

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

In the Matter of

TAS Asset Holdings, LLC  
License No.: AU-P-000251

ENF No.: 22-00695 & 22-00696

Order of Summary Suspension

On February 21, 2023, the Cannabis Regulatory Agency (CRA) issued a formal complaint against the above-referenced licensee (Respondent) under the Michigan Regulation and Taxation of Marihuana Act (MRTMA), 2018 il 1, et seq., and rules promulgated thereunder.

Based on its investigation of the conduct alleged in the formal complaint, the CRA determined that the safety or health of patrons or employees is jeopardized by Respondent's continued operation and that emergency action is required, as authorized under section 7(1)(c) of the MRTMA, MCL 333.27957, Mich Admin Code, R 420.705 and section 92(2) of the administrative procedures act, MCL 24.292(2).

Therefore, it is ordered that respondent's license to operate the above-referenced marijuana facility shall be summarily suspended, effective immediately upon service of this order.

Under section 7(1)(c) of the MRTMA, MCL 333.27957, and Mich Admin Code, R 420.705 a prompt post-suspension hearing must be held to determine whether this suspension should remain in effect. Respondent must make a request for hearing. Once received, a request for hearing will be sent to the Michigan Office of Administrative Hearings and Rules (MOAHR). MOAHR will then provide a notice of hearing once it is scheduled.

Date: \_\_\_\_\_

\_\_\_\_\_  
Brian Hanna, Executive Director  
and/or his designee  
Cannabis Regulatory Agency

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In the Matter of

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License No.: AU-P-000251

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FORMAL COMPLAINT

The Cannabis Regulatory Agency (CRA) files this formal complaint against TAS Asset Holdings, 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.*, 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 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 processor establishment in the state of Michigan.
4. Respondent operated at 919 Filley St. Suite A, Lansing, Michigan 48906 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:

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**ENF 22-00696**

- a. On September 16, 2022, two packages (Metrc tag numbers 1A4050300011C61000002703 & 1A4050300011C61000002707) of adult use vape cartridges failed safety compliance testing for Bifenthrin. Bifenthrin is a banned chemical residue.
- b. The vape cartridges were in the possession of Processor A. Processor A is a licensed processor.
- c. Processor A obtained distillate that was processed into the vape cartridges from Respondent.
- d. Prior to being transferred to and processed by Respondent, both of the abovementioned packages had previously passed full safety compliance testing with no detections for Bifenthrin.
- e. On October 13, 2022, the CRA obtained video surveillance footage from Processor A who obtained the vape cartridges from Respondent and sent them for safety compliance testing.
- f. On October 24, 2022, the CRA obtained video surveillance footage from Respondent and began to investigate the cause of the safety compliance test failure.
- g. According to the statewide monitoring system (Metrc), the two packages (tag numbers 02703 & 02707) were transferred to Respondent on August 31, 2022, from a different licensed marijuana processor, via secured transporter on Metrc manifest #0001529901. ("Processor B") Video surveillance footage obtained from Respondent verifies the receipt of nine boxes.
- h. On August 31, 2022, Respondent made various changes to the packages received from Processor B in Metrc. Those changes included converting portions to the medical market.
- i. The video surveillance shows that the physical packages received on August 31, 2022 remained in the same position that they were received

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and the packages were untouched until the footage ends on September 6, 2022, despite changes being recorded in Metrc.

- j. Video surveillance footage shows that the marijuana products that were physically transferred to Processor A and subsequently failed safety compliance testing were actually taken from a safe at Respondent's facility.
- k. The marijuana product Respondent sent for safety compliance testing was not tracked in Metrc. The CRA was unable to verify the contents of the packages transferred to the marijuana Processor A on September 6, 2022, which failed safety compliance testing on September 16, 2022.
- l. Respondent's video surveillance footage verified that the marijuana products received by Respondent had not been physically processed or transferred as Respondent had entered in the statewide monitoring system.

### **Count I**

Respondent's actions as described in paragraphs g, h, i, j, k, and l above demonstrate a violation of Mich Admin Code, R 420.103(3), which states a marijuana processor must accurately enter all transactions, current inventory, and other information into the statewide monitoring system as required in these rules.

### **Count II**

Respondent's actions as described in paragraph a above demonstrate a violation of Mich Admin Code, R 420.206(4), which states the agency shall publish a list of banned chemical residue active ingredients that are prohibited from use in the cultivation and production of marijuana plants and marijuana products to be sold or transferred in accordance with the acts or these rules.

### **Count III**

Respondent's actions as described in paragraph a above demonstrate a violation of Mich Admin Code, R 420.305(11), which states for chemical residue and target

analyte testing, the agency shall publish a list of quantification levels. Any result that exceeds the action limit is a failed sample.

