

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

In the Matter of

GC Flint, LLC dba Green Culture  
License No.: PC-000181

ENF No: 22-00660

FORMAL COMPLAINT

The Cannabis Regulatory Agency (“Complainant”) files this formal complaint against GC Flint, LLC dba Green Culture (“Respondent”) alleging upon information and belief as follows:

1. The Cannabis Regulatory Agency (CRA) is authorized under the Medical Marihuana 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 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 MMFLA or administrative rules.

2. Section 402(12) of the MMFLA provides that the expiration of a license does not terminate the CRA’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.

FACTUAL ALLEGATIONS AND INTENDED ACTION OF THE CRA

5. Respondent holds an active state operating license under the MMFLA to operate

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a medical marijuana provisioning center in the state of Michigan.

6. Respondent operated at 808 S. Center Rd., Ste. D, Flint, Michigan 48506, at all times relevant to this complaint.

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

- a. On August 27, 2022, the CRA received a complaint alleging Respondent was improperly selling caregiver product and provided the complainant with an ACF MoonRock Acai Haze pre-roll (3 grams) that (among other things) did not have test results or a statewide monitoring system (Metrc) tag. The product label contained the universal symbol for marijuana and a QR code that was linked to a website that sells phone jacks.
- b. CRA investigators went to Respondent's business on September 28, 2022.
- c. During the September 28 visit, CRA investigators observed several ACF MoonRock pre-roll products on the sales floor that did not have Metrc tags and were not entered in Metrc. The product labels contained the universal marijuana symbol.
- d. Respondent's floor lead, S.F., stated that Respondents' MoonRock products were 100% hemp extracted CBD, contained less than 0.3% Tetrahydrocannabinol (THC), did not require Metrc tags, were not tracked in Metrc, and were not made from caregiver marijuana.
- e. During the September 28 visit, CRA investigators observed a box with green containers containing ACF Labs MoonRocks product without Metrc tags. The product labels contained the universal marijuana symbol.
- f. During the September 28 visit, CRA investigators observed numerous ACF Labs pre-roll products that were without Metrc tags, including the following:
  1. Lemonade 3-gram pre-rolls (13 units)
  2. Orange Cream Soda 3-gram pre-rolls (63 units)

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3. Triple Melon 3-gram pre-rolls (270 units)
  6. Banana Taffy 3-gram pre-rolls (360 units)
  8. Midnight Berry 1.5-gram pre-rolls (324 units)
  9. Moonrock Strawberry Star 1.5-gram pre-rolls (181 units)
  10. Premium Caviar Blueberry Muffin 1.5-gram pre-rolls (76 units)
  12. Premium Citrus Star 1.5-gram pre-rolls (71 units)
  13. Moonrock Acai Haze 1.5-gram pre-rolls (124 units)
  14. Caviar Blunt Grape Kush Cake 1.5-gram pre-rolls (201 units)
  15. Moonrock Milkshake 1.5-gram pre-rolls (31 units)
  16. Grape Slush (white container) 1-gram pre-rolls (200 units)
- g. During the September 28 visit, CRA investigators also observed five ACF packages of flower that were without Metrc tags:
1. Moonrock Mandarin OG 1-gram packages (49 units)
  2. Moonrock Acai Haze 1-gram packages (10 units)
  3. Moonrock Cherry Pie 1-gram packages (16 units)
  4. Moonrock Banana Taffy 1-gram packages (45 units)
  5. Moonrock Strawberry Hot Cakes 1-gram packages (2 units)
- h. During the September 28 visit, CRA investigators observed several other ACF Labs products without Metrc tags on the sales floor:
1. Grapelatti 28-gram packages (31 units)
  2. Mintpaya 28-gram packages (27 units)
  3. Mintpaya 14-gram packages (1 units)
  4. Sour Tangi 14-gram packages (70 units)
  5. Pink Runtz 14-gram packages (46 units)

