

June 16, 2020

Healthy Pharms, Inc.
License No. RMD-285

Case No. INV-2020-0000001002

FINAL ORDER AND STIPULATED AGREEMENT

This Final Order and Stipulated Agreement (hereinafter, “Order”) between the Commonwealth of Massachusetts Cannabis Control Commission (Commission) and Healthy Pharms, Inc. (the “Respondent”) is offered for the purposes of settlement and to avoid the uncertainty and cost of future administrative action.

The Commission finds that resolution of this matter serves the purposes of 935 CMR 501.450 and 935 CMR 501.500 because Respondent has accepted responsibility for the violations set forth in this Order, has cooperated in the Commission’s investigation, has taken initial corrective action to resolve the pesticide noncompliance indicated by test results associated with plants harvested and products manufactured in Respondent’s facility, and because Respondent agrees to take further corrective action to abate any further risk to public health, safety or welfare.

Accordingly, the Commission and Respondent submit to and agree as follows:

1. The Cannabis Control Commission has jurisdiction over licensed marijuana establishments and licensed medical marijuana treatment centers and the subject matter herein pursuant to the provisions of the Commonwealth’s marijuana laws, M.G.L. Chapters 94G and 94I, and the Commission’s regulations, 935 CMR 500.000, *et seq.*, 935 CMR 501.000, *et seq.*, and 935 CMR 502.000, *et seq.*;
2. Respondent has been subject to an investigation conducted by the Commission’s investigators. The Commission alleges violations of the Commission’s regulations, 935 CMR 501.000, *et seq.*;
3. Pursuant to 935 CMR 501.360, the Commission may issue an order to show cause as to why a fine or other financial penalty against Respondent should not be imposed upon determining that Respondent’s acts or omissions have violated the Commonwealth’s marijuana laws. 935 CMR 501.500 affords Respondent an opportunity to be heard and to show cause as to why a fine or other financial penalty should not be imposed;



4. Pursuant to 935 CMR 501.370, the Commission may also issue an order to show cause as to why the license or registration should not be suspended or revoked if, after an investigation, the Commission determines that such grounds exist. In accordance with 935 CMR 501.500, Respondent shall be afforded an opportunity to be heard and to show cause as to why the license or registration should not be suspended or revoked;
5. Respondent received a Provisional Certificate of Registration from the Department of Public Health (DPH) on June 27, 2014 and a Final Certificate of Registration on October 7, 2016;
6. DPH authorized Respondent to commence operations on March 8, 2017 under License No. RMD-285 (the “license”) at its facility located in Georgetown, Mass (the “facility”);
7. In or around November 2018, 4Front Holdings, LLC (aka Mission)—a former consultant to Respondent until 2015—purchased Respondent inclusive of the facility;
8. Respondent has also submitted applications for adult-use cultivation (MC281631), product manufacturing (MP281450), and retail (MR281754) licensure and seeks to commence adult-use operations at the facility;
9. The Commission last approved renewal of License No. RMD-285 on May 7, 2020;
10. In April 2018, Respondent contracted Triumvirate Environmental, Inc. (“Triumvirate”) to perform decontamination services in the facility in response to administrative orders issued by DPH and the Massachusetts Department of Agricultural Resources (MDAR) on the basis of unlawful pesticide use;
 - a. Commission-licensed Independent Testing Laboratory MCR Labs, Inc. (“MCR”) tested samples of Respondent’s plants from February 1–9, 2018. On February 7, 2018, MCR notified Respondent that test results from two of its plant samples indicated positive detections of the pesticide bifenthrin;
 - b. After Respondent submitted duplicate samples to MCR for further testing, MCR advised Respondent that the duplicate samples were likely to fail testing for bifenthrin on February 12, 2018;
 - c. MCR issued its Analytical Test Reports dated February 16, 2018 finding that Respondent’s plant samples had tested positive for the pesticide bifenthrin;
 - d. Respondent reported the test results to DPH on February 16, 2018, identifying Flower Room 6 as the harvest site for both plant samples. On March 17, 2018, Respondent notified DPH that three additional plant samples from Flower Room 4 had also tested positive for bifenthrin;
 - e. When interviewed by DPH, Respondent’s lead cultivator at the time reported having applied an EPA-registered pesticide, Compare and Save Concentrate Indoor/Outdoor Insect Control (EPA Registration No. 70506-24-84009), to tables in Vegetation Room 1 on or around October 19, 2017 to control broad mites;
 - f. On February 23, 2018, DPH issued a Summary Cease and Desist and Quarantine Order prohibiting Respondent from selling or distributing any marijuana. On March