#### **ENF 22-00695**

- a. On November 18, 2022, the CRA conducted a compliance visit at Respondent's adult use processor establishment.
- b. The business had many areas where it was dirty, cluttered, and containing leaking containers of various process stages of marijuana and waste.
- c. The CRA investigator observed a warehouse that was not licensed or approved as a part of the establishment. Respondent's legal counsel stated to the investigator that it utilized the warehouse as a part of the licensed establishment. The investigator observed various untagged marijuana products including flower, distillate, concentrates, and THCa powder in the unapproved warehouse.
- d. While inspecting the unapproved warehouse, the CRA investigator discovered a locked door on the north wall with a "No Entry" sign attached. After entering the unapproved room, the CRA investigator discovered three barrels of an unknown substance that were wrapped in plastic, two black totes of an unknown substance, and several mason jars of oil. No cameras or Metrc tags were observed in the unapproved room or on the marijuana products.
- e. The CRA investigator interviewed the extraction specialist/part owner, AZ, regarding Respondent's signature product "Space Rocks". AZ stated that the Space Rocks are produced using the untagged, illicit THCa powder.
- f. AZ admitted to using the unregulated products, using an empty Metrc tag (reassigning previously used Metrc tags) and shipping the products for sale in the regulated, licensed market. Review of the video

surveillance footage confirmed AZ's admission of using illicit marijuana products to produce "Space Rocks", sold in the regulated market.

- g. AZ further admitted that he could not determine what Metrc tags were associated with what products and that he does not track the product as required. He admitted that he was not capable of performing the job functions as required and was often unorganized and overwhelmed. He stated his process is to grab an empty tag from a used-up product and assign it to the product he just manufactured.
- h. The CRA also audited the products in the safe in Respondent's establishment. Respondent was storing and interchanging illicit, untagged marijuana products via the safe. The safe contained three jars of distillate and five jars of marijuana concentrate, all of which did not have a Metrc tag affixed.
- i. On November 30, 2022, the CRA returned to Respondent's adult use processor establishment to conduct a comprehensive audit of all the illicit, untagged marijuana products. The following list of products were submitted for full compliance testing. All of the marijuana products contained THC percentages ranging from 8.33-93.34%. The total weight for the untagged product was 24,868.2 grams = 54.82 pounds.
  - i. 15 Jars, Orange top, containing white powder. Labeled on tops (44,29,16,35,32,1,4,22,18,2, 20, 12, 11, 39, 28) Approx 500 g ea.  
Total= 7500g
  - ii. "A9 Dist (delta) 9 Dist" Silver top= 533g
  - iii. "1004 #1831" Orange top= 296.6g
  - iv. "CB HTE" White cap, 1L container= 917g (failed for Butane)
  - v. 2000 mL Beaker, Full. Approximately 2000 mL
  - vi. 2000 mL Beaker, 900 mL in container
  - vii. "TWWL 662g"= 150g
  - viii. "Wedding Crash n1/2 5845" 6 oz= 100g

- ix. "Atomic Applez 2/2" 6 oz jar= 100g
- x. "MAC Gelato AU-5845 FS" 12 oz jar= 500g
- xi. "Tangerine Peel AU-5845 FS" 12 oz jar= 500g
- xii. 1 jar concentrate= 3295g
- xiii. 1 pie pan concentrate= 238g (failed for Chromium)
- xiv. 1 pyrex distillate= 650g
- xv. Planet of the grapes, shake= 887.9g
- xvi. Cookies and cream, shake= 222.5g
- xvii. WC= 3141g
- xviii. Pre-rolls, 92 OG, 399 count= 399g
- xix. OG shake= 700g
- xx. Mac shake= 424.5g
- xxi. Super grapefruit buds= 1974.2g
- xxii. Terp froster= 694g
- xxiii. Orange Gummy, edible, 89 count= 89g
- xxiv. Cherry Gummy, edible, 162 count= 162g
- xxv. Bubblegum, 40 count= 40g
- xxvi. Shake= 44g
- xxvii. Cookies and cream shake= 155.5g
- xxviii. Frosted strawberry guava= 55g
- j. All of the following illicit, untagged marijuana products were identified as questionable waste and destroyed onsite with a total weight of 13,780.9 grams = 30.38 pounds:
  - i. Square glass Tupperware 'POPS'= 119.5g
  - ii. Square glass Tupperware 'POPS with broken jar= 843g
  - iii. "Wedding crasher sugar 600 g HTE AU-22134 PIP" Silver top, in 1 L container, full. Substance is black, liquid= 1000g
  - iv. "Contains Pentane" Large jar= 2960g
  - v. "AU-200 PIP Pentane HTE FATS" = 670 g

