



# Cannabis Control Commission Public Meeting

In Person and Remote via Teams



## Public Meeting Book - Cannabis Control Commission Public Meeting

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20260407 PPT.pdf



April 3, 2026

In accordance with Sections 18-25 of Chapter 30A of the Massachusetts General Laws and Chapter 2 of the Acts of 2023, notice is hereby given of a meeting of the Cannabis Control Commission. The meeting will take place as noted below.

## CANNABIS CONTROL COMMISSION

**April 7, 2026  
10:15 AM**

**Remote via [Microsoft Teams Live\\*](#) and In-Person at Cannabis Control Commission,  
Second Floor Public Meeting Room, Worcester Union Station, 2 Washington Square, Worcester**

### PUBLIC MEETING AGENDA

- I. Call to Order
- II. Commissioners' Comments & Updates
- III. Minutes
  1. March 6, 2026
  2. March 16, 2026
- IV. Staff Recommendations on Renewal Licenses
  1. Debilitating Medical Condition Treatment Centers (#MCR141003)
  2. Alternative Therapies Group (#RMD1530)
- V. Enforcement Actions
  1. Stipulated Agreement: Boston Bud Factory, Inc.
- VI. Commission Discussion and Votes
  1. Clarification on Tier Relegations (*Vote*)
  2. Approval of Executive Director Performance Review Form
  3. Update on Testing Protocols Package 1
  4. Discussion on Pending Enforcement Processes Including But Not Limited To:
    - i. Massbiolytics (ITL);
    - ii. Assured (ITL) Stipulated Agreement;
    - iii. Greatest Hits Enforcement Action;
    - iv. MCR Labs Enforcement;
    - v. Boston Bud Factory
  5. Publication of Approved Receivers Discussion



6. Product Catalog / Open Data Update
7. Discussion of Marijuana Research Facility License Type and Research Permits  
Including Intellectual Property Considerations
8. Establish Expendable Trust - Cannabis Research (*Vote*)
- VII. New Business Not Anticipated at the Time of Posting
- VIII. Next Meeting Date
- IX. Adjournment

\*Closed captioning available

*If you need reasonable accommodations in order to participate in the meeting, contact the ADA Coordinator Debra Hilton-Creek in advance of the meeting. While the Commission will do its best to accommodate you, certain accommodations may not be available if requested immediately before the meeting.*



CANNABIS CONTROL COMMISSION

March 6, 2026  
12:00 PM

Remote via [Microsoft Teams Live\\*](#)

PUBLIC MEETING MINUTES

**Documents:**

- [Meeting Packet](#)
- March 5, 2026, 935 Code Mass. Regs. § 500.000 Draft Delivery Exclusivity and Secret Shopper Regulations.
- March 5, 2026, 935 Code Mass. Regs. § 501.000 Draft Secret Shopper Regulations.

**In Attendance:**

- Chair Shannon O'Brien
- Commissioner Carrie Benedon
- Commissioner Kimberly Roy
- Commissioner Bruce Stebbins

**Minutes:**

I. Call to Order

- The Chair recognized a quorum and called the meeting to order.
- The Chair gave notice that the meeting is being recorded.
- The Chair gave an overview of the agenda.

II. Commissioners' Comments & Updates – 00:00:48

- Commissioner Benedon had no comments. Commissioner Roy stated she was pleased to start ratifying updates to the Secret Shopper Program regulations to protect public health, safety and Consumer protection across the Commonwealth. She thanked Commissioners and staff for getting to this point. She also thanked stakeholders who testified, provided feedback and recommendations along the way. Commissioner Stebbins made no comments, and the Chair thanked staff and Commissioners.

III. Commission Discussion and Votes – 00:02:10

1. Discussion and Review of Draft Regulations and Policy Questions

- Associate General Counsel Erica Bruno (AGC Bruno) started off at the definition of Secret Shopper and read the proposed amendments and explained the changes. Commissioner Roy thanked her for word smithing the definition and expressed how proud she was of the product. Commissioner Stebbins stated that the definition was



well written and drafted. He raised a cautionary note around unannounced purchases from a Cultivator or Product Manufacturer and wanted to strike the whole sentence. The Chair noted that they wanted to make sure all options were available and had extra tools. Commissioner Roy noted that the sentence was added after hearing feedback around Metrc. Commissioner Stebbins noted that nobody off the street could purchase Marijuana from those Licensees and asked if a Licensee would make purchases. He asked if the Investigations and Enforcement department could data for a comparative and investigation process. Commissioner Roy stated that a scenario like that wouldn't happen and that they baked in language that a Licensee and third-party transporter at the discretion and direction of the Commission would be the one to go in to make purchases and explained that more optionality was the reason for the addition. Executive Director (ED) Travis Ahern noted great discussions around setting up optionality to the program and noted in favor of keeping language for optionality for building out the program from day one. Commissioner Stebbins appreciated the conversation and noted the concern of suggesting someone else other than the Commission. The Chair noted it would send a strong message to get the most accurate and healthy testing. Commissioner Roy noted precedent and Independent Testing Labs (ITLs) serve as proxy. Commissioner Stebbins noted that operational ability was concerning. Commissioner Roy noted other jurisdictions have labs go directly to Cultivators and Product Manufacturers to get samples. Commissioner Stebbins stated he raised his concerns and he could live with the “may” and that Standard Operating Procedures (SOPs) and procedures need to be laid out. The Chair noted consensus on the Secret Shopper definition. AGC Bruno moved to 935 Code Mass. Regs. § 500.303 and proposed changes to the title of the section and then moved to 935 Code Mass. Regs. § 500.303(1) and proposed amendments and changes. Commissioner Roy asked if they could go back to the definition of Secret Shopper and proposed a change. AGC Bruno stated they could change the language and read it with Commissioner Roy's proposed change. Commissioner Roy asked for a break to speak with AGC Bruno.

- Commissioner Roy moved to take a recess returning at 12:35 PM.
- The Chair seconded the motion.
- The Chair took a roll call vote:
  - Commissioner Benedon – Yes
  - Commissioner Roy – Yes
  - Commissioner Stebbins – Yes
  - Chair O'Brien – Yes
- The Commission unanimously approved the motion.
- The Commission took a brief recess. (Returned at 00:34:50.)
  
- AGC Bruno clarified the three potential roles of a Secret Shopper. Commissioner Roy thanked her for the edits and explained the purpose to encompass different scenarios. She explained that they put Commission or a Commission Delegee throughout the regulations and added the phrase “otherwise obtained”. The Chair noted consensus. AGC Bruno went back to 935 Code Mass. Regs. § 500.303(1) and read it again. She



noted the changes to create broader language. Commissioner Roy complemented her for broadening the language. The Chair noted consensus. AGC Bruno read 935 Code Mass. Regs. § 500.303(2) for a title change and 935 Code Mass. Regs. § 500.303(2)(a). She proposed changes to the language. Commissioner Roy requested an amendment to 935 Code Mass. Regs. § 500.303(2)(a)2. to add “otherwise obtained” and AGC Bruno confirmed. The Chair noted consensus. AGC Bruno then read 935 Code Mass. Regs. § 500.303(3) for a title change and 935 Code Mass. Regs. § 500.303(3)(a)-(d). The Chair noted consensus. AGC Bruno read 935 Code Mass. Regs. § 500.303(4)(b) and proposed the changes. She stated she would draft some additions to the language to capture previous conversation. Commissioner Roy asked about who was retaining investigative results and Commissioner Stebbins requested to add “the Commission’s” records. The Chair requested “subject to the Secret Shopper”. Commissioner Benedon requested “the Commission shall retain all investigative results as part of the record.” AGC Bruno confirmed she was comfortable with the language and put revised language in the chat. AGC Bruno read the language. Commissioner Roy asked for some wordsmithing and AGC Bruno made the amendments. The Chair noted consensus. AGC Bruno read 935 Code Mass. Regs. § 500.303(5) for a title change. She then read 935 Code Mass. Regs. § 500.303(7). The Chair asked about next steps. Commissioner Roy suggested motion for AGC Bruno to make ministerial edits. AGC Bruno noted that the Legal department further investigated indigenous people and if they were included in the minority business enterprise language. She stated she would draft motion language to vote on as a package. Commissioner Roy mentioned a friendly amendment to add “updating the board as appropriate” and she mentioned putting a date in the motion. The Chair mentioned guidance documents and SOPs that need to be established. AGC Bruno thanked staff for work with expedited timelines.

- Commissioner Roy moved to approve the regulations at 935 CMR 500.000 and 935 CMR 501.000 as final, including all amendments related to Delivery Exclusivity and the Secret Shopper Program resulting from Commission deliberations. Further, to authorize Commission staff and the legal department to make any ministerial edits necessary and consistent with Commission deliberations and votes, the Commission’s governing laws, and the Secretary of the Commonwealth’s requirements, and to take any additional steps necessary to file the final regulations with the Secretary of the Commonwealth no later than March 13, 2026.
- Commissioner Stebbins seconded the motion.
- The Chair took a roll call vote:
  - Commissioner Benedon – Yes
  - Commissioner Roy – Yes
  - Commissioner Stebbins – Yes
  - Chair O’Brien – Yes
- The Commission unanimously approved the motion to adjourn.

XII. New Business Not Anticipated at the Time of Posting – 01:10:25

- The Chair stated that there was no new business not anticipated at the time of posting.



XIII. Next Meeting Date – 01:10:37

- The Chair stated that the next meeting was scheduled for March 12, 2026.

IV. Adjournment – 01:10:47

- Commissioner Benedon moved to adjourn.
- Commissioner Roy seconded the motion.
- The Chair took a roll call vote:
  - Commissioner Benedon – Yes
  - Commissioner Roy – Yes
  - Commissioner Stebbins – Yes
  - Chair O’Brien – Yes
- The Commission unanimously approved the motion to adjourn.



CANNABIS CONTROL COMMISSION

March 16, 2026  
10:30 AM

Remote via [Microsoft Teams Live\\*](#)

PUBLIC MEETING MINUTES

**Documents:**

- Application Materials associated with:
  - Staff Recommendations on Renewal Licenses
- [Meeting Packet](#)

**In Attendance:**

- Chair Shannon O'Brien
- Commissioner Carrie Benedon
- Commissioner Kimberly Roy
- Commissioner Bruce Stebbins

**Minutes:**

- I. Call to Order
  - The Chair recognized a quorum and called the meeting to order.
  - The Chair gave notice that the meeting is being recorded.
  - The Chair gave an overview of the agenda.
- II. Staff Recommendations on Renewal Licenses – 00:00:29
  - Licensing Manager Tsuko Defoe (Manager Defoe) presented on behalf of the Licensing department the Staff Recommendations for Renewals.
  - Commissioner Roy moved to approve the renewal of items numbered 1 – 2 as indicated on the agenda.
  - Commissioner Stebbins seconded the motion.
  - The Chair took a roll call vote:
    - Commissioner Benedon – Yes
    - Commissioner Roy – Yes
    - Commissioner Stebbins – Yes
    - Chair O'Brien – Yes
  - The Commission unanimously approved the renewal of items numbered 1 – 2 as indicated on the agenda.



III. New Business Not Anticipated at the Time of Posting – 00:02:05

- The Chair stated that there was no new business not anticipated at the time of posting.

