

**LAC VIEUX DESERT BAND OF LAKE SUPERIOR CHIPPEWA INDIANS  
CANNABIS REGULATORY AUTHORITY**

**CANNABIS  
REGULATIONS**

## **Regulation 1 General Provisions**

**Regulation 1.01 Effective Date.** These regulations are effective as of March 21, 2024, as amended from time to time.

**Regulation 1.02 Definitions.** Definitions in the Cannabis Ordinance are applicable to these Regulations, unless specifically defined herein.

- (a) “Tribe” the Lac Vieux Desert Band of Lake Superior Chippewa Indians.
- (b) “Tribal and Trust lands” real property owned in fee by the Tribe or held in trust for the benefit of the Tribe by the United States of America.
- (c) “GAAP” means generally accepted accounting principles, consistently applied.
- (d) “Compact” means any compact between the Tribe and another government or government subdivision or agency, including the state of Michigan, concerning cannabis.
- (e) “Cannabis Activities” means the planting, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, packaging, storing, transporting, exchanging, distributing, transferring or selling of any Marijuana, including, any Cannabis Product or Marijuana Accessories.
- (f) “Cannabis Business” has the meaning as defined in Section 2.9 of the Lac Vieux Desert Cannabis Ordinance.
- (g) “Cannabis Ordinance” the Ordinance enacted by Lac Vieux Desert Tribal Council Resolution T2023-037 as amended by Resolution T2024-023.
- (h) “Cannabis Regulatory Authority” means the Lac Vieux Desert Cannabis Regulatory Authority (“CRA”), the regulatory authority created by the Cannabis Ordinance that regulates all activity described within the Cannabis Ordinance.
- (i) “Licensee(s)” has the meaning as defined in Section 2.38 of the Cannabis Ordinance.

### **Regulation 1.03 Required Plans and Internal Controls.**

(a) Plans Required by the Ordinance. All licensees, to the extent applicable, shall submit written plans and/or internal controls that address the following operations/area of the Cannabis Business being licensed:

- (1) Security Plan. See Regulation 6.
- (2) Staffing Plan. A complete staffing plan will include training and compliance-based internal controls for business operations.
- (3) Banking or Cash Management Plan. A complete banking or cash management plan shall include internal controls related to cash collecting, securing and transporting addressing cash limits, cash spending, cash reporting, ATM transactions, wholesale cash transactions and payments handling, and deposits.

(4) Capitalization Plan. A complete capitalization plan will include a disclosure of all lenders/investors and, if applicable, information required by the Tribe's Business Entity Ordinance, Chapter 2, Section 8(f)-(g) and/or Chapter 4, Section 8(a)-(b).

(5) Information Technology Plan. A complete information technology plan will include internal controls related to data safety, security, and storage; data back up; risk management; recordkeeping; electronic access and usage; firewalls and fraud detection; and third-party interfaces.

(6) Environmental and Safety-Related Plans.

(a) Environmental and safety related plans required by the Cannabis Ordinance, to the extent applicable to the Licensee, shall adhere to or be stricter than the most recent guidance and regulations listed below, so long as such guidance and regulations do not conflict with the Cannabis Ordinance or otherwise infringe upon the sovereignty of the Tribe<sup>1</sup>:

(1) Michigan Department of Environment, Great Lakes and Energy Solid Waste and Hazardous Waste Regulations for Growing and Processing Marijuana Safety and Hazard-Mitigation Plan; and,

(2) Michigan Department of Environment, Great Lakes and Energy Materials Management Regulations for Growing and Processing Marijuana; and,

(3) Michigan Department of Environment, Great Lakes and Energy Protecting Water Resources when Growing and Processing Marijuana; and,

(4) Michigan Department of Environment, Great Lakes and Energy Environmental Guidance for Growing and Processing Marijuana; and,

(5) Michigan Department of Environment, Great Lakes and Energy Cannabis and the Environment, Frequently Asked Questions; and,

(6) Michigan Department of Environment, Great Lakes and Energy Protecting Air Quality When Growing and Processing Marijuana; and,

(7) Michigan Occupational Safety and Health in the Marijuana Industry - Module 2.