1. Respondent claimed this product was in Metrc which could not substantiated.
- vi. FATS= 1000g
- vii. "LUM Bud tech Sugar" = 448g
- viii. FATS, non-homogenous separation contained within 1L jar, approx. 700 mL present= 50g
- ix. Approx 3-gram jar with white cap "scraps" appears to be live resin total weight was 106 g, not tared, estimated amount= 50g
- x. Snapware Tupperware container "THCA #0508" Approximately= 150g
- xi. Large Jar "TWNL 986.8g" "5845" product is liquid and black Weight with lid = 1224.7, default weight as labeled
- xii. 1 L jar, very full, "1430 g POPS" = 1073.5g
- xiii. 1 L jar "CB Terp Layer"= 878.5g
- xiv. 1 L jar filled with crumble, filled to 750 mL= 500g
- xv. "Dread Bread sugar" 1L "412 g" non homogenous product, default weight as labeled. Weight without tare = 716g
- xvi. 1 L jar "Tare weight 425" = 501g
- xvii. "Bulk Dist Raw 451 TWWL" = 256.5g
- xviii. "#0185 T=423g MED0185" = 200g
- xix. "Forum Cookies AU5845 ½" = 75g
- xx. "AU-300 PIP HTEP" 1 L container, white lid, non-homogeneous product "TWNL = 379"= 512.5g
- xxi. Square Pyrex - has a portion of a Metrc tag. Metrc identifies this product as "wasted out" and it should not be present. The total weight present was 315g
- xxii. Grease monkey buds= 3g
- xxiii. Divorce cake shake= 17g
- xxiv. Grow haven buds= 7g

- xxv. Shake= 7.5g
- xxvi. Slippery shake= 48.8g
- xxvii. Infused buds, slurrricane= 39g
- xxviii. Divorce cake shake= 5.5g
- xxix. Joints, slurrricane= 2g
- k. While there on November 30, 2022, CRA staff provided a list of 70 packages to Respondent's staff to be located. Metrc indicated that all of the packages should be onsite. Only 21 of the 70 packages could be located.
- l. Three boxes of products were found to have Metrc tags on the outer box of packages, but no Metrc tags were on the products contained inside.
- m. During the course of the investigation, the CRA investigators determined Respondent did not possess standard operating procedures ("SOP") for processing marijuana.
- n. The CRA investigators identified a package in the audit, Metrc tag 1A4050300009AB1000025070, located at Respondent's establishment that Metrc indicated was supposed to be at a different adult-use establishment. The product was never transferred on a manifest via secured transporter to Respondent, as required by administrative rule.
- o. While reviewing additional video surveillance footage, CRA investigator(s) observed a transaction on October 21, 2022, Respondent received a shipment from a licensed grower via secured transporter on Metrc manifests 0001634765 and 0001635059. The shipment totaled 5,763 pounds of marijuana biomass in eight large black bags. No Metrc tags or labels were observed on any of the eight black bags. The accepted shipment did not come from the same vehicle identified on the manifest.
- p. A review of video surveillance footage shows that TAS employees

were bringing product into the facility from their personal vehicle. The product did not contain a Metrc tag and its origin cannot be tracked to a licensed facility. The product is seen being used the processing lab portion of Respondent's facility.

#### **Count IV**

Respondent's actions as described in paragraphs e and f above demonstrate a violation of Mich Admin Code, R 420.103(1), which states a marihuana processor license authorizes the marihuana processor to purchase or transfer of marihuana or marihuana-infused products from only a licensed marihuana establishment and sell or transfer of marihuana-infused products or marihuana to only a licensed marihuana establishment.

#### **Count V**

Respondent's actions as described in paragraphs f, g, h, i, j, k and l above demonstrate a violation of Mich Admin Code, R 420.103(3), which states a marihuana processor must accurately enter all transactions, current inventory, and other information into the statewide monitoring system as required in these rules.

#### **Count VI**

Respondent's actions as described in paragraph m above demonstrate a violation of Mich Admin Code, R 420.206a(1), which states a marihuana business must have up-to-date written standard operating procedures on site at all times.

#### **Count VII**

Respondent's actions as described in paragraph m above demonstrate a violation of Mich Admin Code, R 420.206a(2), which states standard operating procedures must be made available to the agency upon request.

### **Count VIII**

Respondent's actions as described in paragraph m above demonstrate a violation of Mich Admin Code, R 420.206a(3), which states standard operating procedures must detail the marihuana business operations and activities necessary for the marihuana business to comply with the acts and these rules.