6. Pink Runtz 28-gram packages (15 units)
- i. CRA investigators observed additional products that were not properly tagged and/or entered in Metrc during follow-up visits to Respondent's between September 28 and October 4, 2022.
  - j. During the September 29 visit, CRA investigators discovered several MoonRocks products (Pineapple Haze, Aloha Kush, and Apple Diesel) in a freezer at Respondent's business without Metrc tags.
  - k. CRA investigators also discovered a box in the freezer containing 7 large mason style and 7 small glass jars containing a hard brown/black colored substance. Owner/Manager P.K. admitted that the products were caregiver products that should have been tagged. Respondent's Director M.J. and Manager V.B. later agreed to destroy all of the jars with caregiver concentrate.
  - l. During the September 29 visit, CRA investigators conducted a physical count of Respondent's physical inventory for comparison against Respondent's inventory listed in Metrc. Of the 17 product tag numbers that were compared, only one had quantities in Metrc that matched Respondent's physical inventory; the remaining 16 had incorrect quantities entered in Metrc.
  - m. On September 29, 2022, CRA investigators also conducted an audit of all untested product reported in Metrc to be at Respondent's business.
  - n. During the September 29 visit, caregiver product was found in black bins in a storage room. The CRA weighed the product on-site and compared the weigh to the amount stated in Metrc for the corresponding products. Approximately 58 pounds (26,483.50 grams) of caregiver product entered in Metrc could not be located at the business.
  - o. During the September 29 visit, CRA investigators also observed the following products at Respondent's business that could not be located in Metrc:

1. Triangle Mints (3 small green containers)
2. Punch Cake (3 small green containers)
3. Gelato 45 (1 small green container)
4. Alien Cream Cookies (1 small green container)
5. Mac 1 (1 small green container)
6. OJ (1 pink container)
7. Tropicana Truffle (1 clear container)
8. Sour Huff (1 green container)
9. Meatz (1 clear container)
10. GMO (1 white container)
11. Blue Hurricane (1 green container)
12. Mandarin Cookies (3 black and 2 small green containers)
13. Blue Pebbles (2 clear containers, 1 grey container, 1 green container)
14. Gushers (1 small green container)
15. Motor Breath (1 small green container)
16. C99 Blueberries (1 small brown container)
17. Blue Widow (1 small brown container)
18. Molotov 19 (3 small green containers)
19. AK (1 clear green container)
20. Chimpanzee (1 black bag, 1 green container, and 1 taller green container)
21. Sour Cupcake (1 clear container)
22. Triangle Mints (2 small green containers)
23. Rockstar Kush (1 clear container)
24. Platinum OG (2 white and black containers)
25. Unidentified product (3 brown and 2 small green containers)
26. I75 Girl (3 small green containers, 1 brown container, and 2 black container)

- p. CRA investigators returned to the business on October 3, 2022 and met with additional staff from Respondent's business. Respondent's Manager V.B. and Director of Compliance R.A. admitted and signed a document acknowledging that several untagged packages of product were in fact marihuana.
- q. Respondent admitted that the ACF Labs, untagged product was marijuana.
- r. On or around October 3, CRA investigators determined that 19 out of the 33 1-gram containers of Prezzi Sauce product identified in Metrc could not be accounted for at Respondent's location.
- s. Respondent admitted to obtaining product from ACF Labs. ACF Labs is not licensed by the State of Michigan as a medical marijuana facility or an adult-use marijuana establishment. ACF Labs is the assumed name of Bee Pure Health, which is licensed by the State of Michigan as a hemp processor.
- t. Owner/Manager P.K. acknowledged that Respondent accepted product transfers from ACF Labs without the use of a secure transporter; that Respondent's staff sometimes picked products up at ACF Labs directly; and that ACF Labs products were otherwise delivered to Respondent's business, sometimes through the front door rather than the back delivery entrance.
- u. The products Respondent received from ACF Labs were not labeled with any of the following required information:
  - 1. Name and state license number of the cultivator or producer
  - 2. Name and license number of the licensee that packaged the product
  - 3. Date of harvest
  - 4. Name of strain
  - 5. Net weight
  - 6. Concentration of THC and cannabidiol (CBD) as reported by the laboratory after testing