- 28, 2018, MDAR issued an Administrative Order charging Respondent with violation of M.G.L. c. 132B § 6A;
- g. During April 26–30, 2018, Triumvirate performed decontamination activities in Vegetation Room 1, Flower Room 4, and Flower Room 6 of the facility. Services involved decontamination of all accessible horizontal surfaces using an industrial cleaning solution, including tabletops, walls up to electrical outlets, and floors, by utilizing a triple wash, triple rinse, power-washing procedure;
 - h. On or around May 14, 2018, Environmental Micro Analysis, Inc. issued Analytical Reports regarding wipe samples taken from the facility on May 8, 2018, after decontamination, which showed Non-Detect (ND) Results with a Reporting Limit of 0.01 ug/wipe for the following locations: Flower Rooms 1-8 and Vegetation Rooms 1-2;
 - i. On May 15, 2018, Respondent presented Environmental Micro Analysis' test reports to DPH and represented that the facility was free from bifenthrin contamination;
 - j. On June 21, 2018, DPH formally closed its investigation and rescinded all Cease and Desist Orders in effect;
11. On July 15, 2019, MCR issued Analytical Test Reports detecting the pesticide bifenthrin at concentration levels of 28 and 29.9 parts per billion (ppb) in two plant samples of Respondent's trim flower and detecting bifenthrin Below Quantitation Limits (BQL) in four affiliated plant samples of Respondent's bulk flower;
 12. On July 16, 2019, Respondent reported MCR's test results to the Commission;
 13. On or around July 18, 2019, the Commission initiated an investigation in conjunction with pesticide investigators from the Massachusetts Department of Agricultural Resources (MDAR);
 14. On August 2, 2019, the Commission issued a Notice of Deficiency on account of the bifenthrin detected in Respondent's plants;
 15. On August 9, 2019, the Commission, through its Executive Director, issued a Summary Quarantine and Cease and Desist Order requiring Respondent to "quarantine and cease the sale, transfer, transportation, destruction, or distribution" of ten packages associated with the contaminated plant samples. The Order further required the licensee to "quarantine Flower Room 6 including all cultivation equipment (e.g., trays, folier sprayers) and physical property (e.g., HVAC equipment, walls, and floors).";
 16. On August 15, 2019, Respondent submitted a plan of correction to the Commission. In its plan of correction, Respondent claimed that the bifenthrin detected on its plants and in the facility was residue from Respondent's prior application of the pesticide on or around October 19, 2017, and not the result of a recent pesticide application;
 17. On September 10, 2019, an investigative conference was held between Commission Enforcement staff and Respondent;
 18. On September 18, 2019, Respondent submitted a supplemental corrective action plan to the Commission;



19. On February 20, 2020, MDAR issued Administrative Order 20-PE-07 finding that Respondent had unlawfully used pesticides in violation of M.G.L. c. 132B § 6A and 333 CMR 13.02(6)(b). MDAR's Order required Respondent to destroy all marijuana derived from Vegetation Room 1, Flower Room 6, and/or the C02 extractor, to clean Vegetation Room 1 and Flower Room 6, to clean the HVAC system in Vegetation Room 1, and to run the HVAC system for twenty-four hours prior to MDAR's collection of confirmatory wipe samples;
20. On March 3, 2020, the Commission withdrew the Summary Quarantine and Cease and Desist Order to facilitate Respondent's compliance with the product-destruction mandates set forth in MDAR's Administrative Order;
21. On March 4, 2020, Commission and MDAR investigators witnessed Respondent's destruction of product;
22. On April 23, 2020, MDAR confirmed the completion of testing and non-detection of pesticides or fungicides in Vegetation Room 1 and Flower Room 6;
23. In May 2020, the Commission concluded its investigation;

