

**STATE OF RHODE ISLAND
CANNABIS OFFICE
560 JEFFERSON BOULEVARD, SUITE 204
WARWICK, RHODE ISLAND 02886**

IN THE MATTER OF:

**GARDENING FOR GOOD, LLC
Respondent.**

DBR No.: 25OCR0020

CONSENT AGREEMENT

Reference is made to the Edward I. Hawkins and Thomas C. Slater Medical Marijuana Act, Rhode Island General Laws § 21-28.6 *et seq.* (the “Medical Marijuana Act”) and the Rhode Island Cannabis Act, Rhode Island General Laws § 21-28.11 *et seq.* (the “Cannabis Act”) (together, the “Acts”), and Rules and Regulations Related to the Medical Marijuana Program Administered by the Office of Cannabis Regulation (“OCR”) at the Department of Business Regulation (“the Department”),¹ 230-RICR-80-05-1 *et seq.* (the “Regulations”).² The Cannabis Office and Gardening For Good, LLC, a Rhode Island Domestic Profit Corporation (“Respondent”), hereby consent and agree that:

1. On or about July 20, 2018, the Department issued to Respondent Medical Marijuana Cultivator License Number CV 0073 (the “Medical Marijuana Cultivator License”) for the cultivation and wholesale of medical marijuana at a licensed cultivation facility located in Pawtucket, Rhode Island (“the Premises”). Thereafter, Respondent’s Medical Marijuana Cultivator License was timely renewed annually, most recently on July 20, 2024.
2. Beginning in September 2022, the Department issued guidance regarding the requirement that licensees must utilize the Metrc Track and Trace System for all inventory no later than December 1, 2022, in order to continue compliant cultivation, maintenance, transfer, and sales of cannabis and cannabis products. Thereafter, licensees were required to utilize and maintain Metrc-issued RFID plant and product tags on all cannabis plants and products in order to ensure tracking and accurate and compliant records of plant and product inventory.

¹ Effective May 1, 2025, all powers, duties and responsibilities with respect to the regulation, administration and enforcement of R.I. Gen. Laws § 21-28.6-1 *et seq.* and § 21-28.11-1 *et seq.* (the “Acts”) transferred from the Rhode Island Department of Business Regulation (“DBR”) and the Office of Cannabis Regulation (“OCR”) to the Rhode Island Cannabis Control Commission (“CCC”) and the Cannabis Office. R.I. Gen. Laws § 21-28.11-10.1(g) and (h).

² The CCC’s *Cannabis Establishment Applications, Licensing and Renewals Regulations* 560-RICR-10-10-1, became effective May 1, 2025. As such, the DBR Regulations, 230-RICR-80-05-1, which have been in effect during all relevant times described herein, are applicable.

3. On February 12, 2025, OCR conducted an inspection of the Premises.
4. During the inspection, OCR inspectors observed that the following packages of cannabis were recorded in Metrc, but corresponding packages were not physically located onsite at the Premises:
 - a. 1A42A02000008FD000001023
 - b. 1A42A02000008FD000001652
 - c. 1A42A02000008FD000001653
 - d. 1A42A02000008FD000001257
 - e. 1A42A02000008FD000001258
 - f. 1A42A02000008FD000001264
 - g. 1A42A02000008FD000001901
5. OCR inspectors further observed the following six (6) packages of cannabis, totaling 1,011 grams and bearing the identifiers below, but the packages were not recorded in Metrc:
 - a. 0732
 - b. 231
 - c. 376
 - d. 449
 - e. LSD 001
 - f. SD 001
6. OCR inspectors observed seven hundred ninety-one (791) 1-gram pre-rolls in the vault on the Premises that were not recorded in Metrc.
7. OCR inspectors observed forty-six (46) 1-gram packages of flower/bud in the vault on the Premises, which were not tagged and not recorded in Metrc.
8. OCR inspectors observed ten (10) immature plants onsite at the Premises and the Metrc tag 1A42A01000008FD000000290 was linked to a seed package. These plants were determined to come from seed packages tracked in Metrc.
9. OCR inspectors observed six (6) immature plants onsite at the Premises and the Metrc tag 1A42A01000008FD000000291 was linked to a seed package. These plants were determined to come from seed packages tracked in Metrc.
10. OCR inspectors observed twelve (12) immature plants onsite at the Premises and the Metrc tag A42A01000008FD000000292 was linked to a seed package. These plants were determined to come from seed packages tracked in Metrc.
11. OCR inspectors observed thirty-four (34) plants that were untagged. OCR Tags for those plants had been moved to the Harvest Room as the tops of the plants were cut off and drying while the bottoms remained and were still growing.