IV. Next Meeting Date – 00:02:09

- The Chair stated that the next meeting was scheduled for March 18, 2026.

V. Adjournment – 00:02:25

- Commissioner Roy moved to adjourn.
- Commissioner Benedon seconded the motion.
- The Chair took a roll call vote:
  - Commissioner Benedon – Yes
  - Commissioner Roy – Yes
  - Commissioner Stebbins – Yes
  - Chair O'Brien – Yes
- The Commission unanimously moved to adjourn.



**MARIJUANA ESTABLISHMENT RENEWALS**  
**EXECUTIVE SUMMARY**  
COMMISSION MEETING: APRIL 7, 2026

**RENEWAL OVERVIEW**

1. Name, license number, renewal application number and host community for each Marijuana Establishment presented for renewal:

	Licensee Name	License Number	Renewal Application Number	Host Community	Current Expiration Date	License Status
1	Debilitating Medical Condition Treatment Centers	MC283056	MCR141003	Whately	4/9/2026	CO

2. All active license expiration dates will be extended by one (1) year following approval. Expiration dates for licenses that have expired prior to the Public Meeting will be set for one (1) year from the date of approval.
3. All licensees have submitted renewal applications pursuant to 935 CMR 500.103(4) which include the licensee's disclosure of their progress or success towards their Positive Impact and Diversity Plans.
4. All licensees have submitted documentation of good standing from the Secretary of the Commonwealth, Department of Revenue, and Department of Unemployment Assistance, if applicable.
5. All licensees provided a compliant HCA or HCA Waiver, that was accepted by Commission staff pursuant to 935 CMR 500.180(3).
6. All licensees have paid the appropriate annual license fee.
7. The licensees, when applicable, have been inspected during the current renewal period.
8. Commission staff certify that, to the best of our knowledge, no information has been found that would prevent renewal of the licenses mentioned above pursuant to 935 CMR 500.450.



## RENEWAL CONDITIONS

Commission staff has reviewed the application for compliance with applicable laws and regulations and are presenting it for the Commission's review and vote.



**MARIJUANA CULTIVATOR RENEWALS TIER RELEGATION  
CONSIDERATIONS  
EXECUTIVE SUMMARY  
COMMISSION MEETING: APRIL 7, 2026**

**RENEWAL OVERVIEW**

1. Renewal applications presented for approval:

<b>Business Name:</b>	Debilitating Medical Condition Treatment Centers
<b>License Number:</b>	MC283056
<b>Renewal Application:</b>	MCR141003
<b>Location:</b>	Whately
<b>Expiration Date:</b>	04/09/2026
<b>Current Tier Level:</b>	Tier 10 Outdoor (80,001 to 90,000 sq. ft)
<b>Percentage Sold:</b>	68.7%
<b>Additional Information:</b>	<p><b>Response provided in renewal application:</b> “Plants and the inventory did not suffer a catastrophic event during the licensing period”</p> <p><b>Additional responses provided by email:</b> “I believe the Commission’s calculation may not reflect how outdoor cultivation material is actually processed and brought to market over the course of the year.</p> <p>Outdoor cultivation operates on a single annual harvest cycle, with the majority of biomass harvested in October. That harvested material is then processed gradually over the following months. Because extraction, manufacturing, testing, and product development occur continuously throughout the year, it is normal and expected for a portion of the prior harvest to remain in inventory at the time of license renewal.</p> <p>For our operation specifically, the October harvest serves as the primary feedstock for extraction and manufacturing throughout the subsequent year. The material is not intended to be sold immediately as bulk flower, but instead is utilized over time in the production of manufactured products. As a result, a snapshot comparison of “harvested vs. sold” within a limited timeframe</p>



	<p>does not accurately represent how the material is actually utilized.</p> <p>Importantly, we have <u>utilized and sold the entire harvest</u> from our outdoor cultivation every single year we have been in operation. In fact, our harvested material supplies only a portion of the demand for the harvested material we utilize, and we routinely supplement with additional material to meet production needs.</p> <p>Because of this operational structure, inventory remaining from the harvest period does not indicate underutilization of canopy or excess production capacity. Rather, it reflects the normal cadence of processing and sales for an outdoor cultivation operation that feeds a year-round manufacturing pipeline.</p> <p>If helpful, we would be happy to provide additional information regarding how the harvested biomass is allocated into extraction and manufacturing over the year so that the Commission has a more accurate picture of utilization.”</p> <p>“To be clear, <u>100% of our outdoor material is spoken for right now.</u></p> <p>Operationally, the entirety of our outdoor harvest is immediately transferable outside of our outdoor license after harvest. The reason portions of the harvest may remain under the outdoor cultivation license for extended periods is largely a business decision related to inventory management and testing costs.</p> <p>As a result, the appearance that harvested material has not yet been “sold” or transferred within a particular reporting window is largely an artifact of how we choose to manage inventory and testing timing, rather than an indication that the harvest is not being utilized.”</p>
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2. All active license expiration dates will be extended by one (1) year following approval. Expiration dates for licenses that have expired prior to the Public Meeting will be set for one (1) year from the date of approval.
3. All licensees have submitted renewal applications pursuant to 935 CMR 500.103(4) which include the licensee’s disclosure of their progress or success towards their Positive Impact and Diversity Plans.



4. All licensees have submitted documentation of good standing from the Secretary of the Commonwealth, Department of Revenue, and Department of Unemployment Assistance, if applicable.
5. All licensees provided a compliant HCA or HCA Waiver, that was accepted by Commission staff pursuant to 935 CMR 500.180(3).
6. All licensees have paid the appropriate annual license fee.
7. The licensees, when applicable, have been inspected during the current renewal period.
8. The licensees' cultivation tier data has been reviewed by Commission staff and found that the licensee sold less than 70% of what it produced during the six months prior to the application for renewal for an indoor cultivator or during the harvest season prior to the application for renewal for an outdoor cultivator.
9. Commission staff certify that, to the best of our knowledge, no information has been found that would prevent renewal of the licenses mentioned above pursuant to 935 CMR 500.450.

### **RENEWAL CONDITIONS**

Commission staff has reviewed the application for compliance with applicable laws and regulations and are presenting it for the Commission's review and vote.



2/18/2026

To whom it may concern,

I am writing in my capacity as an authorized representative of DMC regarding the renewal of our outdoor license #MC283056.

I hereby confirm that:

1. Plants and the inventory did not suffer a catastrophic event during the licensing period.
2. There are no existing sales contracts for license #MC283056
3. There are no wholesale transfers over the past harvest season. DMC transfers all its outdoor product to its affiliated manufacturing license.

John Hanmer

Director of Operations

A handwritten signature in cursive script that reads "John Hanmer".

**From:** [John Hanmer](#)  
**To:** [Christine Moriarty](#)  
**Cc:** [CCC Licensing](#); [Jared Glanz-Berger](#); [Julia Agron](#); [Isaac Fleisher](#)  
**Subject:** Re: Tier Calculation Less than 70%  
**Date:** Thursday, March 12, 2026 11:53:07 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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Hi Christine,

I wanted to provide an additional clarification regarding how we manage inventory from our outdoor harvest.

To be clear, 100% of our outdoor material is spoken for right now.

Operationally, the entirety of our outdoor harvest is immediately transferable outside of our outdoor license after harvest. The reason portions of the harvest may remain under the outdoor cultivation license for extended periods is largely a business decision related to inventory management and testing costs.

As a result, the appearance that harvested material has not yet been “sold” or transferred within a particular reporting window is largely an artifact of how we choose to manage inventory and testing timing, rather than an indication that the harvest is not being utilized.

Please let me know if any additional information would be helpful.

On Thu, Mar 12, 2026 at 10:27 AM John Hanmer <[j@thccrafts.com](mailto:j@thccrafts.com)> wrote:

Hi Christine,

Thank you for the note. I believe the Commission’s calculation may not reflect how outdoor cultivation material is actually processed and brought to market over the course of the year.

Outdoor cultivation operates on a single annual harvest cycle, with the majority of biomass harvested in October. That harvested material is then processed gradually over the following months. Because extraction, manufacturing, testing, and product development occur continuously throughout the year, it is normal and expected for a portion of the prior harvest to remain in inventory at the time of license renewal.

For our operation specifically, the October harvest serves as the primary feedstock for extraction and manufacturing throughout the subsequent year. The material is not intended to be sold immediately as bulk flower, but instead is utilized over time in the production of manufactured products. As a result, a snapshot comparison of “harvested vs. sold” within a limited timeframe does not accurately represent how the material is actually utilized.

Importantly, we have utilized and sold the entire harvest from our outdoor cultivation every single year we have been in operation. In fact, our harvested material supplies only a portion of the demand for the harvested material we utilize, and we routinely supplement with additional material to meet production needs.

Because of this operational structure, inventory remaining from the harvest period does not indicate underutilization of canopy or excess production capacity. Rather, it reflects the normal cadence of

processing and sales for an outdoor cultivation operation that feeds a year-round manufacturing pipeline.

If helpful, we would be happy to provide additional information regarding how the harvested biomass is allocated into extraction and manufacturing over the year so that the Commission has a more accurate picture of utilization.

Please let me know if any further documentation would be helpful.

Best,

John Hanmer

On Thu, Mar 12, 2026 at 10:00 AM Christine Moriarty <[Christine.Moriarty@cccmass.com](mailto:Christine.Moriarty@cccmass.com)> wrote:

Good Morning

I apologize for not including the license number. This is for the current renewal application for your outdoor license MC283056.

Thank you,

Christine



**Christine Moriarty**, *Licensing Manager*

Pronouns: She/Her/Hers

Cannabis Control Commission

Union Station

2 Washington Square

Worcester, MA 01604

[Licensing@CCCMass.com](mailto:Licensing@CCCMass.com)  
[www.MassCannabisControl.com](http://www.MassCannabisControl.com)



**Considering applying for a Marijuana Establishment or Medical Marijuana Treatment**

**Center license? This is a great place to start: [Guidance on Licensure](#).**

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**From:** John Hanmer <[j@thccrafts.com](mailto:j@thccrafts.com)>  
**Sent:** Thursday, March 12, 2026 9:57 AM  
**To:** Christine Moriarty <[Christine.Moriarty@ccmass.com](mailto:Christine.Moriarty@ccmass.com)>  
**Cc:** CCC Licensing <[licensing@ccmass.com](mailto:licensing@ccmass.com)>; Jared Glanz-Berger <[jgb@thccrafts.com](mailto:jgb@thccrafts.com)>; Julia Agron <[jagron@thccrafts.com](mailto:jagron@thccrafts.com)>  
**Subject:** Re: Tier Calculation Less than 70%

Hi Christine,

I'd like to confirm you are referring to our indoor license #MC283486.

On Thu, Mar 12, 2026 at 9:49 AM Christine Moriarty <[Christine.Moriarty@ccmass.com](mailto:Christine.Moriarty@ccmass.com)> wrote:

Good Morning

Per the Commission's calculations during the last renewal period from 01/09/2025-01/09/2026, you have sold less than 70% of what was harvested. Pursuant to 935 CMR 500.050(2)(d) and/or 935 CMR 501.050(2)(d), 'The Commission may reduce the Licensee's maximum Canopy to a lower tier if the Licensee sold less than 70% of what it produced during the six months prior to the application for renewal for an indoor cultivator or during the harvest season prior to the application for renewal for an outdoor cultivator.'

