

May 9, 2024

High Hawk Farm, LLC
101 Daunt Road
Barre, Massachusetts 01005
MC282412

Case No. ENF-2022-0000001264

FINAL ORDER AND STIPULATED AGREEMENT

This Final Order and Stipulated Agreement (herein, “Order”) between the Commonwealth of Massachusetts Cannabis Control Commission (the “Commission”) and High Hawk Farm, LLC (“Respondent”) (together, 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 because Respondent has accepted responsibility for the violations set forth in this Order and has cooperated with the Commission’s investigation, and further, where the pesticide contamination at issue occurred prior to commence operations and Respondent has no other record of compliance infractions.

Accordingly, the Commission and Respondent stipulate to the following facts of record, applicable law, findings, and remedies:

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, G.L. c. 94G, and 935 CMR 500.000 *et seq.*;
2. The Commission possesses all powers necessary or convenient to carrying out and effectuating its purposes including conducting investigations of 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. In accordance with its statutory mandate, the Commission has adopted regulations for the administration, clarification, and enforcement of laws regulating and licensing Marijuana Establishments which include:
 - a. Requirements for record keeping by Marijuana Establishments and procedures to track Marijuana cultivated, processed, manufactured, delivered or sold by Marijuana Establishments. G.L. c. 94G, § 4(a½)(xiii); and
 - b. Health and safety standards...for the cultivation, processing, manufacturing, and distribution of Marijuana.... *See* G.L. c. 94G, § 4(a½)(xxiii);
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. Respondent was subject to an investigation by Commission investigators. From that investigation, the Commission alleges violations of Commission regulations, 935 CMR 500.000, relative to Respondent’s cultivation operations at its facility in Barre, Massachusetts;
6. On September 11, 2023, the Commission issued a Notice of Fines against Respondent;
7. On October 10, 2023, Respondent submitted a request for Informal Dispute Resolution, which stayed enforcement proceedings relative to the Notice of Fines;

Facts of Record

8. Respondent is an Outdoor Marijuana Cultivator located at 101 Daunt Road, Barre, Massachusetts 01005, and is licensed to grow, cultivate, and harvest Marijuana;
9. Respondent applied for licensure on or around December 13, 2019;
10. On May 7, 2020, the Commission approved Respondent for provisional licensure as a Marijuana Cultivator. Respondent paid its initial license fee on May 8, 2020, and the provisional license became active on May 9, 2020. On or around November 19, 2020, the Commission issued Respondent final license no. MC282412;
11. Respondent commenced cultivation operations on or around January 19, 2023;
12. Before commencing operations, on June 14, 2021, MCR Labs, LLC (“MCR”), a Commission-licensed Independent Testing Laboratory, issued four Certificates of Analysis (“COA”) for four plant samples taken from Respondent’s cultivation batch, harvested on or around June 3, 2021. Testing of the samples detected Bifenthrin exceeding 10 parts per billion (ppb) (the “test results”):

Lab Sample Name	Metrc Tag No.	Bifenthrin Concentration
3bears OG B1	1A40A03000037DD000000241	72.2 ppb
3bears OG B2	1A40A03000037DD000000242	72.1 ppb
Tricross 1	1A40A03000037DD000000246	53.5 ppb
Grease Gun 1	1A40A03000037DD000000248	43.5ppb

13. On June 16, 2021, Respondent reported the test results to the Commission;
14. On July 1, 2021, the Massachusetts Department of Agricultural Resources (“MDAR”) and investigators from the Commission’s Investigations and Enforcement department



(the “department”) conducted a joint unannounced inspection at Respondent’s cultivation facility. MDAR and Commission investigators interviewed Respondent’s staff and collected wipe samples from various locations in the licensed premises, including near and inside Greenhouse no. 1 and Greenhouse no. 2. MDAR submitted the wipe samples to the Massachusetts Pesticide Analysis Laboratory (“MPAL”) for analysis;