(b) Storage Internal Controls. In addition to any environmental or safety plan requirements for storage related to a Cannabis Business, licensees must ensure that internal controls include, at a minimum, the following:

(1) All Marijuana shall be stored at the Licensee's Cannabis Business in a secured limited access area or restricted access area and shall be identified and tracked consistently in the Tribal Monitoring System.

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<sup>1</sup> To the extent any guidance or regulations referenced herein from the State of Michigan conflicts with the Ordinance, the Ordinance shall control.

- (2) All containers used to store Marijuana for transfer or sale to the public or between Licensees shall be clearly marked, labeled, or tagged, and enclosed on all sides in secured containers. Each secured container shall be identified and tracked in the Tribal Monitoring System.
  - (3) All chemicals or solvents shall be stored separately from Marijuana and shall be kept in locked storage areas approved for chemical storage. Written documentation of stored chemicals shall be accessible adjacent to the storage location.
  - (4) All Marijuana shall have separate storage areas located away from all toxic or flammable materials.
  - (5) Marijuana not in final packaging shall be stored separately from other inventory in compliance with these Regulations.
  - (6) A Retail Licensee shall ensure that all Marijuana being offered for sale or transfer to the public in a non-secure area are located behind a counter or other barrier located in a space that is separate from stock rooms and other secure areas where Marijuana are stored.
  - (7) A Licensee shall ensure that any Marijuana stock or storage room complies with the security plan filed with the CRA and meets the security requirements of these Regulations and any other applicable requirements in the Cannabis Ordinance, these Regulations and any Compact.
  - (8) Areas where Marijuana is stored will have continuous and dedicated video surveillance coverage.
- (c) Waste Disposal Internal Controls. In addition to any environmental or safety plan requirements for waste disposal related to a Cannabis Business, licensees must ensure that internal controls include, at a minimum, the following:
- (1) Prior to disposing of Marijuana waste, the Licensee shall render the waste unusable by grinding it and mixing it with an equal or greater volume of food waste, grass clippings, wood chips, yard waste or other organic, non-toxic and non-hazardous material that renders it unusable and unrecoverable, consistent with the Licensee's waste disposal plan.
  - (2) Soil, other growing media, root balls, stalks of mature plants, and leaves and branches that do not contain visible trichomes are not considered Marijuana waste.
  - (3) After rendering Marijuana waste unusable and unrecoverable, the Licensee shall record the Marijuana waste in the Tribal Monitoring System and store the Marijuana waste in an area inaccessible to the public until it is collected or disposed of in accordance with the Marijuana waste disposal plan.
  - (4) Marijuana waste shall not be stored in proximity to viable Marijuana material destined for human consumption, creating a risk of contamination.

(5) The employee disposing of Marijuana waste shall maintain and produce a record in the Tribal Monitoring System of each such disposal indicating:

- i. the date and time of disposal;
- ii. the manner of disposal;
- iii. the quantity of Marijuana waste disposed of;
- iv. to the extent feasible, the unique identifier(s) issued by the Tribal Monitoring System to the Batch(es) of Marijuana that included the Marijuana waste; and
- v. the name and signature, which signature may be electronic, of the Licensee's employee disposing of the Marijuana waste, any CRA representative present during such disposal, and any other persons present during the disposal, as applicable.

(6) Wastewater generated by Marijuana cultivation or processing shall be recycled on the tract of land upon which the Cannabis Business is located to the extent practicable and shall be disposed of in a manner that complies with applicable laws.

(d) Health and Safety Plan. In addition to any environmental or safety plan requirements related to a Cannabis Business, to the extent not addressed by other plans, licensees must ensure that internal controls include, at a minimum, the following:

- (1) hazardous material handling;
- (2) chemical processing;
- (3) emergency management;
- (4) workplace safety including but not limited to biological hazards, chemical hazards and physical hazards;
- (5) air, noise and other pollution; and
- (6) sanitation.