Please provide any additional information you may have to explain why your sales are below the 70% threshold.

Thank you,

Christine



**Christine Moriarty, Licensing Manager**

Pronouns: She/Her/Hers

Cannabis Control Commission

Union Station

2 Washington Square

Worcester, MA 01604

[Licensing@CCCMass.com](mailto:Licensing@CCCMass.com)  
[www.MassCannabisControl.com](http://www.MassCannabisControl.com)



**Considering applying for a Marijuana Establishment or Medical Marijuana Treatment Center license? This is a great place to start: [Guidance on Licensure.](#)**

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**Tier Relegations at Renewal - Calculations**

Debilitating Medical Condition Treatment Centers

MC283056

6 months prior

01-09-25

Renewal Submission Date

01-09-26

**Harvest Report (CSV Report Format)**

Wet Weight (Column L)

54,189,096 grams

Waste (Column I)

0 grams

**\*The lack of waste reported has been brought to Investigation's attention**

Weight (Moisture Loss)(Column H)

47,357,082 grams

Total Weight Harvested

Total Weight Packaged (Column O) [Column L - Column H - Column I]

6,832,014 grams

**Affiliated Transfers Report**

Total Affiliated Transfers (Column T)

9,932.408 pounds

453.592 grams per pound

**4,505,261 Total Grams Affiliated Transfers**

**Unaffiliated Transfers Report**

Total Unaffiliated Transfers (Column T)

415.5261696 pounds

453.592 grams per pound

**188,479 Total Grams Unaffiliated Transfers**

Total Affiliated Transfers

4,505,261 Total Grams Affiliated Transfers

Total Unaffiliated Transfers

188,479 Total Grams Unaffiliated Transfers

**4,693,740 Total Affiliated and Unaffiliated Transfers**

**Total Weight Packaged (Harvest Report Column O)**

**6,832,014 Total Weight Packaged (grams)**

Total Transfers / Total Weight Packaged

0.68702145

**Total Percentage**

**68.70%** If 70 and under -Tier May be Relegated

If 70 and over - Tier Remains

## MEDICAL MARIJUANA TREATMENT CENTER RENEWALS EXECUTIVE SUMMARY

COMMISSION MEETING: APRIL 7, 2026

### RENEWAL OVERVIEW

1. Name, license number, host community, for each Medical Marijuana Treatment Center presented for renewal:

	Licensee Name	License Number	Renewal Application Number	Current Expiration Date	Host Community (Cultivation)	Host Community (Dispensing)	License Status
2	Alternative Therapies Group II, Inc.	RMD1530	PAPER	4/10/2026	Salisbury	Amesbury	CO

2. All active license expiration dates will be extended by one (1) year following approval. Expiration dates for licenses that have expired prior to the Public Meeting will be set for one (1) year from the date of approval.
3. All licensees have submitted renewal applications pursuant to 935 CMR 501.100(5).
4. All licensees have paid the appropriate annual license fee.
5. All licensees provided a compliant HCA or HCA Waiver, that was accepted by Commission staff pursuant to 935 CMR 500.180(3).
6. The licensees, when applicable, have been inspected during the current renewal period.
7. Commission staff certify that, to the best of our knowledge, no information has been found that would prevent renewal of the licenses mentioned above pursuant to 935 CMR 501.405.

### RENEWAL CONDITIONS

Commission staff has reviewed the application for compliance with applicable laws and regulations and are presenting it for the Commission's review and vote.



April 7, 2026

Boston Bud Factory, Inc.  
73 Sergeant Street  
Holyoke, Massachusetts  
MR281525  
MP281397

Case No. ENF-2022-0000001221  
and ENF-2022-0000001221a

**and**

Franklyn Dailey  
109 Pennsylvania Ave.  
Springfield, MA 01118

### **FINAL ORDER AND STIPULATED AGREEMENT**

This Final Order and Stipulated Agreement (herein, “Order”) between the Commonwealth of Massachusetts Cannabis Control Commission (the “Commission”), Boston Bud Factory, Inc. (“Respondent Licensee”) and Franklyn Dailey (“Respondent Dailey”) (collectively referred to herein as, the “Parties”) is offered for the purposes of settlement and in lieu of further administrative action. The Commission finds that resolution of this matter serves the purposes of G.L. c. 94G, 935, CMR 500.360, and 935 CMR 500.500.

Accordingly, the Parties stipulate to the Facts of Record and Applicable Law, as presented by the Commission, but Respondent Licensee and Respondent Daily neither admit nor deny the Commission’s Findings, which are contained in Paragraphs 72 through 75 of this Order. In lieu of the uncertainty and cost of proceeding with an Administrative Hearing pursuant to 935 CMR 500.500, the Parties have agreed to resolve this matter through the Informal Dispute Resolution process. Respondent Licensee and Respondent Dailey have voluntarily agreed to the Stipulated Remedies and, subject to ratification by majority vote of the Commission, this Order is binding on the Parties for the purpose of bringing this matter to a final resolution.

#### **Legislative, Statutory, and Regulatory Authority**

1. The Commission has jurisdiction over the conduct and operations of licensed Marijuana Establishments and the subject matter herein pursuant to the provisions of the Commonwealth’s marijuana laws, including G.L. c. 94G and 935 CMR 500.000 *et seq.*;
2. The Commission possesses all powers necessary or convenient to carry out and effectuate its purposes including conducting investigations to ensure compliance with Commission



laws, imposing fines, or otherwise restricting a license for violations of G.L. c. 94G or any regulation promulgated by the Commission;

3. The Commission's statute directed the Commission to adopt regulations for the administration, clarification, and enforcement of laws regulating and licensing Marijuana Establishments to include:
  - a. Qualifications for licensure and employment. *See* G.L. c. 94G, § 4(a½)(iii);
  - b. Procedures and grounds for the revocation and suspension of a license or registration. *See* G.L. c. 94G, § 4(a½)(xi);
  - c. Requirements for record keeping by Marijuana Establishments and procedures to track Marijuana cultivated, processed, manufactured, delivered or sold by Marijuana Establishments. *See* G.L. c. 94G, § 4(a½)(xiii);
  - d. Minimum security requirements for licensees sufficient to deter and prevent theft and unauthorized entrance into areas containing marijuana, which shall include but not be limited to the use of security cameras. *See* G.L. c. 94G, § 4(a½)(xviii);
  - e. Minimum requirements for the advertising, marketing and branding of marijuana and marijuana products. *See* G.L. c. 94G, § 4(a½)(xxix);
4. Pursuant to its authority under G.L. c. 94G, §§ 4(a), 4(a½), the Commission may issue a Notice of Fines to show cause as to why a fine or other financial penalty against a Licensee should not be imposed for any acts or omissions determined to be in violation of the state Marijuana laws. *See* 935 CMR 500.360;
5. Pursuant to its authority under G.L. c. 94G, § 4(a)(xiv) and 935 CMR 500.032 the Commission may suspend or revoke individual agent registrations for any acts or omissions determined to be in violation of 935 CMR 500.000, *et. al.*;

#### **Facts of Record**

6. Respondents were subject to an investigation by the Commission. From that investigation, the Commission alleges violations of Commission regulations, 935 CMR 500.000, relative to Respondent Licensee's retail operations at its facility in Holyoke, Massachusetts;
7. On February 22, 2024, the Commission issued a Notice of Fines to Respondent Licensee;
8. On February 22, 2024, the Commission issued an Order to Show Cause – Revocation of Agent Registration to Respondent Dailey;
9. On March 4, 2024, Respondents, through counsel, submitted a request for Informal Dispute Resolution, which stayed enforcement proceedings;
10. On August 13, 2024, Respondents submitted a hearing request;



11. Prior to hearing, the parties continued discussions to resolve this matter, resulting in this Order;
12. Franklyn Dailey is a Marijuana Establishment Agent (“Dailey”) associated with Boston Bud Factory, Inc., (“BBF” or the “Licensee”), a Marijuana Retailer (MR281525) and Marijuana Product Manufacturer (MP281397) located at 73 Sargeant Street, Holyoke, Massachusetts; (the “Holyoke Store”), and a corporate headquarters located at 37 Commercial Street, Holyoke, Massachusetts (“BBF Headquarters”);
13. Dailey is the majority owner of BBF and exercises direct control over the day-to-day operations of BBF with Carlo Sarno (“Sarno”), a minority owner of the Licensee;
14. BBF Headquarters is located less than a mile away from the Holyoke Store and is also home to an arcade bar and event space called “The Joint.” The building is owned by a company under the control of Sarno;
15. On March 18, 2022, Commission Investigators conducted an unannounced inspection at The Joint;
16. During an inspection of the bar, Commission Investigators located BBF-branded Marijuana pre-rolls in an arcade machine;
17. Commission Investigators retrieved a 0.3g Marijuana pre-roll, Metrc ID 1A40A0300001B59000000236, from the arcade machine;
18. According to the Commission’s Seed-to-Sale System of Record, Metrc, the pre-roll was sold at BBF’s retail store by Dailey on February 8, 2022 in a package of 21 pre-rolls for one dollar per pre-roll;
19. Staff at The Joint informed Commission Investigators that the arcade machine was restocked weekly;
20. A staff member also invited Commission Investigators to attend a Marijuana social event taking place on March 24, 2022. The staff member claimed these events were held weekly on the second floor of The Joint;
21. The Joint is a separate business entity and operates independently from BBF;
22. Dailey identified Sarno as the owner of The Joint to Commission investigators;
23. The Joint is not an authorized location for the distribution of Marijuana under BBF’s licenses;



24. The Marijuana pre-roll obtained by Commission Investigators had a Metrc ID indicating that the pre-roll was a blend of two distinct strains of Marijuana flower—Durban Thai, and Cindy 99;
25. The Marijuana pre-roll’s Metrc ID traced the product back to BBF’s retail store;
26. In the licensee’s vault, Commission Investigators discovered a box of 0.3g Durban Thai/Cindy 99 Marijuana pre-roll blends;
27. The box of Durban Thai/Cindy 99 Marijuana pre-rolls was labeled “Not for Retail,” and placed behind other boxes out of direct view;
28. According to the Commission’s seed-to-sale System of Record (Metrc), and point of sale records, BBF had sold 0.3g pre-rolls multiple times, both to employees of BBF and to consumers;

*Facts Pertaining to Respondent Dailey*

29. On August 14, 2019, the Commission registered Dailey as an Agent for BBF and issued him Agent Registration nos. AR287654 and AR287627;
30. On September 23, 2023, the Commission registered Dailey as an Agent for a Marijuana Cultivator unrelated to BBF under Agent Registration no. AR345891 which expired on September 22, 2024;
31. On March 24, 2022, Commission Investigators entered BBF’s retail location and asked an employee for a 0.3g pre-roll identical to the Marijuana pre-roll investigators obtained from the arcade machine at The Joint;
32. After the employee could not find any 0.3g pre-rolls, the employee asked Dailey if there were any in stock. Dailey then told Commission Investigators, “We don’t sell 0.3g pre-rolls”;
33. On the same day, Commission Investigators went to The Joint to observe the Marijuana social event on the second floor of the bar;
34. At the event, Commission Investigators observed several vendors selling Marijuana at tables throughout the room;
35. Commission Investigators witnessed Dailey at the event approaching tables and conversing with vendors. Commission Investigators also observed Dailey showing a rosin press, bearing BBF branding, to attendees;
36. Dailey told Commission Investigators that the rosin press was from BBF, and that he would rent it out to anyone who wished to use it;