7. Activation time
  8. Name of a laboratory that performed compliance testing
  9. Required warnings
- v. As part of the investigation, the CRA reviewed content from Respondent's point of sale system, which revealed that between February 10 and September 30, 2022, Respondent sold or transferred 17,947 ACF Labs products to patients or consumers without full compliance testing, without proper Metrc tags and labeling, and without entering required information in Metrc.
- w. On October 4, 2022, a sampling event was conducted while the CRA was onsite in order to facilitate full compliance testing of the untagged product. A total of 51 samples of product were collected for testing.
- x. Of the 51 untagged products tested following the October 4 sampling event, 49 were confirmed to be marijuana, with a total THC concentration greater than 0.3%. The remaining two had less than 0.3% THC and were identified as hemp. More than three-quarters of the products contained paclobutrazol (a banned pesticide), nickel (a heavy metal), aspergillus (a type of mold), and/or total coliforms (bacteria) in amounts exceeding state limits.
- y. During the sampling event, a number of packages identified as untagged product were identified. Samples were taken from the untagged product. Respondent's Manager V.B. and Director of Compliance R.A. indicated the remaining product (after samples were removed) was in fact marijuana. An affidavit was signed acknowledging that this product had a THC concentration that exceeded 0.3%.

### **Count I**

Respondent's actions as described above demonstrate a violation of R 420.111(1), which states that a provisioning center license authorizes the purchase or transfer of marijuana only from a grower or processor and sale or transfer to only a registered qualifying patient or registered primary caregiver. R 420.111(1) further

states that except as otherwise provided in section 505 of the MMFLA, MCL 333.27505, and this subrule, all transfers of marihuana to a provisioning center from a separate marihuana facility must be by means of a secure transporter.

### **Count II**

Respondent's actions as described above demonstrate a violation of R 420.111(4)(a), which states that a provisioning center shall comply with all of the following: sell or transfer marihuana to a registered qualifying patient or registered primary caregiver only after it has been tested and bears the label required for retail sale.

### **Count III**

Respondent's actions as described above demonstrate a violation of R 420.111(4)(b), accurately enter all transactions, current inventory, and other information into the statewide monitoring system as required in the MMFLA, these rules, and the marihuana tracking act.

### **Count IV**

Respondent's actions as described above demonstrate a violation of R 420.111(4)(c), which states that before selling or transferring marihuana to a registered qualifying patient or to a registered primary caregiver on behalf of a registered qualifying patient, a provisioning center shall inquire of the statewide monitoring system to determine whether the patient and, if applicable, the caregiver, hold a valid, current, unexpired, and unrevoked registry identification card and that the sale or transfer will not exceed the daily and monthly purchasing limit established by the agency under the MMFLA.

### **Count V**

Respondent's actions as described above demonstrate a violation of R 420.210(1), which states that except for designated consumption establishments or temporary marihuana events licensed under the MRTMA, a marihuana business must not have marihuana products that are not identified and recorded in the statewide monitoring system pursuant to the rules. R 420.210(1) further states that a licensee



shall not transfer or sell a marihuana product that is not identified in the statewide monitoring system pursuant to the rules.

#### **Count VI**

Respondent's actions as described above demonstrate a violation of R 420.210(2), which states that except for a designated consumption establishment or temporary marihuana event licensed under the MRTMA, a marihuana business must not have any marihuana product without a batch number or identification tag or label pursuant to the rules. R 420.210(2) further states that a licensee shall immediately tag, identify, or record as part of a batch in the statewide monitoring system any marihuana product as provided in the rules.

#### **Count VII**

Respondent's actions as described above demonstrate a violation of R 420.502(1), which states that each marihuana product 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 the rules.

#### **Count VIII**

Respondent's actions as described above demonstrate a violation of R 420.502(5), which states that 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.

