. Material changes, include, but are not limited to, the following: (f) Any change or modification to the marihuana business before or after licensure that was not preinspected, inspected, or part of the marihuana business location plan or final inspection, including, but not limited to, all of the following: (i) Operational or method changes requiring inspection under these rules.

Count VIII

Respondent's actions as described above in paragraph d demonstrate a violation of Mich Admin Code, R 420.802(3)(f)(ii), which states licensees shall report to the agency any proposed material changes to the marihuana business before making a material change. A proposed material change is any action that would result in alterations or changes being made to the marihuana business to effectuate the desired outcome of a material change. Material changes, include, but are not limited to, the following: (f) Any change or modification to the marihuana business before or after licensure that was not preinspected, inspected, or part of the marihuana business location plan or final inspection, including, but not limited to, all of the following: (ii) Additions or reductions in equipment or processes.

Count IX

Respondent's actions as described above in paragraph d demonstrate a violation of Mich Admin Code, R 420.802(3)(f)(iii), which states licensees shall report to the agency any proposed material changes to the marihuana business before making a material change. A proposed material change is any action that would result in

alterations or changes being made to the marihuana business to effectuate the desired outcome of a material change. Material changes, include, but are not limited to, the following: (f) Any change or modification to the marihuana business before or after licensure that was not preinspected, inspected, or part of the marihuana business location plan or final inspection, including, but not limited to, all of the following: (iii) Increase or decrease in the size or capacity of the marihuana business.

Count X

Respondent's actions as described above in paragraph d demonstrate a violation of Mich Admin Code, R 420.802(3)(f)(iv), which states licensees shall report to the agency any proposed material changes to the marihuana business before making a material change. A proposed material change is any action that would result in alterations or changes being made to the marihuana business to effectuate the desired outcome of a material change. Material changes, include, but are not limited to, the following: (f) Any change or modification to the marihuana business before or after licensure that was not preinspected, inspected, or part of the marihuana business location plan or final inspection, including, but not limited to, all of the following: (iv) Alterations of ingress or egress.

Count XI

Respondent's actions as described above in paragraph d demonstrate a violation of Mich Admin Code, R 420.802(3)(f)(v), which states licensees shall report to the agency any proposed material changes to the marihuana business before making a material change. A proposed material change is any action that would result in alterations or changes being made to the marihuana business to effectuate the desired outcome of a material change. Material changes, include, but are not limited to, the following: (f) Any change or modification to the marihuana business before or after licensure that was not preinspected, inspected, or part of the marihuana business location plan or final inspection, including, but not limited to,

all of the following: (v) Changes that impact security, fire safety, and building safety.

ENF 22-00704

- a. On October 27, 2022, CRA investigators returned to Respondent's adult use class B grower establishment and discovered a "freezer building" being utilized for harvest activities, which was not approved for use.
- b. The CRA investigators also discovered a "XL Megabucker" machine inside of the unapproved building. There was evidence that the machine was used during the harvest.
- c. CRA investigators contacted the Bureau of Fire Services (BFS) and confirmed that the "XL Megabucker" machine was not approved for use. The material changes and modification to the marijuana business were not submitted to or approved by the CRA prior to use.

Count XII

Respondent's actions as described above in paragraphs a, b and c demonstrate a violation of Mich Admin Code, R 420.18(1), which states any change or modification to the marijuana business after licensure is governed by the standards and procedures set forth in these rules and any regulations adopted pursuant to the acts. Any material change or modification to the marijuana business must be approved by the agency before the change or modification is made.

Count XIII

Respondent's actions as described above in paragraph c demonstrate a violation of Mich Admin Code, R 420.208(6)(b)(i), which states in addition to meeting all the requirements in subrules (1) to (5) of this rule, cultivators, producers, marijuana

microbusinesses, class A marihuana microbusinesses, and designated consumption establishments shall also comply with all of the following: (b) Have a fire safety inspection conducted, in addition to any inspections required under the acts and these rules, if any of the following occur: (i) Modifications to the grow areas, rooms and storage, extraction equipment and process rooms, or marihuana-infused product processing equipment within a marihuana business.

Count XIV

Respondent's actions as described above in paragraph c demonstrate a violation of Mich Admin Code, R 420.208(6)(b)(ii), which states in addition to meeting all the requirements in subrules (1) to (5) of this rule, cultivators, producers, marihuana microbusinesses, class A marihuana microbusinesses, and designated consumption establishments shall also comply with all of the following: (b) Have a fire safety inspection conducted, in addition to any inspections required under the acts and these rules, if any of the following occur: (ii) Changes in occupancy.