12. OCR inspectors observed four (4) mother plants at the Premises that were untagged.
 - a. Two (2) of the tags were located after the inspection and those plants were determined to be compliant.
 - b. One (1) of the tags had been destroyed.
 - c. One (1) of the tags was not located.
13. OCR inspectors observed that seventy-five (75) out of seventy-seven (77) harvests could not be physically located onsite at the Premises.
14. OCR inspectors observed one (1) employee working at the Premises without a registry identification card.
15. OCR inspectors observed a cat inside the Premises, including but not limited to coming into contact with growing plants. OCR inspectors further observed a litterbox in an office at the Premises.
16. Subsequent to the February 12, 2025 inspection, the below four (4) packages of cannabis were moved, changed or created in Metrc:
 - a. 1A42A01000008FD000000125
 - b. 1A42A01000008FD000000124
 - c. 1A42A01000008FD000000123
 - d. 1A42A01000008FD000000122

Applicable Law

17. Section 21-28.6-9(e) of the Medical Marijuana Act provides as follows:

(1) Notwithstanding any other provision of this chapter, if the director of the Department of Business Regulation, or his or her designee, has cause to believe that a violation of any provision of this chapter or the regulations promulgated thereunder has occurred by a licensee or registrant under the department's jurisdiction, or that any person or entity is conducting any activities requiring licensure or registration by the Department of Business Regulation under this chapter or the regulations promulgated thereunder without such licensure or registration, or is otherwise violating any provisions of this chapter, the director, or his or her designee, may, in accordance with the requirements of the Administrative Procedures Act, Chapter 35, of Title 42:

- (i) With the exception of patient and authorized purchaser registrations, revoke or suspend any license or registration issued under Chapter 26, of Title 2 of this chapter;
- (ii) Levy an administrative penalty in an amount established pursuant to regulations promulgated by the department of business regulation;
- (iii) Order the violator to cease and desist such actions;

- (iv) Require a licensee or registrant or person or entity conducting any activities requiring licensure or registration under this chapter to take those actions as are necessary to comply with this chapter and the regulations promulgated thereunder; or
- (v) Any combination of the above penalties.

18. Pursuant to Section 21-28.6-16(d) of the Medical Marijuana Act, “[e]very marijuana plant possessed by a licensed medical marijuana cultivator must be accompanied by a valid medical marijuana tag issued by the department of business regulation pursuant to § 21-28.6-15 or catalogued in a seed-to-sale inventory tracking system in accordance with regulations promulgated by the department of business regulation.”

19. Pursuant to Section 21-28.6-16(l) of the Medical Marijuana Act, “[i]f a licensed medical marijuana cultivator or cultivator cardholder violates any provision of this chapter or regulations promulgated thereunder, as determined by the department of business regulation, his or her card and the issued license may be suspended or revoked.”