15. On August 17, 2021, MPAL issued its analysis report which included the following results:

MPAL Reference	Sample Description	Result
CLE 210701-1 CLE	Wipe Blank, Greenhouse #1	Non-detect
CLE 210701-2 CLE	Wipe of plastic wall, left middle above cross-brace	Non-detect
CLE 210701-3 CLE	Wipe of plastic wall, right middle below cross-brace	Non-detect
CLE 210701-4 CLE	Liquid solution in Husqvarna Backpack	Non-detect
CLE 210701-5 CLE	Wipe Blank, Greenhouse #2	Non-detect
CLE 210701-6 CLE	Wipe of plastic wall, left middle above cross-brace	Non-detect
CLE 210701-7 CLE	Wipe of plastic wall, right middle below cross-brace	Non-detect
CLE 210701-8 CLE	Liquid from “All-purpose hand Sprayer” Greenhouse #2	Non-detect
CLE 210701-9 CLE	Plastic container bottoms Greenhouse #2	Non-detect
CLE 210701-10 CLE	Composite leaf sample Greenhouse #2	Non-detect
CLE 210701-11 CLE	Leaf samples from dying plant in Greenhouse #2	296.1ppb

16. Only sample no. CLE 210701-11 tested positive for pesticides. CLE210701-11 was taken from a dying plant located in the front of Greenhouse no. 2 near the air intake (the “unharvested plant”). The unharvested plant was in the same building as vegetating Marijuana plants and was contaminated with Bifenthrin at a concentration of 296.1 ppb;
17. The unharvested plant was identified by Metrc tag no. 1A40A02000037DD000000183 and derived from a cultivation batch named Tricross Greenhouse Two. The unharvested plant had been grown in Greenhouse no. 2;
18. During the unannounced inspection on July 1, 2021, Commission investigators observed trash bins in Greenhouse no. 2 containing various cultivation material including sticky traps which had insects attached. The trash bins were located in the same building as vegetating Marijuana plants;



19. Commission investigators also observed multiple dying seedlings in Greenhouse no. 2. The seedlings had flies on them and damaged vascular tissue. The seedlings were located in the same building as other vegetating Marijuana plants;
20. On July 30, 2021, Commission investigators conducted an announced inspection at Respondent's facility to witness destruction of Marijuana plants contaminated with Bifenthrin. At the inspection, Respondent suggested that a bucket borrowed from one of its registered agents may have been the source of Bifenthrin contamination;
21. A bucket is a machine that removes flowers and leaves from the stalks of harvested plants for further processing. The lower end of a branch or stalk is fed into a metal plate that has holes which is connected to a roller which pulls the stem through, de-stemming flower from the stem;
22. On August 31, 2021, the department issued a Notice of Deficiency (NOD) to Respondent for failure to use best cultivation practices to limit pesticide contamination;
23. On September 2, 2021, Respondent submitted a Plan of Correction (POC) that was rejected by the department on September 15, 2021, for failing to provide an assessment of the suspected source of Bifenthrin contamination consistent with 935 CMR 500.160(4)(c);
24. On September 15, 2021, the department issued a second NOD to Respondent for failure to use best cultivation practices to limit pesticide contamination following the detection of Bifenthrin at a concentration of 296.1 ppb in the unharvested plant;
25. On September 19, 2021, Respondent submitted an amended POC to the department in response to both NODs. In the amended POC, Respondent identified "processing equipment used at another location offsite" as the suspected source of contamination and further surmised that the unharvested plant "was exposed to airborne contamination from the processing equipment being used in close proximity to that plant";
26. On September 24, 2021, the department rejected Respondent's amended POC requesting clarification of the processing equipment that was the suspected source of Bifenthrin contamination;
27. On October 6, 2021, Commission investigators interviewed Respondent's registered agent (the "Agent"), who had been identified as the owner of the borrowed bucket. The Agent confirmed that they had lent the bucket to Respondent and to other home growers throughout the Commonwealth;
28. On October 22, 2021, Respondent provided a revised POC. In its submission, Respondent stated that it "does not use (or store on-site) any pesticides for use on marijuana" and, after conducting an internal investigation, "does not have any proof pesticides were



physically brought onto the site and/or administered to or onto [their] marijuana plants.” Respondent concluded that the suspected source of Bifenthrin detected in Greenhouse no. 2 originated from the borrowed bucket used to process the harvest batch. Respondent claimed that the bucket was likely contaminated when it was borrowed, proper cleaning of the equipment was not done prior to bringing the equipment onto the premises, and the bucket’s vibration during use spread Bifenthrin into the air intake for Greenhouse no. 2 and dispersed by the fan;