Count XV

Respondent's actions as described above in paragraph c demonstrate a violation of Mich Admin Code, R 420.208(6)(b)(iii), which states in addition to meeting all the requirements in subrules (1) to (5) of this rule, cultivators, producers, marihuana microbusinesses, class A marihuana microbusinesses, and designated consumption establishments shall also comply with all of the following: (b) Have a fire safety inspection conducted, in addition to any inspections required under the acts and these rules, if any of the following occur: (iii) Material changes to a new or existing cultivator, producer, marihuana microbusiness, class A marihuana microbusiness, or designated consumption establishment including changes made prelicensure and post-licensure.

Count XVI

Respondent's actions as described above in paragraph c demonstrate a violation of Mich Admin Code, R 420.208(6)(b)(iv), which states in addition to meeting all

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

LARA is an equal opportunity employer/program

the requirements in subrules (1) to (5) of this rule, cultivators, producers, marihuana microbusinesses, class A marihuana microbusinesses, and designated consumption establishments shall also comply with all of the following: (b) Have a fire safety inspection conducted, in addition to any inspections required under the acts and these rules, if any of the following occur: (iv) Changes in extraction methods and processing or grow areas and building structures.

Count XVII

Respondent's actions as described above in paragraphs b and c demonstrate a violation of Mich Admin Code, R 420.802(3)(b), which states licensees shall report to the agency any proposed material changes to the marihuana business before making a material change. A proposed material change is any action that would result in alterations or changes being made to the marihuana business to effectuate the desired outcome of a material change. Material changes, include, but are not limited to, the following: (b) Change of processing machinery or equipment.

Count XIII

Respondent's actions as described above in paragraphs b and c demonstrate a violation of Mich Admin Code, R 420.802(3)(f)(i), which states licensees shall report to the agency any proposed material changes to the marihuana business before making a material change. A proposed material change is any action that would result in alterations or changes being made to the marihuana business to effectuate the desired outcome of a material change. Material changes, include, but are not limited to, the following: (f) Any change or modification to the marihuana business before or after licensure that was not preinspected, inspected, or part of the marihuana business location plan or final inspection, including, but not limited to, all of the following: (i) Operational or method changes requiring inspection under these rules.

Count XIX

Respondent's actions as described above in paragraphs b and c demonstrate a violation of Mich Admin Code, R 420.802(3)(f)(ii), which states licensees shall report to the agency any proposed material changes to the marihuana business before making a material change. A proposed material change is any action that would result in alterations or changes being made to the marihuana business to effectuate the desired outcome of a material change. Material changes, include, but are not limited to, the following: (f) Any change or modification to the marihuana business before or after licensure that was not preinspected, inspected, or part of the marihuana business location plan or final inspection, including, but not limited to, all of the following: (ii) Additions or reductions in equipment or processes.

Count XX

Respondent's actions as described above in paragraphs a, b and c demonstrate a violation of Mich Admin Code, R 420.802(3)(f)(iii), which states licensees shall report to the agency any proposed material changes to the marihuana business before making a material change. A proposed material change is any action that would result in alterations or changes being made to the marihuana business to effectuate the desired outcome of a material change. Material changes, include, but are not limited to, the following: (f) Any change or modification to the marihuana business before or after licensure that was not preinspected, inspected, or part of the marihuana business location plan or final inspection, including, but not limited to, all of the following: (iii) Increase or decrease in the size or capacity of the marihuana business.

Count XXI

Respondent's actions as described above in paragraphs a, b and c demonstrate a violation of Mich Admin Code, R 420.802(3)(f)(v), which states licensees shall

report to the agency any proposed material changes to the marihuana business before making a material change. A proposed material change is any action that would result in alterations or changes being made to the marihuana business to effectuate the desired outcome of a material change. Material changes, include, but are not limited to, the following: (f) Any change or modification to the marihuana business before or after licensure that was not preinspected, inspected, or part of the marihuana business location plan or final inspection, including, but not limited to, all of the following: (v) Changes that impact security, fire safety, and building safety.

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.

Under MCL 333.27957 (1)(c) and 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 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
2407 NORTH GRAND RIVER • P.O. BOX 30205 • LANSING, MICHIGAN 48909
www.michigan.gov/CRA
LARA is an equal opportunity employer/program

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: 3/3/2023

By: Alyssa A. Grissom  Digitally signed by Alyssa A. Grissom
Date: 2023.03.03 11:53:51 -05'00'

Alyssa A. Grissom
Legal Section Manager
Cannabis Regulatory Agency