Applicable Law

24. Application of Pesticides shall be performed in compliance with M.G.L. c. 132B and the regulations promulgated at 333 CMR 2.00 through 333 CMR 14.00. Any testing results indicating noncompliance shall be immediately reported to the Commission. *935 CMR 501.120(5)*;
25. The cultivation process shall use best practices to limit contamination including, but not limited to, mold, fungus, bacterial diseases, rot, pests, Pesticides not in compliance with 935 CMR 501.120, mildew, and any other contaminant identified as posing potential harm. *935 CMR 501.120(9)*;
26. Pesticides means a substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest, and any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant. *935 CMR 501.002*;
27. The *Protocol for Sampling and Analysis of Finished Medical Marijuana Products and Marijuana-Infused Products for Massachusetts Registered Medical Marijuana Dispensaries* (the "Testing Protocol") adopted by the Commission on December 23, 2018 identifies bifenthrin as a pesticide commonly used in cannabis cultivation and mandates testing for the insecticide. The Testing Protocol further states that a production batch of finished plant material may be dispensed to patients or used to make other medical marijuana products if no individual pesticide or plant growth regulator is detected above 10 ppb;
28. Information provided by an MTC that was deceptive, misleading, false or fraudulent, or that tends to deceive or create a misleading impression, whether directly, or by omission



- or ambiguity, in and of itself, constitutes full and adequate grounds for suspending or revoking an MTC's license. *935 CMR 501.450(2)*;
29. Every MTC shall have and follow a set of detailed written operating procedures. Operating procedures shall include procedures to ensure accurate recordkeeping, including inventory protocols for transfer and inventory and procedures for integrating a secondary electronic system with the Seed-to-sale SOR (system of record). *935 CMR 501.105(1)(g)*;
 30. Seed-to-sale Electronic Tracking System means a system designated by the Commission as the system of record (Seed-to-sale SOR) or a secondary electronic tracking system used by a Marijuana Establishment or an MTC or an Independent Testing Laboratory. This system shall capture everything that happens to an individual Marijuana plant, from seed and cultivation, through growth, harvest and Manufacture of Marijuana Products and MIPs, including transportation, if any, to final sale of finished products. Seed-to-sale Electronic Tracking System shall utilize a unique plant identification and unique-batch identification. *935 CMR 501.002*;
 31. Seed-to-sale Electronic Tracking inventory shall be maintained including, at minimum, an inventory of Marijuana plants; Marijuana plant-seeds and Clones in any phase of development such as Propagation, Vegetation, and Flowering; Marijuana ready for dispensing; and all Marijuana Products. *935 CMR 501.105(8)(b)*;
 32. An MTC shall establish inventory controls and procedures for the conduct of inventory reviews, and comprehensive inventories of Marijuana and Marijuana Infused Products in the process of cultivation, and finished, stored Marijuana. *935 CMR 501.105(8)(c)*;
 33. The failure to enter inventory into the Seed-to-sale SOR may result in the suspension or revocation of an MTC license. *935 CMR 501.105(8)(f)*;

Stipulated Findings

34. The Commission, through its Executive Director, and Respondent have come to mutual agreement and understanding, and jointly propose to the Commission a resolution of alleged violations in lieu of proceeding through an administrative hearing to determine the merits of such allegations. The terms and conditions of this Order and Stipulated Agreement are expressly subject to ratification of the Commission by majority vote of its Commissioners;
35. In lieu of proceeding with an administrative hearing and subsequent proceedings, Respondent further agrees to the stipulated findings set forth in Paragraphs 36–39, inclusive of all subparagraphs:
36. Respondent accepts responsibility for the pesticides detected and/or found on its facility and admits to having performed noncompliant applications of pesticides in violation of *935 CMR 501.120(5)*:



- a. From July–August 2018, Respondent performed noncompliant applications of hydrogen peroxide as a pesticide on ten occasions of record;
- b. During December 2018–February 2019, Respondent performed noncompliant applications of baking soda as a pesticide on thirteen occasions of record;
- c. On May 14, 2019, Commission inspectors performed an Adult-Use Post-Provisional License Inspection of the facility. Respondent’s Senior Director of Business Development and its lead cultivator and Commission Inspectors Nicolas Millen and Colin Soper were present;
- d. During the inspection, the lead cultivator confirmed that he held a pesticide applicator license;
- e. During the inspection, Commission inspectors discovered Trinity Nutralab Food Grade Hydrogen Peroxide;
- f. Trinity Nutralab Food Grade Hydrogen Peroxide is not a registered pesticide and cannot be used as a pesticide commercially;
- g. During the inspection, Commission inspectors discovered a Material Safety Data Sheet for KleenGrow among Respondent’s records and a plastic barrel of KleenGrow in Respondent’s warehouse/storage area;
- h. KleenGrow is an EPA-registered pesticide (EPA Registration No. 81820-2). The product label prohibits use in greenhouses where food crops are grown;
- i. In July 2019, Commission investigators found Axiom Harpin Proteins and Life Cloning Gel in the facility;
- j. Axiom Harpin Proteins are an EPA-registered pesticide and plant growth regulator (EPA Registration No. 71771-3-89112);
- k. Life Cloning Gel is a rooting compound that is not EPA-registered but does contain Indole-3-butyric acid, an ingredient found in other rooting gels that are considered plant growth regulators. The product label states: “This product is not intended for use on food crop sites.”;
- l. From March 2019–February 2020, samples of plants harvested in Respondent’s facility tested positive for the pesticide bifenthrin at concentrations of BQL, 10.2, 10.4, 11, 16.4, 20.8, 28 and 29.9 ppb;
- m. Bifenthrin is a synthetic pyrethroid used as an insecticide;
- n. During November–December 2019, oil concentrate manufactured by Respondent at the facility tested positive for the pesticide bifenthrin at levels of 10.84, 11.91, 12.04, 16.5, 18.79, 22.77, 23.52, 23.64, 63.79, 141.81 and 404.01 ppb;
- o. Wipe samples taken by MDAR on July 18, 2019 and analyzed by the Massachusetts Pesticide Analysis Laboratory (MPAL) on August 13, 2019 detected the pesticides bifenthrin and Piperonyl butoxide (PBO) in Flower Room 6 and Vegetation Room 1, in addition to pyrethrin pesticides in Respondent’s pesticide sprayer. The samples showed bifenthrin in concentrations ranging from 0.019 to 1.51 ug/sq.ft.; PBO in concentrations of 0.019 and 0.02 ug/sq.ft.; and pyrethrins at a concentration of 0.472 ug/sq.ft.
- p. Wipe samples taken by MDAR on October 7 and 8, 2019, and analyzed by MPAL on October 21, 2019, detected the pesticides bifenthrin and PBO in Flower Room 6 and



Vegetation Room 1 and detected bifenthrin in Respondent's CO2 extractor. The samples from Vegetation Room 1 showed bifenthrin in concentrations ranging from 0.282 to 26.079 ug/sq.ft and PBO in concentrations ranging from 0.49 to 2.272 ug/sq.ft. The samples in Flower Room 6 shows bifenthrin in concentrations ranging from 0.020 to 0.729 ug/sq.ft. and did not show PBO. The sample from Respondent's CO2 extractor showed bifenthrin at a concentration of 1.71 ug/sq.ft.