29. On July 1, 2021, MDAR had taken wipe samples of three surfaces/items in Greenhouse no. 1 and five surfaces/items in Greenhouse no. 2. No Bifenthrin was detected on any of those surfaces;
30. In contrast to those wipe samples, which included surfaces/items in Greenhouse no. 2, the unharvested plant in the same space detected positive for Bifenthrin at a concentration of 296.1 ppb;
31. On February 28, 2022, MDAR issued Administrative Order no. 22-PE-04 ordering the destruction of certain Marijuana, finding that, due to the fact that test results were positive for Bifenthrin and pesticides containing Bifenthrin are not labeled for use on cannabis, Pesticides were used by Respondent in violation of G.L. c. 132B, § 6A;
32. Respondent did not appeal MDAR’s order;
33. Throughout 2020 and 2022, Respondent’s Quality Control and Facility Cleaning Standard Operating Procedures (SOPs) were in effect;
34. Respondent’s Quality Control Standard Operating Procedure (SOP) stated that “[q]uality control measures will primarily be in the form of adherence to the written standard operating procedures...in order to ensure quality and consistency of products produced within the facility. The facility will utilize the established and proven SOP’s [sic] for all cultivation and processing operations. The facility will use standard operating procedures (SOP’s) [sic] to promote good growing and handling practices including: All aspects of the: Irrigation, propagation, cultivation, fertilization; harvesting, drying, curing”;
35. Respondent’s Facility Cleaning SOP included a “multi-part cleaning process with any equipment or instruments that comes in contact with cannabis” and provides steps that would be taken for sanitizing equipment. It further stated that Respondent will “utilize a log for the cleaning and maintenance of equipment that will require any employee performing these tasks to fill out what was done, the time and date, and a signature”;
36. On November 18, 2022, the department requested cleaning records for the bucket from Respondent;

37. On November 28, 2022, Respondent was unable to produce any records for cleaning the bucket, stating: “High Hawk Farm acknowledged in our deficiency statement response on October 22, 2021 that equipment was brought into the facility and not properly cleaned, therefor [sic] there is no records of cleaning that equipment”;

Applicable Law

38. Application of Pesticides shall be performed in compliance with G.L. c. 132B and the regulations promulgated at 333 CMR 2.00 through 333 CMR 14.00. Any testing results indicating noncompliance shall be immediately reported to the Commission. 935 CMR 500.120(5);
39. Pesticides means a substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest, and any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant. 935 CMR 500.002;
40. Testing of Marijuana Products shall be performed in a form and manner determined by the Commission including the *Protocol for Sampling and Analysis of Finished Marijuana and Marijuana Products for Marijuana Establishments, Medical Marijuana Treatment Centers, and Colocated Marijuana Operations* (the “Testing Protocol”). 935 CMR 500.160(1);
41. In accordance with the Testing Protocol, Marijuana and Marijuana Products are tested for contaminants specified by the Commission including any plant growth regulators and the presence of pesticides. State law prohibits the use of pesticides during Marijuana Cultivation. The Commission applies a 10-ppb threshold to determine detection of pesticides for purposes of compliance with pre-market testing requirements. *See* Testing Protocol at 23;
42. Every Marijuana Establishment shall have and follow detailed written operating procedures which shall include protocols to ensure accurate recordkeeping and plans for quality control, including product testing for contaminants in compliance with 935 CMR 500.160. *See* 935 CMR 500.105(1)(g)-(h);
43. All Marijuana Establishments, including those that develop, Repackage, or Process non-Edible Marijuana Products shall maintain all contact surfaces, including utensils and equipment, in a clean and sanitary condition. Such surfaces shall be cleaned and sanitized as frequently as necessary to protect against contamination, using a sanitizing agent registered by the U.S. Environmental Protection Agency (EPA), in accordance with labeled instructions. *See* 935 CMR 500.105(3)(b)9.;
44. The cultivation process shall use best practices to limit contamination including, but not limited to, mold, fungus, bacterial diseases, rot, pests, Pesticides not in compliance with 935 CMR 500.120(5) for use on Marijuana, mildew, and any other contaminant identified

as posing potential harm. Best practices shall be consistent with state and local law including, but not limited to, the Commission’s Guidance on Integrated Pest Management. 935 CMR 500.120(9);