(7) Operations Plan. Each Licensee shall develop written responsible operations plan that must include a detailed explanation how employees will monitor and prevent all the following:

- (a) over-intoxication;
- (b) underage access to the establishment;
- (c) the illegal sale or distribution of Marijuana or Marijuana Infused Products within the establishment; and,
- (d) any potential criminal activity on the premises, as applicable.

(b) CRA Authority/Cannabis Business Reporting.

(1) The CRA reserves the right to request additional information or require further development plans required by the Cannabis Ordinance at any time.

(2) Licensees must submit plan revisions to the CRA 30 days' prior to implementing revisions and submit all reports required by Section 5.4 of the Cannabis Ordinance monthly, as applicable. If no changes have been made from the previous reporting period, the Licensee shall submit a Certification of No Changes.

**Regulation 1.04 Fees.**

- (a) Applicable License Fees will be contained within the CRA License Application.
- (b) Pursuant to the Cannabis Ordinance, Section 3.10(B), all application fees, renewal fees, late payment penalties, civil penalties, administrative fines and other fees or penalties provided for in the Cannabis Ordinance shall be paid directly to the CRA.
- (c) The CRA shall deposit such proceeds into an account or fund designated by the Tribal Council.

**Regulation 1.05 Inspections.**

**(a) Pre-Operations Inspection.**

(1) All Cannabis Licensees, except for a Special Event Licensee, shall be subject to inspection of the physical premises of the Cannabis Business within 60 days from the receipt of a Completed Application.

(2) The CRA shall condition the issuance of a Cannabis License on the Applicant providing the CRA with documentation of their legal right to occupy the space as well as documentation satisfactory to the CRA that certifies that the licensed facility is safe for operation in accordance with standards established by the National Fire Protection Association, NFPA 1 and NFPA 101.

(3) A premises inspection will include but is not limited to verification of compliance with required plans under the Cannabis Ordinance and Regulation 1.03 of these regulations.

**(b) Post Operations Inspection.** The CRA shall perform regular inspections of a Licensee's Cannabis Business.

(1) Scheduled inspections shall include a 30-day inspection, a semi-annual inspection and an annual inspection.

(2) Unscheduled inspections. The CRA may upon notice, or with no notice at all, if it has reasonable belief that a Cannabis Business Licensee is operating in a non-compliant manner, inspect the premises of a Cannabis Business licensee at any time.

**Regulation 1.06 Reportable Events.** All reportable events shall be reported using the CRA's Reportable Events Form.

(a) A Licensee shall notify the CRA within 3 business days of becoming aware of any suspected:

- (1) diversion, theft, loss, adulteration, or unauthorized destruction of any Marijuana or Marijuana Accessory;
- (2) loss or unauthorized alteration of records related to any Marijuana or Marijuana Accessory;
- (3) Marijuana spoilage, contamination, or any other condition rendering the Marijuana potentially unsuitable for human consumption;
- (4) Response by law enforcement to the Cannabis Business for any reason;
- (5) Damage to Tribal property or theft of Tribal property;
- (6) Environmental contamination involving the premises;
- (7) Injury to any Cannabis Employee, patron, or visitor to the Cannabis Business; and
- (8) As otherwise required by these Regulations.

(b) A Cannabis Licensee shall ensure that as a part of its Responsible Operations Plan required under Section 13.2(E)(1)(d)(4) of the Ordinance and this Regulation requires each Cannabis Employee to immediately notify the Licensee upon becoming aware of any suspected violation. Cannabis Employees may directly report to the CRA any such suspected violation.

(c) Upon such notification under Regulation 1.06(a) or (b) above, the CRA may require the Licensee to notify Tribal Police of the event or notify the Tribal Police themselves if not already notified by the Licensee or a Cannabis Employee.

