

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

In the Matter of

Flavor Galaxy, LLC
License No.: AU-P-000373

ENF No.: 24-00782

FORMAL COMPLAINT

The Cannabis Regulatory Agency (CRA) files this formal complaint against Flavor Galaxy, LLC (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 processor establishment in the state of Michigan.
4. Respondent operated at 21015 John R. Road, Hazel Park, Michigan 48030, at all times relevant to this 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

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

- a. On June 22, 2024, the CRA received an anonymous complaint through the Accela complaint portal. The complaint alleged that Respondent continuously disregarded the CBD concentration labeling requirement.
- b. On June 27, 2024, a CRA Regulation Agent (RA) went to an establishment, Elite Cannabis, in Jackson, Michigan to conduct an audit. The CRA RA reviewed three marijuana products: Presidential – Waul 1.5g Infused Blunt, Amnesia – Dirty Shirley 1g Vape Cart and Presidential – Strawberry 1g Infused Pre-roll.
- c. The CRA RA observed that Respondent produced and packaged, but did not list the total CBD for marijuana products with statewide monitoring system (MetrC) tag numbers 1A4050300038CFE000029956 (with tag number ending in -9956), 1A4050300038CFE000029520; 1A4050300036BCFE000035498 (with tag number ending in -5498), 1A4050300038CFE000033757 and 1A4050300038CFE000024864 (with tag number ending in -4864), 1A4050300038CFE000023995.
- d. On July 3, 2024, the CRA RA reviewed in MetrC the certificates of analysis for licensee Elite Cannabis for the following three marijuana products:
 - i. Marijuana product Presidential – Waul 1.5g Infused Blunt with tag number ending in -9956 contained 0.209% total CBD.
 - ii. Marijuana product Amnesia – Dirty Shirley 1g Vape Cart with tag number ending in -5498 contained 2.07% total CBD.
 - iii. Marijuana product Presidential – Strawberry 1g Infused Pre-roll with tag number ending in -4864 contained 0.115% total CBD.

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

Count I

Respondent's actions as described above in paragraphs a, c, and d (i, ii, iii) 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 II

Respondent's actions as described above in paragraphs a, c, and d (i, ii, iii) demonstrate a violation of Mich Admin Code R 420.504(1)(f), which states 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: (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%.

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

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

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
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.

CONTINUED ONTO 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

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: _____

By: _____

Alyssa A. Grissom
Legal Section Manager
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

In the Matter of

Flavor Galaxy, LLC
License No.: AU-P-000373

ENF No.: 24-00782

_____ /

PROOF OF SERVICE

I hereby certify that on _____, I mailed a copy of the Formal Complaint dated _____ in the above captioned case by certified mail

(return receipt requested) to:

Flavor Galaxy, LLC
29500 Telegraph Rd.
Ste. 200
Southfield, Michigan 48034

Flavor Galaxy, LLC
21015 John R. Rd.
Hazel Park, Michigan 48030

Courtesy copy sent to:
Denise Pollicella
denise@plglaw.us

Departmental Technician
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