37. Dailey invited Commission Investigators to attend the “4/20 Block Party event” (the “block party”) being hosted and sponsored by BBF on April 20, 2022. The block party was to be held in The Joint’s parking lot;
38. On April 20, 2022, Commission Investigators attended the block party;
39. At the block party, Commission Investigators found that the arcade machine inside The Joint had been restocked with pre-rolls;
40. On the same day as the block party, another team of Commission Investigators conducted an unannounced inspection of BBF’s retail location;
41. At the inspection, Commission Investigators found that 0.3g pre-rolls had been sold multiple times, often for one dollar per pre-roll, to Dailey, an employee of BBF, and another individual unaffiliated with BBF;
42. In BBF’s vault, Commission Investigators also discovered a box containing pre-rolls identical to the ones found in the arcade machine at The Joint. The box was labeled “Not for Retail” and was placed behind other boxes in the vault;
43. During the inspection, Commission Investigators asked Dailey about the pre-rolls labeled as “Not for Retail”;
44. Dailey told Commission Investigators that the Marijuana pre-rolls were his “personal stash”, and that they were “only 0.3 grams”;
45. Dailey then stated that his employees or another owner may have purchased some pre-rolls and had access to the same;
46. When asked if he ever gave the Marijuana pre-rolls away, Dailey stated “I do not give them out to people”;
47. When asked how the pre-rolls ended up in the arcade machine at The Joint, Dailey stated that Sarno had purchased the pre-rolls and filled the arcade machine;
48. When asked about why Dailey’s name appeared on the seed-to-sale (Metro) tracking record for the pre-rolls inside The Joint, Dailey replied “I probably gifted it to [Sarno], and he did what he pleased with the product”;
49. Dailey further told Commission Investigators he knew of the arcade machine containing BBF’s Marijuana pre-rolls “a couple weeks ago”, when he was contacted by the Holyoke Chamber of Commerce;



50. Commission Investigators learned that on April 7, 2022, Dailey had told the Holyoke Chamber of Commerce that the Marijuana pre-rolls were “leftover from a private party”, and that it “wouldn’t happen again”;
51. When asked if he knew anything about the event at The Joint on March 24, 2022, Dailey stated that he was aware of “yoga” and “bingo” on the second floor of The Joint. When asked if he knew of any sales of Marijuana on the second floor of The Joint, Dailey said “Not to my knowledge”;
52. When asked about the rosin press at The Joint, Dailey stated that he privately owned the press and that it was not involved in BBF’s manufacturing process;

*Facts Pertaining to Respondent Licensee*

53. On April 9, 2020, the Commission granted BBF a final license to operate as a Marijuana Retailer under License no. MR281525. On August 6, 2020, the Commission approved BBF for final licensure to operate as a Marijuana Product Manufacturer under License no. MP281397;
54. BBF commenced retail operations on July 6, 2020, and product manufacturing operations on October 25, 2021;
55. On March 24, 2022, Commission Investigators entered the Holyoke Store without identifying themselves to BBF employees with the intent of purchasing a 0.3g pre-roll, like the pre-roll obtained from the arcade machine at The Joint;
56. Commission Investigators examined the menu provided by BBF staff, they found that BBF had 0.5g pre-rolls of Durban Thai/Cindy 99 available for sale, but not the 0.3g pre-rolls found in the arcade machine at The Joint;
57. Around the time of the unannounced inspection, Commission Investigators also learned that BBF was advertising and promoting a Marijuana themed social event on Facebook and other social media. The advertising indicated that there would be a block party on April 20, 2022, at The Joint, sponsored by BBF;
58. On April 20, 2022, Commission Investigators attended the block party, which occurred in the parking lot of The Joint and BBF’s corporate headquarters;
59. The block party was open to the public and prominently displayed Marijuana advertisements and vendors, including BBF;
60. During the time they attended the block party, Commission Investigators did not observe BBF staff controlling access to the block party or verifying the age of attendees or participants on entry;



61. On April 20, 2022, the same day as the block party, Commission Investigators conducted an unannounced inspection of the Holyoke Store and observed Marijuana Product packaging and a rosin press located in an open area on the sales floor;
62. Commission Investigators also observed a sign placed on the floor near the open area containing the Marijuana Product packaging and rosin press that said “limited access” but there was no barrier preventing access to the area;

### Applicable Law

63. Each of the following, in and of itself, constitutes full and adequate grounds for revocation of an agent Registration Card issued to a Marijuana Establishment Agent, including Laboratory Agents ... (b) Violation of the requirements of the state Marijuana laws, including 935 CMR 500.000. *See* 935 CMR 500.032;
64. The Marijuana Establishment may post prices in the store and may respond to questions about pricing. The Marijuana Establishment shall provide a catalogue or a printed list of the prices and strains of Marijuana available at the Marijuana Establishment to Consumers and may post the same catalogue or printed list on its website and in the retail store. *See* 935 CMR 500.105(4)(a)6;
65. A Marijuana Establishment shall not engage in Brand Name Sponsorship of a charitable, sporting or similar event, unless such Advertising is targeted to entrants or participants reasonably expected to be 21 years of age or older, as determined by reliable, current audience composition data, and reasonable safeguards have been employed to prohibit Advertising from targeting or otherwise reaching entrants or participants reasonably expected to be under 21 years of age, as determined by reliable, current audience composition data. *See* 935 CMR 500.105(4)(b)12;
66. All Marijuana Establishments shall identify and maintain Limited Access Areas in a manner where the areas are clearly identified and not easily accessible by unauthorized individuals. *See* 935 CMR 500.110(4);
67. The failure to cooperate with an inspection or investigation or otherwise comply with 935 CMR 500.301 may result in administrative or disciplinary action against the Licensee or Host Community. *See* 935 CMR 500.301(7);
68. Information provided...that is deceptive, misleading, false or fraudulent, or that tends to deceive or create a misleading impression, whether directly, or by omission or ambiguity, including lack of disclosure or insufficient disclosure, constitutes full and adequate grounds for suspension or revocation of licensure. *See* 935 CMR 500.450(2);



## Commission Findings

69. The Commission, through its Executive Director, and the Respondents have come to mutual agreement and understanding, and jointly propose to the Commission a resolution of the alleged violations in lieu of proceeding with an administrative hearing to determine the merits of such allegations;
70. The terms and conditions of this Order are expressly subject to ratification by the full Commission. Pursuant to G.L. c. 10, § 76, three Commissioners shall constitute a quorum and the affirmative vote of three Commissioners shall be required for ratification of this Order;
71. Respondent Licensee and Respondent Dailey neither admit nor deny the findings set forth in Paragraphs 72 through 75 inclusive of all subparagraphs;
72. Respondent Licensee did not comply with limited access area requirements under 935 CMR 500.110(4):
- a. On April 20, 2022, Commission Investigators observed open product packaging and a rosin press located in an alcove on the sales floor at the Holyoke Store;
  - b. Despite a sign on the floor stating “limited access,” the area was easily accessible by unauthorized individuals;
  - c. BBF’s floor plan does not identify the area as a Limited Access Area nor did BBF notify the Commission that this area was used for processing;
  - d. BBF did not restrict area access to employees, agents, or volunteers specifically permitted access to the area in violation of 935 CMR 500.110(4);
73. Respondent Licensee engaged in prohibited advertising practices in violation of 935 CMR 500.105(4)(b)12.:
- a. On April 20, 2022, BBF sponsored and hosted a Marijuana-themed block party in the parking lot of its corporate headquarters;
  - b. BBF participated in the block party using their own branded advertising and branded merchandise;
  - c. As event sponsors, BBF controlled access to the block party and failed to employ appropriate age verification measures;
  - d. BBF did not generate, obtain, or possess reliable audience composition data for the block party;
  - e. BBF did not employ reasonable measures to keep its advertising at the block party from reaching event attendees younger than 21 years;
  - f. BBF failed to target advertising to individuals older than 21 years of age and failing to employ reasonable safeguards to prevent advertising from reaching minors in violation of 935 CMR 500.105(4)(b)12.
74. Respondent Licensee failed to post prices and strains available for purchase in violation of 935 CMR 500.105(4)(a)6.:



- a. BBF failed to include 0.3g Marijuana pre-rolls on its catalogue or price list, even though such products were purchased by consumers and made available to the public at The Joint, in violation of 935 CMR 500.105(4)(a)6.

75. Respondent Dailey engaged in deceptive conducted in violation of 935 CMR 500.032(1)(b) and 500.301(7):

- a. Dailey made statements to Commission Investigators regarding the 0.3 gram pre-rolls labeled “Not for Retail” that were deceptive, misleading, or tended to create a misleading impressions;
- b. Dailey mislead Commission Investigators regarding his personal knowledge of the sale of Marijuana occurring at The Joint;
- c. Dailey was not forthcoming regarding restocking the arcade machine at The Joint with pre-rolls from BBF;
- d. Dailey’s repeated deceptive or misleading statements to Commission Investigators in violation of 935 CMR 500.032(1)(b) and 500.301(7).

**Stipulated Remedy**

76. In lieu of proceeding with an administrative hearing and subsequent proceedings, Respondents further agree to the stipulated remedies and terms set forth in Paragraphs 77 through 103, inclusive of all subparagraphs;

77. Respondent Licensee agrees to pay a monetary penalty in the amount of **twenty-five thousand dollars (\$25,000.00)**, made payable by check or money order to the Cannabis Control Commission Marijuana Regulation Fund;

- a. Payment shall consist of the following installments due and payable in accordance with the following schedule; provided, however, that this schedule shall not prohibit Respondent Licensee from remitting payment in advance of the listed due dates:

Payment	Due Date
\$6,250	3 months after Commission ratification
\$6,250	6 months after Commission ratification
\$6,250	9 months after Commission ratification
\$6,250	12 months after Commission ratification

- b. If Respondent Licensee fails to timely remit any payment due in accordance with this paragraph, at the option of the Commission with notice to Respondent Licensee, the entire balance shall be due and payable within 14 days of said notice;

78. Payments shall be mailed to the following address:



- a. If via USPS:  
Cannabis Control Commission  
PO Box 412144  
Boston, MA 02241-2144
- b. If via Courier/Overnight:  
Bank of America Lockbox Services  
Cannabis Control Commission 412144  
MA5-527-02-07  
2 Morrissey Boulevard  
Dorchester, MA 02125

79. Respondent Dailey agrees to the imposition of a **14-day suspension** of his following Agent Registrations subject to the conditions of Paragraph 81:

Agent Registration	AR287654	Franklyn Dailey
Agent Registration	AR287627	Franklyn Dailey

80. Respondent Licensee agrees to the imposition of a **14-day suspension** of Sarno’s Agent Registrations identified below subject to the conditions of Paragraph 81:

Agent Registration	AR287655	Carlo Sarno
Agent Registration	AR287648	Carlo Sarno

81. During the period of suspension, Respondent Dailey and Sarno shall not:

- a. Be present at Respondent Licensee’s Premises;
- b. Collect a salary or be paid by Respondent Licensee;
- c. Work or volunteer at any Marijuana Establishment or Marijuana Treatment Center; and
- d. Conduct any other activity that would otherwise require a valid Agent Registration.