45. State law defines Integrated Pest Management (IPM) as “a comprehensive strategy of pest control whose major objective is to achieve desired levels of pest control in an environmentally responsible manner by combining multiple pest control measures to reduce the need for reliance on chemical pesticides; more specifically, a combination of pest controls which address conditions that support pests and may include, but is not limited to, the use of monitoring techniques to determine immediate and ongoing need for pest control, increased sanitation, physical barrier methods, the use of natural pest enemies and a judicious use of lowest risk pesticides when necessary.” 333 CMR 14.02;
46. The Commission’s Guidance on IPM describes the basic concepts of effective IMP strategy as: 1. Knowledge; 2. Prevention; 3. Monitoring; and 4. Intervention. For outdoor cultivators recommendations for pest prevention include, but are not limited to, keeping plants healthy and sanitizing plant material by inspecting for signs of infestation;
47. The four recommended primary strategies of pest and disease control are Cultural, Mechanical, Biological, and Chemical Control. Cultural Control includes modifications to the growing environment to make the habitat unaccommodating for pests. Mechanical Control requires the use of physical methods to trap, exclude, and remove pests, including the “removal of diseased plant material.” Biological Control is the utilization of natural predators and parasites to directly attack pests. And Chemical Control is the judicious use of chemicals to remove pests;
48. Acceptance of a provisional or final license constitutes an agreement by the Marijuana Establishment that it will adhere to the practices, policies, and procedures that are described in its application materials, as well as all relevant laws, regulations, and any conditions imposed by the Commission as part of licensure. 935 CMR 500.103(2)(d);

Stipulated Findings

49. The Commission, through its Acting Executive Director, and Respondent 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. 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;
50. In lieu of proceeding with an administrative hearing and subsequent proceedings, Respondent agrees to the stipulated findings set forth in Paragraphs 51–53, inclusive of all subparagraphs;



51. Respondent accepts responsibility for the Bifenthrin detected and found on Marijuana at its facility in violation of 935 CMR 500.120(5);
- a. On June 14, 2021, four samples of plants, harvested by Respondent on or around June 3, 2021, tested positive for Bifenthrin in the following concentrations: 43.5, 53.5, 72.1, and 72.2. ppb;
 - b. On July 1, 2021, MDAR staff collected samples from various locations throughout the licensed premises and sent those samples to MPAL for analysis. Sample no. CLE 210701-11 was taken from the unharvested plant located in Greenhouse no. 2;
 - c. On August 17, 2021, MPAL determined that the unharvested plant in Greenhouse no. 2 was contaminated with Bifenthrin at a concentration of 296.1 ppb;
 - d. None of the other environmental wipe samples tested by MPAL were contaminated with Bifenthrin;
 - e. Bifenthrin is a synthetic pyrethroid used as an insecticide but is not authorized for use in cannabis cultivation;
 - f. Although the actual source of Bifenthrin contamination has not been definitively identified, on February 28, 2022, MDAR found the Respondent used Pesticides in violation of G.L. c. 132B, § 6A and issued an order for destruction of contaminated Marijuana. Respondent did not challenge MDAR's findings by appealing its administrative order;
52. Respondent did not follow its SOPs for cleaning equipment used for Processing Marijuana violating 935 CMR 500.105(1)(g)-(h) and 935 CMR 500.105(3)(b)9.:
- a. On or around June 3, 2021, Respondent harvested Marijuana at its cultivation facility and Processed it using a bucket borrowed from the Agent;
 - b. The borrowed bucket had been lent to home growers throughout the Commonwealth;
 - c. Respondent's Quality Control SOP required that Respondent utilize good growing and handling practices during all aspects of cultivation;
 - d. Respondent's Facility Cleaning SOP employed a "multi-part cleaning process with any equipment or instruments that comes into contact with cannabis" and stated that tracking of cleaning and maintenance would be recorded through a log;
 - e. Respondent did not properly clean or sanitize the borrowed bucket prior to using it to harvest Marijuana;
53. Respondent failed to utilize best practices to limit contamination of Marijuana at its facility in violation of 935 CMR 500.120(9):
- a. On or around June 3, 2021, Respondent harvested Marijuana at its Premises and Processed it using a bucket borrowed from the Agent;
 - b. The borrowed bucket had been lent to home growers throughout the Commonwealth;
 - c. Respondent did not properly clean or sanitize the bucket before using it to harvest Marijuana;