#### **Count IX**

Respondent's actions as described above demonstrate a violation of R 420.504(1)(a)-(h), (j)(i-v), which state that before a marihuana product is sold or transferred to or by a marihuana sales location, the container, bag, or product holding the marihuana product must be sealed and labeled with all of the following information:

- (a) The name and the state license number of the cultivator or producer, including business or trade name, and package tag as assigned by the statewide monitoring system.
- (b) The name and the marijuana license number of the licensee that packaged the product, including business or trade name, if different from the producer of the marijuana product.
- (c) Date of harvest, if applicable.
- (d) Name of strain, if applicable.
- (e) Net weight in United States customary or metric units.
- (f) Concentration of Tetrahydrocannabinol (THC) and cannabidiol (CBD) as reported by the laboratory after potency testing along with a statement that the actual value may vary from the reported value by 10%.
- (g) Activation time expressed in words or through a pictogram.
- (h) Name of the laboratory that performed any passing compliance testing on the product in final form and any test analysis date.
- (j) The required warnings.
  - i. "It is illegal to drive a motor vehicle while under the influence of marijuana."
  - ii. "National Poison Control Center 1-800-222-1222."
  - iii. For products being sold by a marijuana facility 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."
  - iv. For all other products, "For use by individuals 21 years of age or older or registered qualifying patients only. Keep out of reach of children."
  - v. In clearly legible type and surrounded by a continuous heavy line: "WARNING: USE BY PREGNANT OR BREASTFEEDING WOMEN, OR BY WOMEN PLANNING

TO BECOME PREGNANT, MAY RESULT IN FETAL INJURY, PRETERM BIRTH, LOW BIRTH WEIGHT, OR DEVELOPMENTAL PROBLEMS FOR THE CHILD.”

### **Count X**

Respondent’s actions as described above demonstrate a violation of R 420.505(1)(d)-(g), which state that a marihuana sales location shall verify all of the following prior to selling or transferring marihuana or a marihuana product to a marihuana customer:

- (d) The completed transfer or sale will not exceed the purchasing limit prescribed in R 420.506.
- (e) The marihuana product has been tested in accordance with R 420.305.
- (f) The marihuana product is labeled and packaged for sale or transfer in accordance with R 420.504.
- (g) The registered qualifying patient or registered primary caregiver holds a valid, current, unexpired, and unrevoked registry identification card.

### **Count XI**

Respondent’s actions as described above demonstrate a violation of R 420.505(2), which states that a marihuana sales location shall enter all transactions, current inventory, and other information required by the rules in the statewide monitoring system. R 420.505(2) further states that a marihuana sales location shall maintain appropriate records of all sales or transfers under the acts and the rules and make them available to the agency upon request.

### **Count XII**

Respondent’s actions as described above demonstrate a violation of R 420.508(4), which states that any trade sample transferred to a producer or marihuana sales location or received by a producer or a marihuana sales location must be recorded in the statewide monitoring system.

### Count XIII

Respondent's actions as described above demonstrate a violation of R 420.508(5), which states that any trade samples transferred under this rule must be tested in accordance with the rules prior to being transferred to a producer or marihuana sales location.

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 333.27407(4) 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 MMFLA 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  
P.O. Box 30205  
Lansing, Michigan 48909

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

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[www.michigan.gov/CRA](http://www.michigan.gov/CRA)

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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 at (517) 284-8599 or [CRA-LegalHearings@michigan.gov](mailto:CRA-LegalHearings@michigan.gov).

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Alyssa A. Grissom  
Legal Section Manager  
Cannabis Regulatory Agency

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GC Flint, LLC dba Green Culture  
License No.: PC-000181

ENF No: 22-00660

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**PROOF OF SERVICE**

I hereby certify that on November 15, 2022, I personally served a copy of the Formal Complaint dated November 15, 2022 in the above captioned case by certified mail (return receipt requested) to:

GC Flint, LLC dba Green Culture  
808 S. Center Rd.  
Ste. D  
Flint, Michigan 48506

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Steve Rau, Investigator  
Cannabis Regulatory Agency  
Department of Licensing & Regulatory  
Affairs

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