20. Pursuant to § 21-28.11-7(b) of the Cannabis Act:

On August 1, 2022, and thereafter, any medical marijuana cultivator licensed or approved pursuant to the provisions of § 21-28.6-16, upon payment of an additional license fee, shall be permitted to cultivate, manufacture and process cannabis as a hybrid cannabis cultivator for both adult use and medical use. The amount of the additional license fee shall be determined by the Office of Cannabis Regulation during the transitional period established by § 21-28.11-10 and shall be subject to review by the commission pursuant to the final rules and regulations. The fee shall be deposited in the social equity fund established in § 21-28.11-31. Sale of the cultivated cannabis shall be made directly to a licensee pursuant to the provisions of this chapter and chapter 28.6 of this title, subject to the following conditions:

- (1) The cultivator must be in good standing and maintain the cultivator license pursuant to the provisions of chapter 28.6 of this title; and
- (2) The cultivator must make good faith efforts to ensure the adult use cannabis production portion of the cultivation operation has no significant adverse effect on the medical marijuana program and patient needs.

21. Pursuant to § 21-28.11-10.1(e) of the Cannabis Act, “[n]otwithstanding the foregoing provisions of this section, all prospective and approved applicants for hybrid cannabis retailer and cultivator licenses under this chapter shall maintain compliance with the existing provisions of chapter 28.6 of this title of the general laws and the regulations promulgated thereunder until final issuance of the commission’s rules and regulations ...”

22. Pursuant to § 21-28.11-18(a)(l) of the Cannabis Act, “[n]otwithstanding any other provision of this chapter, if the commission has cause to believe that a violation of any provision of chapters 21-28.6 or 21-28.11 or any regulations promulgated thereunder has occurred by a

licensee that is under the commission's jurisdiction pursuant to chapters 21-28.6 or 21-28.11, or that any person or entity is conducting any activities requiring licensure or registration by the commission under chapters 21-28.6 or 28.11 or the regulations promulgated thereunder without such licensure or registration, the commission may, in accordance with the requirements of the Administrative Procedures Act, chapter 35 of title 42:

- (i) With the exception of patients and authorized purchasers, revoke or suspend a license or registration;
- (ii) Levy an administrative penalty in an amount established pursuant to law or regulations promulgated by the cannabis control commission;
- (iii) Order the violator to cease and desist such actions;
- (iv) Require a licensee or registrant or person or entity conducting any activities requiring licensure or registration under chapters 21-28.6 or 21-28.11 to take such actions as are necessary to comply with such chapter and the regulations promulgated thereunder; or
- (v) Any combination of the penalties authorized by this section.

23. Pursuant to Section 1.3(4)(A) of the Regulations, "all principal officers, board members, employees, agents, and volunteers of a compassion center or licensed cultivator, and all primary caregivers shall apply for registry identification cards."
24. Pursuant to Section 1.6.1(A) of the Regulations "[u]pon direction by the DBR and in accordance with R.I. Gen. Laws §§ 21-28.6-12(g)(3) and 21-28.6-16(d), each compassion center and licensed cultivator shall be required to utilize the state approved Medical Marijuana Program Tracking System to document and monitor compliance with the Act and all regulations promulgated thereunder. Applicable licensees may be required to pay costs associated with use of the Medical Marijuana Program Tracking System which may be assessed on an annual, monthly, per use, or per volume basis and payable to the state or to its approved vendor."
25. Pursuant to Section 1.6.1(B) of the Regulations, "[a]ll information related to the acquisition, propagation, cultivation, transfer, manufacturing, processing, testing, storage, destruction, wholesale and/or retail sale of all marijuana and medical marijuana products possessed by licensees and/or distributed to registered cardholders in accordance with the Act must be kept completely up-to-date in the Medical Marijuana Program Tracking System, including but not limited to:
- 1. Planting and propagation of plants;
 - 2. Transition of immature to mature plants;
 - 3. Harvest dates with yield documentation;
 - 4. Destruction of immature plants, mature plants and medical marijuana products;