82. Respondents shall submit to a **12-month probationary period** (the “probationary period”) for its Licenses and Franklyn Dailey which will take effect on the date this Order is ratified:

- a. Any substantial noncompliance with any Commission laws by Respondents during the probationary period shall constitute full and adequate grounds for license suspension or revocation;
- b. Prior to enforcing this provision, the department agrees to provide Respondents notice of the alleged substantial noncompliance and provide an opportunity for Respondents to correct the deficiencies;

83. Respondent Licensee shall submit a comprehensive short-term plan for facility operations during Respondent Dailey’s term of suspension and Respondent Licensee’s probationary period, within 10 days of the ratification of this Order. Said plan shall be approved by Respondent Licensee’s assigned Investigator and address the resolution of any existing



regulatory noncompliance within 30 days of submission;

84. Paragraphs 79, 80, and 82 shall take effect upon the approval of the short-term plans provided pursuant to paragraph 83, but in no instance later than 20 days after ratification of this Order;
85. During the probationary period, Respondent Licensee agrees to the following:
- a. Respondent Licensee shall submit notice to its assigned Investigator not later than 72 hours before engaging in any Brand Name Sponsorship or Advertising, and such approval shall be deemed granted if no objection is received within 48 hours;
  - b. Restrict the use of manufacturing equipment owned by Respondent Licensee to activities permitted under applicable law;
86. Respondents shall complete the following continuing education within 3 months of ratification of this Order and provide documentation demonstrating completion of each course to the department within five days of completion:
- a. The parties shall identify a training course(s) that addresses: (i) youth prevention and advertising; and (ii) inventory management, including diversion and inversion. If the parties are unable to identify a suitable training course(s) within 3 months of the date of ratification, such deadline shall be extended for an additional 3 months. Prior to Respondent Licensee enrolling its employees in said training course(s), the department shall review and approve the course description, which approval shall not be unreasonably withheld. All Respondent Licensee's employees, including Management and Owners, shall complete said training and Respondent shall notify the Commission of the date(s) of the training; and
  - b. Respondent Dailey shall identify an ethics training course from an accredited provider and provide course information to the department for approval, which shall not be unreasonably withheld. Respondent Dailey shall complete the approved ethics training course and notify the Commission upon completion.
87. Respondents' failure to comply with the obligations under Paragraphs 77 through 86, inclusive of all subparagraphs, during the probationary period shall result in a penalty assessment in accordance with the below subparagraphs, subject to reasonable notice and opportunity to cure outlined in Paragraph 82(b). At the Commission's discretion, Respondents may be given an opportunity to resolve a defaulted obligation prior to the imposition of an automatic assessment.
- a. For defaulted obligations under Paragraphs 77 through 86, inclusive of all subparagraphs:
    - i. One thousand dollars (\$1,000.00) for the first defaulted obligation;
    - ii. Two thousand five hundred dollars (\$2,500.00) for the second defaulted obligation;
    - iii. Three thousand five hundred dollars (\$3,500.00) for third defaulted obligation; and
    - iv. Three-month suspension for all subsequent defaulted obligations.



- b. For any intentional material misrepresentation by Respondent Dailey, as determined by the Commission:
    - i. Six-month suspension of all Agent Registrations held by Franklyn Dailey for the first instance;
    - ii. Revocation of Franklyn Dailey's Agent Registrations upon any subsequent violation.
  - c. Respondents agree to waive any hearing right to challenge an automatic assessment and waives their rights pursuant to Commission regulations or Massachusetts law to contest any fine or suspension imposed by this paragraph.
88. Upon receiving a demand for payment from the Commission in accordance with Paragraph 87, inclusive of subparagraph a., Respondent Licensee shall provide such payment by check or money order payable to the Cannabis Control Commission Marijuana Regulation Fund within 30 days. Payments for penalties assessed against Respondent Licensee pursuant to this Paragraph shall be mailed to the following address, as applicable:

Via USPS:

Cannabis Control Commission  
PO Box 412144  
Boston, MA 02241-2144

Via Courier/Overnight:

Bank of America Lockbox Services  
Cannabis Control Commission 412144  
MA5-527-02-07  
2 Morrissey Boulevard  
Dorchester, MA 02125

89. 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;
90. Any issues relating to the underlying complaint and investigation that formed the basis for this Order against Respondents, and any defenses that the Respondents may have to such complaint or investigation, shall not be at issue in a proceeding against Respondents for failing to comply with the terms of this Order;
91. Respondents agree that the Commission may consider the Order, and the facts and circumstances described therein in connection with review of an application for licensure, renewal of licensure, or suitability review. Notwithstanding the foregoing, upon the Respondents' full satisfaction of the Stipulated Remedies, the Respondents shall not be subject to a Mandatory Disqualification or a Presumptive Negative Suitability Determination relative to and as a result of the specific facts and violations contained in this Order.



92. Respondents acknowledge advisement of hearing rights and process of the proceedings and wishes to resolve all issues which were the subject of the investigation or in any way related to the investigation by entering into this Order;
93. 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 500.500(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 in accordance with Paragraphs 77 and 88, shall constitute the basis for further administrative action against Respondents;
94. Respondents acknowledge that the Commission advised Respondents of its opportunity to consult with an attorney of their choosing and Respondents represents that they have had an opportunity to do so prior to signing the Order. Respondents acknowledge that they have been given a reasonable period of time in which to consider the terms of this Order before signing it. Respondents acknowledge and confirm that they have entered into this Order voluntarily and of their own free will, without duress or coercion, and that they are competent to enter into this Order. Respondents acknowledge that they have carefully read and fully understand the meaning and intent of this Order;
95. Respondents further understands and knowingly and voluntarily waives the following rights:
  - a. The right to proceed with the adjudicatory proceeding;
  - b. The right to cross-examine witnesses, subpoena witnesses, present evidence and testify on Respondent's own behalf at that hearing;
  - c. The right to appeal this Order.
96. Respondents consent to the terms and conditions described herein and agrees to waive its right to judicial review of this Order pursuant to G.L. c. 30A, § 14;
97. 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;
98. This Order shall be binding upon Respondents 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. Further, in accordance with G.L. c. 94G, § 19, the Commission may record this Order, which shall then constitute a debt to the Commonwealth and shall have priority over an encumbrance recorded, registered or filed with respect to any site;



99. Upon ratification of this Order by the Commission, this Order shall become a permanent part of Respondents' record and shall be open to public inspection and disclosure pursuant to the Commission's standard policies and procedures or applicable law;

100. 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, and the parties may proceed to hearing;

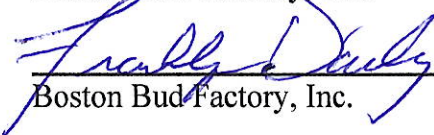
101. This Order may be executed by e-mail and any signature delivered by either email or first-class mail shall be deemed to be as valid as an original signature;

102. All costs and expenses incurred by Respondents to comply with this Order shall be the sole responsibility of the Respondents and shall not in any way be the obligation of the Commission; and

103. For purposes of addressing any future violations of the Order, the Commission regulations, 935 CMR 500.000, *et seq.*, shall include all later adopted regulations that are in effect at the time of the subsequent violation.

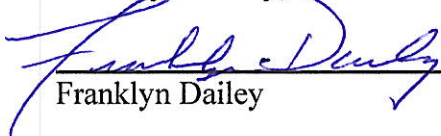
This Order is subject to ratification by the Commission. Upon ratification, this Order becomes binding on the Parties. Failure to comply with the above conditions shall result in administrative action against Respondents up to any including suspension and/or revocation of registration.

**Boston Bud Factory, Inc.**

  
Boston Bud Factory, Inc.

4-6-26  
Date Signed

**Franklyn Dailey, Individually**

  
Franklyn Dailey

4-6-26  
Date Signed

Ratified by Commission vote ( \_\_\_ yes, \_\_\_ no, \_\_\_ abstain) on April \_\_\_, 2026.

**Commonwealth of Massachusetts Cannabis Control Commission**



Travis Ahern, Executive Director

Date Signed





# Tier Relegations in Other Jurisdictions

July 10, 2025

Armond Enos, Director of Enforcement Training

# Tier Relegations in Massachusetts

- **Tier Relegation.** The Commission may reduce the Licensee's maximum Canopy to a lower tier if the Licensee **sold less than 70% of what it produced during the six months prior to the application** for renewal for an indoor cultivator or during the harvest season prior to the application for renewal for an outdoor cultivator.
- **Tier Factors.** When determining whether to allow expansion or relegate a Licensee to a different tier, the Commission may consider factors including, but not limited to:
  1. Cultivation and production history, including whether the plants/inventory suffered a catastrophic event during the licensing period;
  2. Transfer, sales, and excise tax payment history;
  3. Existing inventory and inventory history;
  4. Sales contracts; and
  5. Any other factors relevant to ensuring responsible cultivation, production, and inventory management.



# Tier Relegations in Other Jurisdictions

## California

- **Upon Renewal** – The Department shall allow a Licensee to change to a different cultivation license type with a maximum canopy size smaller than the Licensee’s original cultivation license type. Provisional Licensees may apply for smaller license type at election of Licensee.

**One-time Change** - CA additionally allows Licensees to request a reduced-sized cultivation license when making a **one-time change** to the license’s expiration date outside of the renewal process. If approved, the reduced-sized cultivation license **must remain at the reduced-size for the duration of the license term and utilize same type of lighting as the original cultivation license.**

## Colorado

- **Upon Renewal** – Licensees may voluntarily decrease their cultivation tier (total plant count). CO Data Team runs automated scripts within three (3) months of renewal.
- **Factors Considered:**
  1. The Licensee has sold less than 70% of the Licensee’s inventory reported as packaged in the seed-to-sale Tracking system during any 180-day period;
  2. On average during the previous 180 days, that the Licensee actually cultivated less than 90% of the maximum number of plants authorized by the next lower production management tier;
  3. Whether the Licensee’s plants/inventory suffered a catastrophic event during the review period;
  4. Licensee’s excise tax payment history;
  5. Licensee’s existing inventory and inventory history; and
  6. Licensee’s sales’ contracts including wholesale records for the previous two (2) quarters and cultivation records for the previous 180 days.
  7. Any other factors relevant to ensuring responsible cultivation, production and inventory management (how the cultivation, production and inventories are being operated). Catch-all provision which provides flexibility when assessing and making determinations, i.e. – a Licensee is having issues maintaining sanitary conditions due to the number of plants the Licensee currently has.



# Tier Relegations in Other Jurisdictions

## Connecticut

- CT largely avoided Tier Relegations and let the Licensees indicate themselves the appropriate tier level. Encountered challenges with quantifying tier relegations and focus instead on security of the overall cultivation facility.

- Factors Considered

- Evidence that holder's licensed cultivation facility contains at least 5,000 sq. ft. of grow space

- Evidence that such holder has a detailed business plan and buildout schedule to cultivate, grow and propagate cannabis at a licensed establishment containing **at least 15,000 sq. ft.** of grow space on or before December 31, 2025.