- d. Cleaning and sanitizing borrowed equipment before using it to process Marijuana is a mechanical IPM control to mitigate potential contamination;
- e. On July 1, 2021, there were dead and dying Marijuana seedlings in Greenhouse no. 2 that had flies on them and damage to vascular tissue;
- f. On July 1, 2021, the unharvested plant contaminated with Bifenthrin was located near the front air intake in Greenhouse no. 2;
- g. On July 1, 2021, trash bins in Greenhouse no. 2 contained a variety of cultivation material, including sticky traps with insects attached;
- h. The dead and dying seedlings, the unharvested plant, and trash bins were in the same structure as vegetative Marijuana plants;
- i. Removal of dead, diseased, infested, or contaminated, plant and cultivation material away from vegetating Marijuana plants is a cultural and mechanical IPM control to mitigate pest pressure and contamination of healthy Marijuana;
- j. Respondent failed to employ cultural and mechanical controls to mitigate potential contamination of Marijuana;

Stipulated Remedy

54. In lieu of proceeding with an administrative hearing and subsequent proceedings, Respondent further agrees to the stipulated remedies and terms set forth in Paragraphs 55-79, inclusive of all subparagraphs;

55. Respondent agrees to pay a monetary fine in the amount of ten thousand dollars (\$10,000.00), made payable by check or money order to the Cannabis Control Commission Marijuana Regulation Fund;

- a. Payment shall consist of installments due and payable pursuant to the following schedule:

<u>Amount</u>	<u>Due Date</u>
\$5,000.00	No later than thirty (30) days from the date of ratification of this Order by the Commission.
\$5,000.00	No later than two (2) years from the date of ratification of this Order by the Commission.

- b. Nothing in this Order shall prohibit Respondent from submitting payments in advance of the due date, or in installments less than the amount due but no less than \$500.00 increments, provided that the required amounts are paid in full by the due dates listed above;

56. Payments shall be mailed to the following address:

- a. Via USPS:
 Cannabis Control Commission
 PO Box 412144
 Boston, MA 02241-2144
- b. Via Courier/Overnight:



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

57. Respondent shall not use Pesticides not labeled for use in cannabis cultivation;
58. Respondent shall submit to a twelve-month probationary period (the “probationary period”) for license no. MC282412 which will take effect on the date this Order is ratified:
 - a. Any substantial noncompliance with any Commission laws by Respondent 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 send Respondent a Letter of Warning giving notice of the alleged substantial noncompliance and providing an opportunity for Respondent to correct the deficiencies;
59. During the probationary period any and all test results reporting detection of Bifenthrin at a level other than Non-Detect, whether written or verbal, shall be reported by Respondent to the Commission within 24 hours;
60. During the probationary period, Respondent shall submit container soil and water samples test results consistent with the Commission’s *Protocol for Sampling and Analysis of Environmental Media for Marijuana Establishments, Medical Marijuana Treatment Centers, and Colocated Marijuana Operations* to the department during each growing season in 2024 and 2025 to test for presence of all Pesticides from Greenhouse no. 1 and Greenhouse no. 2. The test results—consisting of one water sample test result and one container soil sample test result from each of the two Greenhouses—shall be submitted to the department by the end of May 2024, July 2024, March 2025, and May 2025, for a total of four (4) submissions, totaling sixteen (16) separate test sample results;
61. Respondent shall conduct training for all its employees on IPM, pesticides, and the requirements of 935 CMR 500.120. Respondent shall provide a curriculum to the department and a certificate or other documentation demonstrating completion of the training to the department within five days of completion;
62. Respondent shall develop and implement an SOP dedicated to cleaning processes for borrowed equipment used during cultivation operations. Respondent shall also maintain a cleaning log for borrowed equipment that is separate from Respondent’s other cleaning logs and a log tracking borrowed equipment on Respondent’s Premises. Respondent shall submit its cleaning SOP for borrowed equipment to the department;