5. Transportation of immature plants, mature plants, and medical marijuana products;
 6. Theft of immature plants, mature plants, and medical marijuana products;
 7. Adjustment of product quantities and/or weights;
 8. Conversion of product types including waste documentation;
 9. Required test results as reported by a cannabis testing laboratory;
 10. Retail and wholesale transaction data;
 11. Product compliance data;
 12. A complete inventory including, but not limited to:
 - a. Batches or lots of useable marijuana;
 - b. Batches or lots of concentrates;
 - c. Batches or lots of extracts;
 - d. Batches or lots of marijuana infused products;
 - e. Immature plants;
 - f. Mature plants;
 - g. Marijuana waste; and
 13. Any other information or technical functions DBR deems appropriate.”
26. Pursuant to Section 1.6.2(b) of the Regulations, “[a]ll immature plants, usable marijuana, medical marijuana products and waste must be tagged with the following information unless otherwise approved by DBR:
1. The licensee’s license number and tradename/business name;
 2. The unique identifier generated by the Medical Marijuana Program Tracking System;
 3. Strain name or product name (waste excluded);
 4. The quantity of the product; and
 5. Any other information or technical functions DBR deems appropriate.”
27. Pursuant to Section 1.6.4(c) of the Regulations, “[u]pon direction by DBR, each compassion center and licensed cultivator shall utilize the state approved Medical Marijuana Program Tracking System for all inventory tracking from seed to sale as defined in § 1.6.1 of this Part.”
28. Pursuant to Section 1.6.13(A) of the Regulations, “[e]ach compassion center and licensed cultivator shall be maintained in a safe, sanitary, and clean manner, with all operations in the cultivation, receiving, inspecting, transporting, segregating, preparing, manufacturing, packaging, and storing of medical marijuana and marijuana products conducted in accordance with adequate sanitation principles”
29. Pursuant to Section 1.6.13(L) of the Regulations, “[e]ach compassion center and licensed cultivator shall not permit the entry of any animal into the premises. Service animals (as defined in the Americans with Disabilities Act) are exempted from this prohibition in retail areas or other areas where there is no cultivation, manufacturing or packaging of medical marijuana products.

30. Pursuant to Section 1.7(G) of the Regulations, "Medical marijuana product designation(s) may be withdrawn, denied or revoked by DBR if the product fails to satisfy any provision of the Act or the DBR Regulations or if the product deviates or is altered from its previously approved form."

31. Pursuant to Section 1.11(G) of the Regulations:

1. DBR or DOH may require a licensee to recall any marijuana or marijuana product that the licensee has sold or transferred upon a finding that circumstances exist that pose a risk to public health, safety and welfare.

- a. The recall must be initiated by the licensee immediately as determined by their approved recall plan; and
- b. The licensee must comply with any additional instructions made by DBR.

2. A recall may be based on, without limitation, evidence that the marijuana, marijuana product, or medical marijuana product:

- a. Contains unauthorized pesticide(s);
- b. Failed a mandatory test and was not mitigated pursuant to testing protocols;
- c. Is contaminated or otherwise unfit for human use, consumption or application;
- d. Is not properly packaged or labeled;
- e. Was not cultivated, processed or manufactured by a licensee or otherwise is not in accordance with the Act, DBR regulations or DOH regulations; or
- f. Otherwise poses a threat to public health or safety as determined by DBR or DOH.

3. DBR may at any time require the destruction of medical marijuana product or marijuana product upon a finding that circumstances exist that pose a risk to public safety and health.

4. If DBR finds that a recall is required, DBR:

- a. Must notify the public and licensees of the recall;
- b. Must affect an administrative hold on all affected medical marijuana and/or medical marijuana products in the tracking system;
- c. May require a licensee to place all marijuana, marijuana product, medical marijuana and medical marijuana product in quarantine itself or with a third party custodian at the licensee's expense.

- d. May require a licensee to notify all individuals to whom such medical marijuana or a medical marijuana product was sold; and
- e. May require that the licensee destroy the recalled product.

32. Pursuant to Section 1.13(A) of the Regulations,

A. Inspections and Audits

- 1. Marijuana establishment licensees are subject to reasonable inspection by DBR.
- 2. DBR and its authorized representatives have authority to enter a marijuana establishment licensee's premises at reasonable times to inspect in a reasonable manner the premises and all equipment, materials, containers, and other things therein, including without limitation all records, files, financials, sales, transport, pricing and employee data, research, papers, processes, controls and to inventory any stock of marijuana, labels, containers, packages, paraphernalia and other materials and products.