- If a cultivator with a final license fails to cultivate, grow and propagate cannabis at an establishment containing at least 15,000 sq. ft. of grow space on or before December 31, 2025, → Licensee must pay a \$500 extension fee every day the establishment doesn't satisfy requirement.

## Illinois

- The Department of Agriculture may authorize a **decrease** of flowering stage cultivation space in increments of 3,000 sq. ft. by rule **based on market need, craft grower capacity, and the licensee's history of compliance or noncompliance**, with a maximum space of 14,000 sq. ft. for cultivating plants in the flowering stage, which must be cultivated in all stages of growth in an enclosed and secure area.
- The Department **may decrease** a craft grower's canopy space by 3,000 sq. ft. if the craft grower **has sold less than 50% of its packaged product consistently over the previous two (2) fiscal quarters** preceding the notice to decrease canopy space.
- The Department shall not decrease a craft grower's canopy space more than once in any twelve-month period.
- The Department may not reduce a craft grower's canopy space below 5,000 sq. ft.



# Tier Relegations in Other Jurisdictions

## Maine

- **Upon Renewal** – Licensee may submit request for a tier reduction.
- **Factors Considered:**
  - The Licensee has **over the current period (up to 2 years) of licensure sold/transferred at least 85%** of the cannabis cultivated by the Licensee.
  - If the office determined that the Licensee has failed to satisfy requirements for the applied-for tier, the office shall consider renewing the license at the current tier.

## Montana

- Regulations are mostly silent on tier relegation criteria.
- **Licensing Limitation** - A marijuana business that has not been issued a license before July 1, 2025, **must be initially licensed at a Tier 2 canopy license or lower.**

## New Jersey

- A cannabis cultivator applying for a conditional or annual standard cannabis business license **may choose its tier in its application and shall include an explanation** of the anticipated demand for its products that justify such tier choice.



# Tier Relegations in Other Jurisdictions

## New York

- **Upon Renewal** – Cultivator can request tier/canopy reduction. Any change to the type of cultivation and or canopy tier requires application to the Office and prior written approval.
- **Factors Considered:** Licensee has to demonstrate that it is in good standing and has sold/transferred at **least 80% of its total canopy**
  1. cultivation **canopy utilization rates** and **harvested product sale history** over a minimum period of the **previous twelve (12) months**
    - Licensee has to demonstrate that it is in good standing and has sold/transferred at **least 80% of its total canopy during this time frame**;
  2. whether the licensee's plants or inventory suffered a catastrophic event during the licensing period;
  3. cannabis **transfers and sales history**;
  4. **existing inventory and a licensee's inventory history**;
  5. adherence to any plan required pursuant to this Title, including, but not limited to, the licensee's operating plan, energy and environmental plan, and community impact plan;
  6. the criteria set forth in subdivision (b) of section 120.7 of this Part (Application Eligibility and Evaluation); and
  7. any other factors determined by the Board (catch-all provision).



# Tier Relegations in Other Jurisdictions

## Rhode Island

- Any request to expand or modify the premises, scope or scale of approved and/or licensed activity **further requires explanation by the cultivator that the request to expand is justified by the projected needs of qualifying patients.** The licensed cultivator must seek pre-approval from DBR by means of requesting a variance.

## Vermont

- A Licensee may apply to change to a different tier within their license type at any time by filing a renewal application. Upon renewal, the licensee must pay the associated fees.
- September 25, 2024 – Cannabis Control Board voted to temporarily close the window for new retail and Tier 2 cultivation operations.  
Due to seasonal closure, seasonal oversupply shock with the arrival of the 2024 outdoor crop and concerns regarding oversaturation.  
October 25, 2024 – application deadline for new Tier 2 indoor operations
- Tier 1 applications will remain open as part of the CCB's effort to preserve the small-scale, craft nature of the market. Larger tiers will all remain closed to new applications while the Board and **policymakers evaluate data and consider strategies for better production management and improved market access** for smaller operators.
- Tiers 3-5 were previously closed to new applications by the Board. All outdoor and mixed cultivation licenses are currently in seasonal closure.



# Overall Takeaways

- Few other jurisdictions have maximum tiers/canopies levels comparable with Massachusetts (New York, Illinois). Most other jurisdictions' highest available tier/canopy is lower than Massachusetts.
- Some jurisdictions designate the maximum number of cannabis plants allowable, rather than designating specific tiers/canopies based on square footage (California - partially), Colorado, Michigan)
- Most jurisdictions allow consideration of tier relegations at the time of license renewal.
  - California allows a one-time change to size of cultivation outside of initial renewal period.
- Some jurisdictions have “catch-all” provisions that allow the regulating agency flexibility when determining other factors to consider (Massachusetts, New York, Colorado).
- Other jurisdictions have taken a more conservative approach either through:
  - Limiting total canopy of highest tier available
  - Indicating/limiting which tier Licensees may be initially licensed as (Montana)
  - Pausing/halting acceptance of applications for new cultivation Licensees/operations (Vermont)
- Other jurisdictions' regulations appear to be more prescriptive regarding Licensees increasing tier/canopy size than relegating/reducing. Many of the same factors are considered however (sales/transfer history, market need, etc.)



<b>MASSACHUSETTS CANNIBIS CONTROL COMMISSION</b>			
<b>Executive Director Performance Evaluation</b>			
<b>EMPLOYEE AND SUPERVISOR INFORMATION</b>			
<b>Employee Name:</b> Travis Ahern		<b>Job Title:</b> Executive Director	
<b>Department:</b> Executive Offices		<b>Reports To:</b> Commission Chair and Commissioners	
<b>Evaluation Period:</b> Annual		<b>Date of Review:</b>	
<b>RATING SCALE</b>			
<p><b>5 – Exceptional:</b> Role model accelerating mission outcomes like equitable market.</p> <p><b>4 – Exceeds Expectations:</b> Consistently surpasses standards; independently drives results.</p> <p><b>3 – Meets Expectations:</b> Competent; reliably fulfills core responsibilities.</p> <p><b>2 – Needs Improvement:</b> Inconsistent; requires coaching and support to meet standards.</p> <p><b>1 – Unsatisfactory:</b> Significantly below expectations; triggers Performance Improvement Plan (PIP) with specific actions, timelines, deliverables, and check-ins.</p>			
<b>PERFORMANCE CATEGORIES AND RATINGS</b>			
Rate each category on a scale of 1-5 using Rating Scale above. Provide specific, evidence-based comments tied to agency mission, goals, and regulatory mandates (e.g., MGL c. 10, §76).			
<b>CATEGORIES</b>	<b>DESCRIPTION</b>	<b>RATINGS (1-5)</b>	<b>COMMENTS</b>
<b>Statutory Compliance</b>	Aligned with Commission statutes and regulations, under the direction of the Chair and Commissioners establishes short- and long-term goals to execute and manage the overall operations of the Commission.	Select 1	
<b>Strategic Direction and Vision</b>	Adapts to cannabis industry changes, develops strategic plans approved by Commissioners, and inspires staff by linking tasks to mission impacts including public health and safety, economic equity and equality, and industry success.	Select 1	
<b>Financial Stewardship</b>	Oversees Agency fiscal management, budget preparation, procurement compliance, supplier diversity, and financial metrics to ensure efficient and effective use of resources.	Select 1	
<b>Operational Excellence</b>	Drives continuous improvement in operations, systems, SOPs, risk management, internal controls, and performance metrics.	Select 1	
<b>Communication</b>	Fosters trust and respect through active listening, transparency, clear and timely reporting, public meeting participation, and collaboration with Chair, Commissioners, staff, legislators, media, and stakeholders.	Select 1	

<b>Leadership and Culture</b>	Models agency values with empathy and integrity; builds an inclusive, high-performance culture emphasizing Professionalism and teamwork. Empowers teams to deliver timely, and high-quality services both internally and externally .	Select 1	
<b>Staff Performance Management</b>	Consistently addresses staff performance in a proactive, appropriate, fair, and timely manner using structured processes (e.g. professional development, coaching, PIPs, 360° feedback.) Effectively addresses interpersonal and operational conflicts. Sets clear expectations, provides continuous feedback and training to create and sustain an accountable, productive, diverse, and compliant workforce aligned with Agency mission.	Select 1	
<b>Board and Stakeholder Relations</b>	Maintains transparent communication with the Chair and Commissioners, staff, Cannabis Advisory Board, legislators, licensees, and constituents, as well as public health and safety partners.	Select 1	
<b>Goals Achievement</b>	Plans, executes, and reports on annual goals (approved by 3 Commissioners). Proactively navigates Agency and Industry challenges. Ensures Agency and Industry regulatory compliance, enforcement, and transparency. Promotes public health and safety, consumer protection, and maintains social equity priorities.	Select 1	
<b>OVERALL SCORE – CALCULATED AVERAGE</b>			
<b>AREAS FOR IMPROVEMENT</b>	<b>TIMELINES/MEASURES:</b> List prioritized items with timelines and metrics, e.g., "I. Implement staff deficiency protocols with bi-weekly check-ins by Q3 2026; II. Enhance conflict resolution training for senior leaders by June 30, 2026."		

<b>ACKNOWLEDGMENT – Executive Director Comments and Signature</b>	
<b>COMMENTS:</b> <i>Response to evaluation, action plans, and progress metrics. (Attached document if preferred.)</i>	
_____ <b>Signature</b>	_____ <b>Date</b>
<b>ACKNOWLEDGMENT – Chair and Commissioners</b>	
<b>COMMENTS:</b>	
_____ <b>Chair O’Brien’s Signature</b>	_____ <b>Date</b>
_____ <b>Commissioner Benedon’s Signature</b>	_____ <b>Date</b>
_____ <b>Commissioner Roy’s Signature</b>	_____ <b>Date</b>
_____ <b>Commissioner Stebbins’s Signature</b>	_____ <b>Date</b>

**COMMISSIONER EVALUATION GUIDELINES**

- I. **Commission Chair will inform the Executive Director of the scheduled Public Performance Evaluation four weeks prior to the evaluation date (PM).**
- II. **Each Commissioner will complete an anonymized evaluation form and submit to the Chair through the Human Resources Office six weeks prior to the scheduled evaluation date (PM).**

- III. Commission Chair will compile a unified draft evaluation document and schedule a final review with all Commissioners for final input two weeks prior to the scheduled evaluation date (PM). This review for final input will occur during a Public Meeting, appearing under Commission Agenda Item "Commission Discussion and Vote."**
- IV. Commission Chair will prepare the final unified document and submit it to Board Effects for a scheduled Public Meeting to provide feedback on the Executive Director's performance.**
- V. Effective July 1, 2026, the performance of the Executive Director will shift to the Commission's fiscal year, which aligns with a performance evaluation process for all Commission staff.**

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## Memorandum

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**To:** Travis Ahern, Executive Director  
**Cc:** Armond Enos, Co-Interim Chief of Investigations & Enforcement (CoCIE)  
Timothy Goodin, Co-Interim Chief of Investigations & Enforcement (CoCIE)  
Katherine Binkoski, Director of Investigations (DOI)  
Timothy Barwise, Investigations Manager (IM)  
Jennifer Clough, IT Project Manager (ITPM)  
Maryalice Curley, Director of Communications (DOC)  
Neal McNamara, Press Secretary (PS)  
AnnMarie Burr, Director of Digital and Creative Services (DDCS)  
**From:** Paul Clark, Chief Technology and Innovation Officer (CTIO)  
**Date:** April 2, 2026  
**Subject:** Metrc Product Catalog Update #1 -- FOR ACTION  
**Importance Level:** **EXPEDITED**

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**PURPOSE:** To update the Executive Director on the status of the Metrc Product Catalog update for inclusion of Certificates of Analysis (COAs). A cross-department team (IT, I&E, Communications) met with Metrc on the afternoon of Tuesday April 1, 2026 to go over the status of the Product Catalog.