63. Respondent shall designate and identify an employee who will be responsible for compliance with and maintenance of Respondent's SOPs. Respondent shall notify the department of any changes to the individual designated within 24 hours;
64. Respondent submits that satisfaction of the affirmative relief measures identified in Paragraphs 57-63 on or before the date that is six (6) months after the date this Order is ratified by the Commission, notwithstanding the requirements of Paragraph 60, is a reasonable time to implement the measures identified therein;
65. 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;
66. Any issues relating to the underlying complaint and investigation that formed the basis for this Order against Respondent (and any defenses that Respondent may have to such complaint or investigation) shall not be at issue in a proceeding against Respondent for failing to comply with the terms of this Order;
67. Respondent agrees 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;
68. Respondent acknowledges 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;
69. 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 Paragraph 55, may constitute the basis for further administrative action against Respondent;
70. Respondent acknowledges that the Commission advised Respondent of its opportunity to consult with an attorney of their choosing and Respondent represents that they have had an opportunity to do so prior to signing the Order. Respondent acknowledges that they have been given a reasonable period of time in which to consider the terms of this Order before signing it. Respondent acknowledges and confirms 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. Respondent acknowledges that they have carefully read and fully understand the meaning and intent of this Order;
71. Respondent 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;
72. Respondent consents 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;
73. 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;
74. This Order shall be binding upon Respondent and shall inure to the benefit of the parties to this Order and their respective successors and assignees and shall be construed in accordance with and governed by the laws of the Commonwealth of Massachusetts;
75. Upon ratification of this Order by the Commission, this Order shall become a permanent part of Respondent's record and shall be open to public inspection and disclosure pursuant to the Commission's standard policies and procedures or applicable law;
76. The Commission may reject the terms of this Order or otherwise deny ratification and entry of the Order. In such event, the terms of the Order shall be null and void, including but not limited to Respondent's admissions, and the parties will proceed to hearing;
77. 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;
78. All costs and expenses incurred by Respondent to comply with this Order shall be the sole responsibility of Respondent and shall not in any way be the obligation of the Commission; and
79. 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 may result in administrative action against Respondent up to and including suspension and/or revocation of registration.

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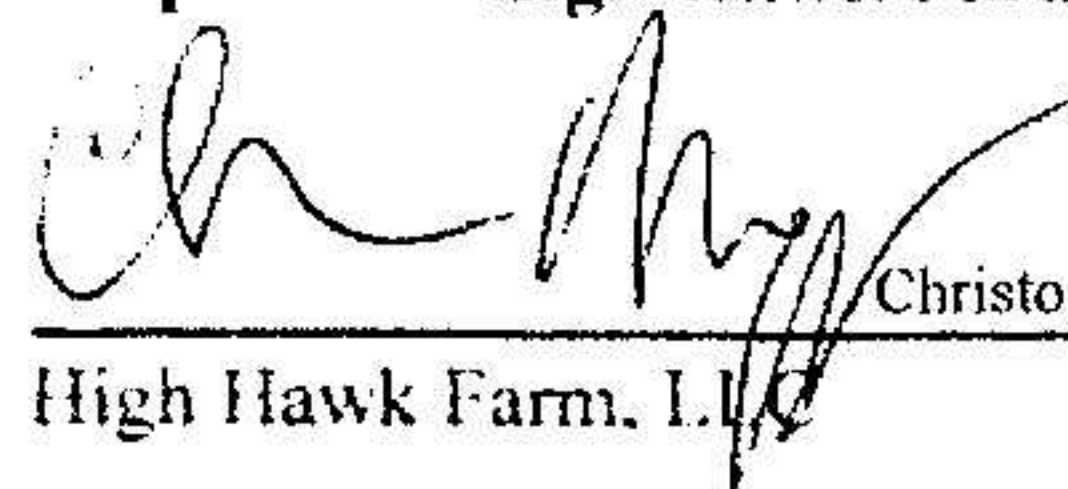


Commonwealth of Massachusetts Cannabis Control Commission


Debra Hilton Creek, Acting Executive Director and Chief People Officer Date Signed 5/9/2024

Ratified by Commission vote (yes, no, abstain) on May 9, 2024.

Respondent High Hawk Farm, LLC


Christopher Higgins, Vice President Date Signed April 25, 2024
High Hawk Farm, LLC