- q. Wipe samples taken by MDAR on November 12, 2019 and analyzed by MPAL on November 21, 2019 detected the pesticides bifenthrin, PBO, dinotefuran, fipronil, paclobutrazol, and etofenprox in the air filter in Vegetation Room 1 at the following concentration levels:

CLE191112-1 Vegetation Room 1, Air filter	Bifenthrin	2182 ug/sq.ft
	PBO	359 ug/sq.ft
	Dinotefuran	1.34 ug/sq.ft
	Fipronil	12.6 ug/sq.ft
	Paclobutrazol	1.45 ug/sq.ft
	Etofenprox	16.3 ug/sq.ft

- r. Respondent's air filter had been replaced three weeks prior to MDAR's sample collection on November 12, 2019;
 - s. The facility uses a Variable Refrigerant Flow HVAC system that recycles the same air in each room with no air taken in from the outside and no air ejected from the room;
37. Respondent failed to immediately report test results indicating pesticide noncompliance in violation of 935 CMR 501.120(5):
- a. On or around June 19, 2019, Respondent sent four samples of Mandarin Cookies bulk flower and two samples of Mandarin Cookies trim flower to MCR for testing;
 - b. In late June or early July 2019, Respondent received preliminary test results from MCR reporting that both samples of Mandarin Cookies trim flower had tested positive for the pesticide bifenthrin in concentrations above 10 ppb and that Respondent's four samples of Mandarin Cookies bulk flower had tested positive for bifenthrin BQL;
 - c. In response to the results, Respondent collected wipe samples of ISO swabs, condensate, Eco-1 pesticide, TetraCurb pesticide, and Procidic 2 and submitted the samples to MCR for further pesticide screening on or around July 3, 2019;
 - d. Respondent knew the Mandarin Cookies pesticide results in late June or early July, but refrained from reporting these test results to the Commission until after MCR issued written Analytical Test Results on July 15, 2019;
 - e. During this time, Respondent collected additional swab samples from throughout the facility and submitted the samples to MCR on July 9 and 10, 2019 to screen for bifenthrin;



- f. On July 19, 22, and 31, 2019, Respondent received Analytical Test Reports from MCR detecting bifenthrin at various concentration levels in Vegetation Room 1 and Flower Rooms 1–8 of the facility, in some facility hallways and floors, and on Respondent’s harvest carts. Of the 36 samples tested by MCR, 15 showed bifenthrin at either below detectable levels (BDL) or BQL. The remainder of the results detected bifenthrin at concentration levels ranging from 11.2 ppb to 5,467.1 ppb;
 - g. Despite receiving multiple test results detecting bifenthrin throughout the facility during July 19–31, Respondent did not report those results to the Commission until August 15, 2019 as part of its Plan for Correction;
38. Although Respondent did not intend to provide misleading or untruthful information to the Commission, Respondent did provide information that could reasonably be construed as false or misleading or as information that tends to deceive or create a misleading impression, grounds for suspending or revoking Respondent’s license under 935 CMR 501.450(2):
- a. Respondent collected numerous swab samples from throughout the facility and submitted the samples to MCR on July 3, 9, and 10, 2019 to further screen for the pesticide bifenthrin;
 - b. The sample intake form and transportation manifest associated with Respondent’s sample collection indicate that Respondent took a swab sample from its power washer on or around July 10, 2019 (the “power washer sample”) and assigned a sample identification number to it, Sample ID No. 070919-39;
 - c. The sample intake form and transportation manifest indicate that the power washer sample was removed from the collection of swab samples sent to MCR. Its removal was affirmed by the initials of Respondent’s lead cultivator;
 - d. On August 15, 2019, Respondent submitted a plan of correction to the Commission;
 - e. The plan listed the MCR test results associated with Respondent’s internal sample collection. Respondent reported an ND lab result, indicating non-detection of bifenthrin, for the power washer sample that had previously been removed;
 - f. On April 3, 2020, MCR confirmed that it did not issue an Analytical Test Report for Sample ID No. 070919-39, the power washer sample, as cited by Respondent;
 - g. In July 2019, Respondent’s lead cultivator told Commission investigators that no off-label pesticide applications had occurred since DPH issued pesticide guidance in fall 2018;
 - h. This statement differed from Respondent’s prior admission to having used hydrogen peroxide as a pesticide, made to Commission inspectors during Respondent’s Adult-use Post-Provisional License Inspection in May 2019;
 - i. DPH circulated a Marijuana Pesticide Policy to all Registered Marijuana Dispensaries on October 16, 2018. Contrary to its statement, Respondent’s pesticide spray log verifies that it continued to apply baking soda as a pesticide after issuance of DPH’s notice, during December 18, 2018–February 4, 2019.