**REQUEST ACTION BY:** Friday April 3, 2026

**BACKGROUND:** In April 2021, the Commission implemented the public facing Product Catalog developed and hosted by Metrc. On December 11, 2025, the Commission Board voted to instruct the Executive Director and CTIO to implement the updated Metrc Product Catalog including the posting of COAs. On March 12, 2026, the Commission Board voted to approve the implementation of an 18-month (545 day) retention policy for the Product Catalog to allow the moving forward with the implementation of the updated catalog with enhanced search and COAs.

The original intent of the Product Catalog was to allow consumers, patients, parents, teachers, law enforcement, and healthcare professionals to look up manufactured Marijuana Products based on the label to confirm if it was legal and have some background on the product. The vision was that if someone found a product wrapper and was unsure if it was from the legal market or not, the Product Catalog would offer a means to verify the product. Marijuana flower products were not included per the product catalog's regulatory definition and are only present in the catalog in limited circumstance (for Delivery Operators and for Licensee's who entered it by mistake.)

The Product Catalog was built as a single shared tenant with state level filtering. It is a separate software and database from the seed-to-sale application. This information was disclosed during the original launch of the Product Catalog in 2021 and Massachusetts (MA) remained the only state using the catalog until Nevada (NV) wanted to introduce it in 2025. The catalog has not yet gone live in NV, their go-live is currently planned for April 20, 2026.

**The high-level issues at the moment:**

- Due to the nature of the current technology for the Product Catalog, both NV's and MA's products are visible in the catalog, unless a user selects a specific state, product from either or both states will appear. The only indicator of which state is being displayed for each product is the 2-letter state abbreviation (MA or NV) in the upper right corner of the product window.
- There is a bug in the search feature in the State Selection that prevents all the other search filters from fully working except in a few very specific sequences.

- The original intent of the Product Catalog and the Commission’s regulations regarding what needs to be included in the catalog are not aligned with the goal of making the COAs available for all products in an easy to find manner, especially for Marijuana flower.
- The current version of the catalog has been live for several months with the “enhanced” search function and the COA capabilities, however the COAs were not being loaded into the Product Catalog so therefore were not visible. During the implementation this week, Metrc began running the software needed to clean up the older files based on the recently approved 18 month/545 day retention period and to begin populating the COAs from the Metrc system into the Product Catalog. Metrc is running three update jobs:
  - Cleanup Job – This will run nightly to pull off any old items that are past the date range set at 1.5 years
  - Export Job – This will add any new item records as well as COAs based off of recent sales up to the 1.5 year mark
  - Repair Job – This double checks that all the COAs from the Export job are properly imported
- Due to requirements for Delivery Operators 500.146(8) to include bulk items in the product catalog, such items remain in the catalog.
- There is lack of clarity on what the search filter field “package number” is searching (which of the various Metrc Tags related to product i.e. source package, harvest package, test package...etc.) and what is available on retail package labels that can be searched within the catalog.

**Action Items:**

- Metrc Program Manager and our Customer Success Manager have escalated the State Selector bug to their Product and Development, we are waiting for timeline for this bug fix.
- Metrc is looking into the ability to default or limit MA user searches to only MA products, we are waiting for proposed solution and timeline
- Metrc is continuing to run the back-end computer jobs to initially load the COAs for products purchased in the past 30 days, and will work backwards in time over the coming few weeks to load the older products back to the retention period (effectively to April 2025 on implementation of Admin Order 4.) As of April 1, 2026, a little over 21,000 COAs have been loaded in the catalog, Metrc will continue to monitor and report out on the status.
- Metrc is reviewing with the product team the ability for consumers and patients to use the label information for a product to find the package and COAs
- We are going to dig into the package number filter to provide additional clarity on how that field functions while also working with our product team to determine how we can make this function as expected
- The search criteria presented in the Product Catalog does not align with existing labeling requirements. The Commission should review labeling requirements in the regulations to allow consumers and patients to more easily identify products in the catalog and obtain COAs. Additionally, changes in the Metrc Product Catalog may be needed and should be identified for a Metrc Custom Development Request (CDR) to be created and potential costs identified. This will require multiple departments in a cross-team effort including IT, I&E, Finance and Legal.
- The Commission is working with Metrc to remove bulk items not for retail sales from the Product Catalog including the following categories while adhering to the current Delivery Operator Regulations:

**Product**

**Category**

**Unit of Measure**

Buds	Buds	WeightBased
Concentrate	Concentrate	WeightBased
Concentrate (Bulk)	Concentrate	WeightBased
Fresh Frozen Flower	Plants	WeightBased
Immature Plants	Plants	CountBased
Infused Liquid (Bulk)	InfusedEdible	VolumeBased
Kief	Concentrate	WeightBased
Seeds	Plants	CountBased
Shake/Trim	ShakeTrim	WeightBased
Shake/Trim (by strain)	ShakeTrim	WeightBased
Tissue Culture	Plants	WeightBased
Waste	Other	WeightBased
RawPreRoll	ShakeTrim	WeightBased

**RECOMMENDATION:** To continue the internal roll-out of the Product Catalog with COAs but hold external communications and announcements until such time as the State Filter bug is resolved and additional clarity from Metrc regarding product ID search is provided. This will allow time for Metrc to fully populate the catalog with the COAs and prepare plans and messaging as required for the current functionality of the catalog.

**EXECUTIVE DIRECTOR DECISION:**

x Approve: Travis J. Ahern 4.2.26

Disapprove

Edit and resubmit

Need more information \_\_\_\_\_

**Attachments: N/A**

**DRAFT EXPENDABLE TRUST**

*Information to be supplied is set out in italics.*

**The Commonwealth of Massachusetts**

**Secretary, Executive Office of Administration and Finance  
State House, Room 373  
Boston, MA 02133**

**Declaration of Trust, made as of [date]  
The Commonwealth of Massachusetts  
Cannabis Control Commission Research Center Trust**

**THIS DECLARATION OF TRUST** made as of the [number] day of April, 2026 by Matthew Gorzkowicz, in his capacity as Secretary of the Executive Office for Administration and Finance (the "Secretary") of The Commonwealth of Massachusetts (the "Commonwealth");

**WITNESSETH THAT:**

**WHEREAS**, Section 6 of Chapter 6A of the General Laws authorize(s) the Secretary to establish expendable trust accounts on the books of the Commonwealth for the purposes of accepting, on behalf of the Commonwealth, any funds, including grants, bequests, gifts or contributions from any person, non-governmental entity, or local or quasi-governmental entity;

**WHEREAS**, 801 CMR 50.00 et seq. further authorizes the Secretary to adopt a declaration of trust setting forth the purposes, terms and conditions of the expendable trust;

**WHEREAS**, this Declaration of Trust establishes an expendable trust account formally designated as the Cannabis Control Commission Center for Cannabis Research & Policy Expendable Trust, herein referred to as the "Expendable Trust;"

**WHEREAS**, the Expendable Trust is established exclusively for the purpose of accepting funds on behalf of the Cannabis Control Commission, including but not limited to grants, bequests, gifts or contributions, from any person, local or quasi-governmental entity to support the development and operations of the Center for Cannabis Research & Policy, including staffing, consulting, and other operational expenses that meet the legislative mandate and regulatory research priorities of the Commission;

**WHEREAS**, The Executive Director of the Cannabis Control Commission, Travis Ahern, has requested the Secretary to assist in establishing an appropriate mechanism to receive and administer funds as appropriate for the support and operation of the Cannabis Control Commission Center for Cannabis Research & Policy; and

**WHEREAS**, The Cannabis Control Commission is a national leader in applied research on the impacts of cannabis legalization, regularly sharing findings through legislative reports, scientific publications, and presentations to policymakers, agencies, and academic institutions. Establishing this trust will unlock earmarked external funding and collaborative partnerships to sustain that leadership, fulfill statutory reporting under [M.G.L. 94G §17](#), and address emerging public health, public safety, social equity, and related challenges as cannabis policies expand in Massachusetts and across the U.S. While specific revenue projections are not yet available, the Cannabis Control Commission Center for Cannabis Research & Policy Expendable Trust, is expected to attract diverse grant funding on behalf of the Commonwealth;

**NOW, THEREFORE**, the Secretary establishes this Declaration of Trust and appoints the Trustee identified in Article 1 to hold, administer and manage all money and property received or purchased by them in trust as Trustee upon the following terms and conditions:

#### ARTICLE 1

##### NAME, PURPOSE OF EXPENDABLE TRUST: APPOINTMENT OF TRUSTEE; APPLICABLE LAW

- 1.1 Name. This Declaration of Trust establishes an expendable trust account formally designated as "The Commonwealth of Massachusetts, Cannabis Control Commission Center for Cannabis Research & Policy Expendable Trust," herein referred to as the "Expendable Trust."
- 1.2 Purpose. This Expendable Trust is established exclusively for the purpose of accepting on behalf of the Commonwealth funds, including but not limited to grants, bequests, gifts or contributions, from any person, local or quasi-governmental entity to support the development and operations of the Cannabis Control Commission Center for Cannabis Research & Policy Expendable Trust, including staffing, consulting, and other operational expenses that meet the legislative mandate and regulatory research priorities of the Commission.
- 1.3 Trustee. The Secretary shall from time to time appoint an employee of the Cannabis Control Commission to serve as the Trustee of the Expendable Trust. The initial Trustee shall be Lisa Schlegel, Chief Financial & Accounting Officer.
- 1.4 Applicable Laws and Regulations. The Trustee shall administer the Expendable Trust in conformity with 801 CMR 50.00 et seq., and with the laws and other regulations of the Commonwealth. This Expendable Trust shall be governed by and construed and administered according to the laws of the Commonwealth.
- 1.5 Termination Date. If not sooner terminated under Paragraph 4.4, the Trust shall terminate on June 30, 2029 unless otherwise amended.

ARTICLE 2  
DEFINITIONS

Whenever used in this instrument, unless the context otherwise requires or specifically provides, the following terms shall be defined as follows:

- 2.1 "Comptroller" means the Office of the Comptroller established by Chapter 7A of the General Laws.
- 2.2 "Expendable Trust" means the account established on MMARS and with the Treasurer and Receiver General of the Commonwealth into which are deposited monies, and assets, or both, which are held in Trust by the Trustee under this Declaration of Trust.
- 2.3 "Expendable Trust Fund" means all funds, moneys and property received, held and managed by the Trustee as part of the Expendable Trust.
- 2.4 "MMARS" means the Massachusetts Management Accounting and Reporting System which the Comptroller has established under Section 7 of Chapter 7A of the General Laws.
- 2.5 "Person" means an individual, corporation, society, association or partnership.
- 2.6 "Securities" include, without limitation, bonds, debentures, notes, certificates and other evidences of indebtedness, whether or not in registered form, common and preferred stocks and all other forms of certificates representing an interest or participation in any enterprise, whether or not incorporated.
- 2.7 "Trustee" means the person the Secretary appoints to hold, administer and manage all money and property contributed to, held by or expended by the Expendable Trust and their successor or successors while in office and serving as trustee.