### **Count IX**

Respondent's actions as described in paragraph m above demonstrate a violation of Mich Admin Code, R 420.206a(4), which states if the agency determines that any standard operating procedure contains inaccurate information or does not comply with these rules and safe food management guidelines, as applicable, the licensee may be required to correct the practice immediately and update the standard operating procedures within 1 business day.

### **Count X**

Respondent's actions as described above in paragraphs b, c, d, e, f, g, h, i, j, k, l, o and p demonstrate a violation of Mich Admin Code, R 420.210(1), which states 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 these rules. A licensee shall not transfer or sell a marihuana product that is not identified in the statewide monitoring system pursuant to these rules.

### **Count XI**

Respondent's actions as described above in paragraphs b, c, d, e, f, g, h, i, j, k, l, o and p demonstrate a violation of Mich Admin Code, R 420.210(2), which states 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 these rules. A licensee shall immediately tag, identify, or record as part of a batch in the statewide monitoring system any marihuana product as provided in these rules.

### **Count XII**

Respondent's actions as described above in paragraph f demonstrate a violation of Mich Admin Code, R 420.210(3), which states a licensee shall not reassign or subsequently assign a tag to another package that has been associated with a package in the statewide monitoring system.

### **Count XIII**

Respondent's actions as described above in paragraphs b, c, d, e, f, g, h, i, j, k, l, o and p demonstrate a violation of Mich Admin Code, R 420.212(1), which states all marihuana products must be stored at a marihuana business in a secured limited access area or restricted access area and must be identified and tracked consistently in the statewide monitoring system under these rules.

### **Count XIV**

Respondent's actions as described above in paragraphs b, c, d, e, f, g, h, i, j, k, l, o and p demonstrate a violation of Mich Admin Code, R 420.212(2), which states all containers used to store marihuana products for transfer or sale between marihuana businesses must be clearly marked, labeled, or tagged, if applicable, and enclosed on all sides in secured containers. The secured containers must be latched or locked in a manner to keep all contents secured within. Each secured container must be identified and tracked in accordance with the acts and these rules.

### **Count XV**

Respondent's actions as described above in paragraphs f and g demonstrate a violation of Mich Admin Code, R 420.303a(1), which states a producer shall give a marihuana product a new package tag anytime the marihuana product changes form or is incorporated into a different product.

### **Count XVI**

Respondent's actions as described above in paragraphs b, c, d, e, f, g, h, i, j, k, l, o and p 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 XVII**

Respondent's actions as described above in paragraphs b, c, and 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 XVIII**

Respondent's actions as described above in paragraphs b, c, and 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 XIX**

Respondent's actions as described above in paragraphs b, c, and 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 XX**

Respondent's actions as described above in paragraphs b, c, and 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.

### **Count XXI**

Respondent's actions as described above in paragraphs e, f, and g demonstrate a violation of Mich Admin Code, R 420.802(4)(c), which states a licensee shall notify the agency within 3 business days of becoming aware or within 3 business days of when the licensee should have been aware of any of the following: (c) Action by another party in violation of the acts or these rules.

### **Count XXII**

Respondent's actions as described above in paragraph e, f, and g demonstrate a violation of Mich Admin Code, R 420.802(4)(d), which states a licensee shall notify the agency within 3 business days of becoming aware or within 3 business days of when the licensee should have been aware of any of the following: (d) Action by an employee in violation of the acts or these rules.

### **Count XXIII**

Respondent's actions as described above in paragraphs c and d demonstrate a violation of Mich Admin Code, R 420.803(1), which states any change or modification to the marihuana 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 marihuana business must be approved by the agency before the change or modification is made.

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 Emergency 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](mailto:CRA-LegalHearings@michigan.gov)

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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](mailto:CRA-LegalHearings@michigan.gov).

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

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

Alyssa A. Grissom  
Legal Section Manager  
Cannabis Regulatory Agency

In the Matter of

TAS Asset Holdings, LLC  
License No.: AU-P-000251

ENF Nos: 22-00695 & 22-00696

\_\_\_\_\_ /

**PROOF OF SERVICE**

I hereby certify that on February 2, 2022, I personally served a copy of the Formal  
Complaint dated February 2, 2022, in the above captioned case to:

TAS Asset Holdings, LLC  
2843 E. Grand River Ave., #269  
East Lansing, Michigan 48823

Courtesy copy sent via email to:  
Denise Pollicella  
4312 E. Grand River Ave.  
Howell, Michigan 48843

\_\_\_\_\_  
Regulation Agent  
Cannabis Regulatory Agency  
Department of Licensing & Regulatory  
Affairs

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