39. Respondent failed to enter inventory into the Seed-to-sale SOR in violation of 935 CMR 501.105(1)(g) and 935 CMR 501.105(8), noncompliance constituting grounds for suspension or revocation of an MTC license pursuant to 935 CMR 501.105(8)(f):
- a. On November 8, 2019, Respondent entered approximately fifty samples of cannabis flower and/or trim of varying strains into Metrc, the Commission Seed-to-sale SOR, under the item strain "Alien Rift", a different strain of cannabis. At the time, Respondent was not cultivating Alien Rift plants.

Stipulated Remedy

40. In lieu of proceeding with an administrative hearing and subsequent proceedings, Respondent further agrees to the stipulated remedies and terms set forth in Paragraphs 41–65, inclusive of all subparagraphs:
41. Respondent agrees to pay a monetary fine in the amount of three-hundred and fifty thousand dollars (\$350,000.00) made payable by check or money order, payable to the order of the Cannabis Control Commission Marijuana Regulation Fund;
42. Payment shall be postmarked on or before sixty (60) days from ratification of this Order and mailed to the following address:
- Cannabis Control Commission
2 Washington Square
Worcester, MA 01604
43. Respondent submits that satisfaction of the corrective action measures identified in Paragraphs 44–50 on or before September 11, 2020 is a reasonable time for correcting the violations identified herein;
44. Respondent shall cease and desist the use of pesticides not labeled for use in cannabis cultivation;
45. Respondent shall submit to wipe sampling and testing of Vegetation 2, Flower Rooms 1–5, and Flower Rooms 7–8 for pesticide noncompliance. The Commission shall arrange for the collection of samples to be analyzed at Respondent's expense;
46. Respondent shall employ a Harvest Compliance Manager with professional credentials in environmental science, horticulture, engineering, or chemistry, who also possesses proficiency in the Seed-to-sale SOR;
47. Respondent shall submit to a two-year probationary period during which any and all test results reporting detection of bifenthrin at a level other than ND, whether written or verbal, shall be reported by Respondent to the Commission within 24 hours;
48. Respondent shall maintain an accurate application record of every kind of chemical used in Respondent's facility, including EPA-registered, 25b, and OMRI-listed products;



49. Respondent shall establish and follow an Environmental Monitoring Standard Operating Procedure which, at minimum, mandates professional air-quality testing of the facility on a periodic basis;
50. Respondent shall take all other action specified in its plan of correction submitted on August 15, 2019 and its supplemental corrective action plan on September 18, 2019, as necessary to achieve compliance with 935 CMR 501.000, *et seq.*;
51. This Order may be admissible as evidence in any future hearing before the Commission or used in connection with any future licensure or administrative actions by the Commission;
52. Any issues relating to the underlying complaint and investigation that formed the basis for this Order against Respondent (and any defenses that Respondent may have to such complaint or investigation) shall not be at issue in a proceeding against Respondent for failing to comply with the terms of this Order;
53. Respondent agrees that the Commission may consider the Order, Respondent's acceptance of responsibility, and the facts and circumstances described therein, including Respondent's efforts to decontaminate its facility, destroy its product, and its commitment to additional corrective actions, in connection with review of an application for licensure, renewal of licensure, or suitability review. The Commission agrees that the Order by itself shall not be a reason to find the Respondent unsuitable or to deny its adult or medical-use license or to fail to renew its adult or medical-use license;
54. Respondent acknowledges advisement of hearing rights and process of the proceedings and wishes to resolve all issues which were the subject of the investigation;
55. If approved by the Commission and upon execution of all parties, this Order shall have the same force and effect as an order entered after formal hearing pursuant to 935 CMR 935 CMR 501.500(12), except that it may not be appealed. Failure to comply with the terms of this Order, including but not limited to failure to make a timely payment, may constitute the basis for further administrative action against Respondent;
56. Respondent acknowledges that the Commission advised Respondent of its opportunity to consult with an attorney of their choosing and Respondent represents that they have had an opportunity to do so prior to signing the Agreement. Respondent acknowledges that they have been given a reasonable period of time in which to consider the terms of this Agreement before signing it. Respondent acknowledges and confirms that they have entered into this Agreement voluntarily and of their own free will, without duress or coercion, and that they are competent to enter into this Agreement. Respondent acknowledges that they have carefully read and fully understand the meaning and intent of this Agreement;
57. Respondent further understands and knowingly and voluntarily waives the following rights:
 - a. The right to hearing and Respondent's opportunity to request a hearing;