ARTICLE 3  
CONTRIBUTIONS TO THE EXPENDABLE TRUST

- 3.1 Acceptance of Contribution. Contributions to the Expendable Trust from persons or other non-governmental, quasi-governmental, or local governmental entities will be accepted into the Expendable Trust in the form tendered subject to Paragraph 4.2. Contributions may consist of grants, bequests, gifts or contributions of cash or Securities, or contributions of services or property in kind. All contributions accepted from any person or other entity, together with the income from those contributions, shall be held, managed and administered under the Expendable Trust. The Trustee or the Trustee's designee shall provide receipts or acknowledgments in writing for all

contributions received and shall be entitled to rely on estimates of value provided by contributors for contributions in kind.

- 3.2 Checks. Checks for contributions made to the Expendable Trust shall be made out to Cannabis Control Commission Center for Cannabis Research & Policy Expendable Trust.

#### ARTICLE 4 PAYMENTS FROM THE EXPENDABLE TRUST

- 4.1 Use of Trust Property. The Expendable Trust is established and all Expendable Trust property shall be used and expended solely for the purpose of supporting the development and operations of the Commission Research Department, including staffing, consulting, and other operational expenses that meet the legislative mandate and regulatory research priorities of the Commission.
- 4.2 Application of Principal and Income. The Trustee or the Trustee's designee shall use, apply or distribute the income and principal of the Expendable Trust Fund in such manner and in such amounts as the Trustee or the Trustee's designee, in their discretion, may determine, solely to or for the uses and purposes set forth in Paragraph 4.1.
- 4.3 Unapplied Funds. If the uses and purposes provided in this Article 4 have been achieved or can no longer be fulfilled by the Expendable Trust, then any portion of the Expendable Trust Fund which remains unapplied or undistributed shall revert to the Commonwealth.
- 4.4 Termination of Trust. If and when there is no longer any property in the Expendable Trust Fund and the Trustee shall determine that such action is appropriate, the Expendable Trust will terminate upon written notice from the Trustee to the Comptroller.

#### ARTICLE 5 ADMINISTRATIVE DUTIES AND POWERS

- 5.1 Management and Ownership of Assets. The Trustee or the Trustee's designee shall have the responsibility for managing the Expendable Trust Fund on behalf of the Commonwealth. Title to all assets of the Expendable Trust Fund shall at all times be vested in the Commonwealth, subject to the trust established by this Declaration of Trust.

5.2 Rights and Powers. In exercising the responsibility to manage the Expendable Trust Fund on behalf of the Commonwealth, the Trustee or the Trustee's designee shall have the following rights and powers, in each case to be exercised or exercisable from time to time, in the Trustee's discretion;

- (a) To retain any investment received by the Trustee or the Trustee's designee and any property contributed to the Expendable Trust Fund by any person or other non-governmental, quasi-governmental, or local governmental entity, and to invest and reinvest in stocks, shares and obligations of corporations, trusts and investment companies, or in a common trust fund, or in any other kind of personal (tangible or intangible) or real property, such investments to be in such amounts, upon such terms, and of such character as the Trustee or the Trustee's designee may consider advisable;
- (b) To hold bonds, shares or other Securities or property in bearer form or in the name of a nominee;
- (c) To solicit and accept the services of or employ investment counsel, custodians, brokers, accountants, agents and attorneys, and to pay reasonable compensation to those persons for services rendered to the Expendable Trust;
- (d) To keep any or all of the Expendable Trust property in any place or places in the Commonwealth or elsewhere or with a depository or custodian at any such place or places and to maintain an office in the Commonwealth;
- (e) To execute deeds, assignments, leases, notes, contracts or other instruments in writing, whether or not under seal, incident to any of the Trustee's powers;
- (f) To accept and receive in trust, and combine with the Expendable Trust Fund, funds from any person or other non-governmental, quasi-governmental, or local governmental entity by gift, grant, bequest or otherwise;
- (g) To liquidate assets or take other actions with respect to the Expendable Trust Fund in order to make payments under Article 4;
- (h) To procure services, property and supplies in furtherance of the purpose of the Expendable Trust subject to laws and regulations applicable to the Cannabis Control Commission; and
- (i) To do all other acts in the Trustee's judgment necessary or desirable for the proper administration of the Expendable Trust Fund or with respect to the investment, disposition, or liquidation of any assets of the Expendable Trust Fund, although the power to do these acts is not specifically set forth herein.

5.3 Trustee Compensation. The Trustee shall not be entitled to any compensation other than their employee compensation for management and supervision of the

Expendable Trust Fund or for fulfilling the responsibilities as Trustee of this Trust, although the Trustee shall be reimbursed for the Trustee's actual, reasonable, and necessary expenses approved by the Comptroller.

- 5.4 Books. The Trustee or the Trustee's designee shall keep full records and books of account in accordance with standard Commonwealth bookkeeping requirements and may make arrangements for the assistance of the Comptroller in keeping these records.

## ARTICLE 6 AMENDMENTS

- 6.1 The Secretary may amend or otherwise supplement this instrument by making a supplemental declaration of trust, which thereafter shall form a part of this Trust, but the purpose of the Expendable Trust set forth in Paragraph 1.2 of this instrument shall not be substantially amended or supplemented without the written consent of all persons who have made contributions to the Expendable Trust. Copies of the supplemental declaration of trust shall be filed as specified in Section 7.3.

## ARTICLE 7 MISCELLANEOUS PROVISIONS

- 7.1 Definition of Words. Feminine or neuter provisions shall be substituted for those of the masculine form, and the plural shall be substituted for the singular, or vice versa, in any place where the context may require this substitution.
- 7.2 Headings. Any paragraph or article headings used throughout this instrument are for convenience and reference only; the words shall in no way be held to explain, modify, amplify or aid in the interpretation, construction or meaning of this instrument or any amendment to this instrument.
- 7.3 Filing of Copies. The original or a copy of this instrument and each supplemental declaration of trust shall be kept at the office of the Trustee, and the office of the Comptroller, where it may be inspected.
- 7.4 Fiscal Year. The fiscal year of the Expendable Trust shall be the 12 month period ending June 30th of each year.
- 7.5 Effective Date. This Declaration of Trust shall be effective as of [date].

**IN WITNESS THEREOF**, the undersigned has executed this instrument as of the [number] day of [month], 20[year].

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Matthew J. Gorzkowicz  
Secretary, Executive Office for Administration & Finance

DRAFT



# Cannabis Control Commission

Public Meeting

April 7, 2026 at 10:15 am

Hybrid via Microsoft Teams



# Agenda

1. Call to Order
2. Commissioners' Comments & Updates
3. Minutes
4. Staff Recommendations on Renewal Licenses
5. Enforcement Actions
6. Commissioner Discussion and Votes
7. New Business Not Anticipated at Time of Posting
8. Next Meeting Date
9. Adjournment



# Minutes

# Minutes

1. March 6, 2026
2. March 16, 2026





# Staff Recommendations on Renewal Licenses

# Staff Recommendations on Renewal Licenses

1. Debilitating Medical Condition Treatment Centers (#MCR141003)
2. Alternative Therapies Group II, Inc. (#RMD1530)





# Enforcement Actions

# Enforcement Actions

1. Stipulated Agreement

- i. Boston Bud Factory, Inc.





# Commission Discussion & Votes

# Commission Discussion and Votes

1. Clarification on Tier Relegations (*Vote*)
2. Approval of Executive Director Performance Review Form
3. Update on Testing Protocols Package 1
4. Discussion on Pending Enforcement Processes Including But Not Limited To:
  - i. Massbiolytics (ITL);
  - ii. Assured (ITL) Stipulated Agreement;
  - iii. Greatest Hits Enforcement Action;
  - iv. MCR Labs Enforcement;
  - v. Boston Bud Factory
5. Publication of Approved Receivers Discussion
6. Product Catalog / Open Data Update
7. Discussion of Marijuana Research Facility License Type and Research Permits Including Intellectual Property Considerations
8. Establish Expendable Trust - Cannabis Research (*Vote*)





# Clarification on Tier Relegations

Director of Licensing Olivia Koval

# Regulatory and Motion Language From August 14, 2025 Public Meeting

## Regulation

“The Commission may reduce the Licensee's maximum Canopy to a lower tier if the Licensee sold less than 70% of what it produced during the six months prior to the application for renewal for an indoor cultivator or during the harvest season prior to the application for renewal for an outdoor cultivator.” *935 CMR 500.050 (2)d*

## Motion Language

“[D]irect Investigations and Enforcement staff to begin enforcement of 935 Code Mass. Regs. §§ 500.050(2)(d)&(e) and 501.050(2)(d)&(e) with respect to tier relegation beginning January 1, 2026, after providing notice to Licensees of this change in policy at least 60-days before the change takes effect.”

The Commission voted 3-0 to approve the motion.



# Mandatory Tier Relegation Considerations

## Issue Presented

- The current question is whether the August 14, 2025, vote to enforce compelled relegation in accordance with Commission regulations should be:
  1. **Direct Commission staff to use an administrative process to strictly enforce the 70% threshold contained in Commission regulation;**
  2. **Delegate authority to Commission staff to enforce relegation with discretion to the factors contained in Commission regulations;**
  3. **Direct Commission staff to notify Licensees that do not meet the 70% threshold that they will be relegated at their next renewal if they fail to meet that threshold for a second year;**
  4. **Leave this determination to Commissioner discretion and, therefore, require a vote to determine that relegation is warranted based on staff's recommendation.**

## Risks and Required Processes for Implementation

- **Operational and Compliance**
  - Identify the timeline for when Licensees subject to relegation must come into compliance with their new tier, which also may require rapid destruction to avoid potential diversion risks and must be prioritized over other routine licensing and compliance inspections;
  - Identify whether relegation should be single-tier or multi-tier based on the amount of Marijuana sold by the Licensee;
- **Legal**
  - Calculation of total percentage of canopy sold may be flawed or challenged by the Licensee and may prompt legal challenge;
- **Financial/IT**
  - Annual license fees are paid prior to renewal, if there is a compelled relegation the excess license fee will need to be refunded;
  - Licensees may apply to expand their tier after 6 months of sales, which will lead to back-and-forth expansion and relegations and tracking difficulties;
- **Equity**
  - Will likely disproportionately affect Cultivating Licensees that are Social Equity Businesses and lower-tier, locally-owned, or independent Cultivators.



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**New Business Not Anticipated  
at the Time of Posting**



# Upcoming Meetings & Adjournment

# Upcoming Meetings and Important Dates

*\*Public Meeting dates are tentative and subject to change*

**Next Meeting Date**

**April 16, 2026**  
Public Meeting  
Hybrid via Teams  
10:00 am

2026 Public Meetings	
April 30	August 13
May 7	September 10
May 21	September 24
June 11	October 8
June 25	October 29
July 9	November 12
July 23	December 10





**The Commission is in recess  
until 3:45**