...

C. Discipline and Penalties

...

- 4. Possession of Marijuana in Violation of the Act or the DBR Regulations.
 - a. Pursuant to R.I. Gen. Laws § 21-28.6-15(b)(3), if any patient cardholder, primary caregiver cardholder, licensed cooperative cultivation, compassion center, licensed medical marijuana cultivator, or any other person or entity is found to have marijuana plants or marijuana material without valid medical marijuana plant tag certificates or which are not tracked in accordance with the DBR Regulations, DBR shall impose an administrative penalty in accordance with the DBR Regulations on the patient cardholder, primary caregiver cardholder, licensed cooperative cultivation, compassion center, licensed medical marijuana cultivator, or any other person or entity for each untagged marijuana plant or unit of untracked marijuana material.

33. Pursuant to OCR Updated Metric Guidance Document dated September 26, 2023, all quality control samples must pass all required testing prior to being sampled.

Terms and Conditions

34. Based upon the foregoing, it is the Cannabis Office's position that Respondent violated the Acts and Regulations by failing to comply with the inventory track and trace requirements, by permitting entry of an animal onto the Premises, and by failing to comply with the registry identification card requirements for all employees.

35. In an effort to affect a timely and amicable resolution of the issues raised in this Consent Agreement without an administrative hearing, the Cannabis Office and the Respondent enter into this Consent Agreement solely for the purpose of avoiding the burdens and expenses of litigation. Based upon Respondent's representations and agreements set forth herein, the Cannabis Office agrees to abstain from pursuing further enforcement action(s) surrounding the issues set forth in Paragraphs 4-16 above, subject to satisfaction of the following terms and conditions set forth in this Paragraph.

a. Respondent acknowledges and agrees that if the Cannabis Office presented its factual allegations as set forth in this Consent Agreement at a hearing on the matter without proof to the contrary, the Cannabis Office would have demonstrated sufficient evidence to overcome its burden of proof to demonstrate a violation of the Acts and/or Regulations governing medical and adult use cannabis.

b. Respondent agrees that from and after the date hereof, all cannabis plants, plant materials, and products cultivated and located at and/or sold or transferred from Respondent's licensed Premises will comply with the Acts and Regulations, including § 1.6.1(B) of the Regulations which sets forth the track and trace requirements. Respondent shall satisfy the following conditions by the dates listed below, including, but not limited to, ensuring all cannabis plants, plant materials, and products are compliantly tracked through the Metrc System.

c. Upon Execution of this Consent Agreement, the following packages of cannabis, which were recorded in Metrc but which were not physically onsite at the Premises during the inspection on February 12, 2025, must be removed from Metrc:

1. 1A42A02000008FD000001023
2. 1A42A02000008FD000001652
3. 1A42A02000008FD000001653
4. 1A42A02000008FD000001257
5. 1A42A02000008FD000001258
6. 1A42A02000008FD000001264
7. 1A42A02000008FD000001901

d. Upon Execution of this Consent Agreement, the seventy-five (75) harvests that could not be physically located onsite at the Premises during the inspection on February 12, 2025 must be finished/removed from Metrc.

e. No later than June 30, 2025, the following packages, plants and/or materials must be destroyed under the Cannabis Office's supervision:

1. 1A42A01000008FD000000125
2. 1A42A01000008FD000000124
3. 1A42A01000008FD000000123

4. 1A42A01000008FD000000122
5. Seven hundred ninety-one (791) 1-gram pre-rolls observed in the vault on the Premises, which were not recorded in Metrc.
6. Forty-six (46) 1-gram packages of flower/bud observed in the vault on the Premises, which were not tagged and not recorded in Metrc.
7. One (1) mother plant that was untagged, see Paragraph 12(c) above.

f. No later than June 30, 2025, the following six (6) packages of cannabis, totaling 1,011 grams and bearing the identifiers below, which were not recorded in Metrc, must be destroyed under the Cannabis Office's supervision:

1. 0732
2. 231
3. 376
4. 449
5. LSD 001
6. SD 001

g. No later than June 30, 2025, Respondent shall contact the Cannabis Office for corrective action as to the mother plant referenced in Paragraph 12(b) above.

h. No later than June 30, 2025, Respondent shall develop Standard Operating Procedures in compliance with Rhode Island Metrc Guidance for the tracking of propagation from seed, and the following seed packages shall be altered in Metrc to their current physical stage:

1. 1A42A01000008FD000000290
2. 1A42A01000008FD000000291
3. 1A42A01000008FD000000292

i. No later than June 30, 2025, Respondent shall develop Standard Operating Procedures in compliance with Rhode Island Metrc Guidance for the tracking of harvests. The "regeneration" of plants is not a permissible activity in Metrc and should no longer be used. The proper Metrc recorded functions, including but not limited to manicuring and/or harvesting on the same day that the physical plant touching action occurs, is mandatory and required. See "RI Metrc Combined Guidance," available at [https://dbr.ri.gov/Office of Cannabis Regulation/Bulletins and Guidance/Guidance \(amended February 29, 2024\)](https://dbr.ri.gov/Office%20of%20Cannabis%20Regulation/Bulletins%20and%20Guidance/Guidance%20(amended%20February%2029,%202024)).

j. Upon execution of this Consent Agreement, all animals must be removed from the Premises, unless the animal is designated as a service animal, as defined by the Americans with Disabilities Act.¹ Failure to comply with this Paragraph shall result in the assessment of a daily administrative penalty and/or further enforcement action.

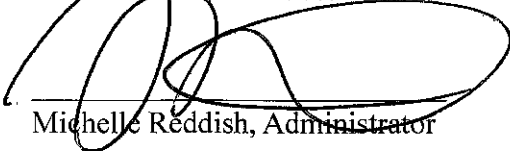
k. Upon execution of this Consent Agreement, any employee without a registry identification

¹ Note that under federal law, including the Americans with Disabilities Act, cats are not recognized as service animals. See 28 C.F.R. § 36.104.

card must cease and desist from working at the Premises until a registry identification card has been applied for and issued to them.

1. Pursuant to § 1.13(D)(1) of the Regulations, Respondent shall remit to the Cannabis Office an administrative penalty in the amount of seven thousand five hundred dollars (\$7,500), payable to the "General Treasurer, State of Rhode Island." The administrative penalty shall be paid in monthly installments of \$208.33 over thirty-six (36) months, with the first payment due upon execution of this Consent Agreement.
36. Respondent agrees and acknowledges that it expressly selected resolution of this matter by Consent Agreement, rather than proceeding through the administrative hearing process beginning with the issuance of an Order to Show Cause.
37. *Final Determination.* The parties agree that this Consent Agreement and its terms represent the final determination of this matter.
38. *Waiver of Hearing and Appeal.* By agreeing to resolve this matter through the execution of this Consent Agreement, Respondent knowingly and voluntarily waives any right to an administrative hearing and waives any right to pursue an appeal to the Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws § 42-35-1, *et seq.*
39. *Enforcement.* If Respondent fails to comply with any term or condition of this Consent Agreement within any applicable time period set forth herein, Respondent will be in violation hereunder and the Cannabis Office shall be entitled to immediately take enforcement or other action in accordance with applicable law.
40. *Compliance; Laws.* Compliance with the terms of this Consent Agreement does not relieve Respondent of any obligation to comply with other applicable laws or regulations administered by or through the Cannabis Office or any other governmental agency.

For the Cannabis Office:

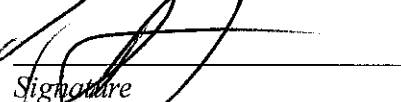


Michelle Reddish, Administrator

Date:

7/10/25

For Respondent Gardening for Good,
LLC



Signature

Greg Dolan
Printed name

Owner
Title

Date:

6/30/25