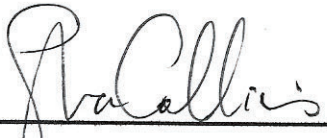


- b. The right to cross-examine witnesses, subpoena witnesses, present evidence and testify on Respondent's own behalf;
 - c. The right to engage in pre-hearing discovery of the Commission's evidence; and
 - d. The right to appeal this order.
58. Respondent consents to the terms and conditions described herein and agrees to waive its right to judicial review of this order pursuant to M.G.L. C. 30A, § 14;
59. Upon execution by all parties, this Order shall represent the entire and final agreement of the parties. In the event that any provision of this Order is deemed unenforceable by a court of competent jurisdiction, such provision shall be severed, and the remainder of the Order shall be given full force and effect;
60. This Order shall be binding upon Respondent and shall inure to the benefit of the parties to this Order and their respective successors and assignees and shall be construed in accordance with and governed by the laws of the Commonwealth of Massachusetts;
61. Upon majority vote of the Commission, this Order shall become a permanent part of Licensee's record and shall be open to public inspection and disclosure pursuant to the Commission's standard policies and procedures or applicable law;
62. The Commission may reject the terms of this Order or otherwise deny ratification and entry of the Order. In such event, the terms of the Order shall be null and void including but not limited to Respondent's admissions and waiver of opportunity for hearing upon subsequent issuance of an Order to Show Cause issued upon the Commission's approval;
63. This Order may be executed by e-mail and any signature delivered by either method shall be deemed to be as valid as an original signature;
64. All costs and expenses incurred by Respondent to comply with this Order shall be the sole responsibility of Respondent and shall not in any way be the obligation of the Commission; and
65. For purposes of addressing any future violations of the Order, the Cannabis Control Commission regulations, 935 CMR 500.000, *et seq.*, 935 CMR 501.000, *et seq.*, 935 CMR 502.000, *et seq.*, shall include all later adopted regulations that are in effect at the time of the subsequent violation;

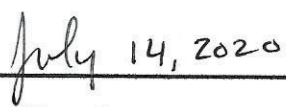


Failure to comply with the above conditions may result in administrative action against Respondent up to any including suspension and/or revocation of registration.

Commonwealth of Massachusetts Cannabis Control Commission



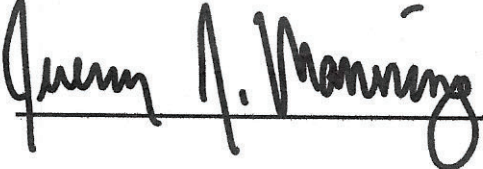
Shawn Collins, Executive Director



Date Signed

Ratified by Commission vote (4 yes, / no, / abstain) on July 9, 2020.

Respondent Healthy Pharms, Inc.



Jeremy J. Manning

06/17/2020

Date Signed