(d) Within three days of a Licensee providing the notice required by Regulation 1.06 (a) above, or the CRA contacting the Licensee in response to notice under Regulation 1.06 (b) above, the Licensee shall provide to the CRA a signed statement that details the factual circumstances of the event, including, as applicable:

- (1) an accurate inventory of the quantity and type of any Marijuana diverted, stolen, lost, destroyed or damaged;
- (2) a description of any records lost or altered, whether any internal or third-party investigation is still ongoing; and
- (3) confirmation that the Tribal Police were notified.

(e) A Licensee shall notify the CRA within 3 business days of becoming aware or within 3 business days of when the Licensee should have been aware of any of the following:

- (1) Criminal convictions, charges, or civil judgments against a Licensee in any tribal, state, federal, or foreign jurisdiction.
  - (2) Regulatory disciplinary action taken or determined against a Licensee by tribal, state, federal, or foreign jurisdiction, including any pending action.
  - (3) Action by another party in violation of the Ordinance or any CRA Regulation or rule.
  - (4) Action by an employee in violation of the Ordinance or any CRA Regulation or rule.
  - (5) When an employee has been disciplined or removed from his or her position or is under investigation for any misconduct.
- (f) The Licensee shall notify the CRA within 10 business days of the initiation or conclusion of any new judgments, lawsuits, legal proceedings, charges, or government investigations, whether initiated, pending, or concluded, that involve the Licensee.
- (g) The Licensee shall notify the CRA within 10 business days of amending or terminating a licensing or management agreement that constitutes a material change to the Cannabis Business.
- (h) The Licensee shall notify the agency within 10 business days of the appointment of a court appointed personal representative, guardian, conservator, receiver, or trustee of the Licensee.
- (i) The Licensee shall notify the CRA within 1 business day following the occurrence of an unwanted fire.
- (j) Failure to timely provide notifications or reports to the CRA pursuant to this regulation may result in sanctions or fines, or both.

**Regulation 1.07 Eligible Employees.**

- (a) The Ordinance does not require the licensing of individual employees working in a licensed facility. However, the Ordinance requires the license holder to conduct a background check on prospective employees.
- (1) If the background check indicates a pending charge or conviction for a controlled substance-related felony or a crime of moral turpitude within the past 10 years, a Licensee shall not hire the prospective employee without written permission of the CRA.
  - (2) For purposes of this Regulation, a controlled substance-related felony or a crime of moral turpitude is defined as “any person who was convicted of, or entered a plea of guilty, or no contest to any offense involving any controlled substance related felony, or a felony crime against a person including but not limited to assault, sexual assault, child abuse or neglect, kidnapping, manslaughter or murder as well as any crime involving a breach of trust, misrepresentation, fraud, theft, or dishonesty.” For the avoidance of doubt, a controlled-substance related felony indicating distribution to a minor is grounds for an automatic denial.



- (3) A Licensee shall submit all the following to the CRA:
- (i) Request to hire prospective employee form.
  - (ii) A copy of the arrest report that resulted in the employee's conviction.
  - (iii) A copy of the employee's conviction documents.
- (4) A written statement from the Licensee that includes all the following:
- (i) The prospective employee's job title;
  - (ii) A description of the prospective employee's job duties;
  - (iii) An explanation of the steps the Licensee has taken to ensure the conduct that resulted in the prospective employee's conviction will not jeopardize the facility's operations if the conduct were to reoccur. If the prospective employee's conduct resulting in the conviction is unrelated to the duties they will be performing, include a statement to that effect.
  - (iv) Any rehabilitative evidence including but not limited to evidence of treatment, counseling, religious or spiritual leader recommendation, community member recommendation, personal statement, landlord recommendation or any other documentation that reflects the current character of the potential applicant and the work they have done to become a productive member of the community.
- (b) The CRA will review the required documents within 3 business days, determine the prospective employee's employment eligibility, and notify the licensee of its determination via email.
- (c) The CRA's determination will examine:
- (1) length of time that has passed between the commission of the controlled substance related or other criminal conviction; and
  - (2) any rehabilitative evidence submitted with the application to allow the CRA to better assess the likelihood of the applicant to reoffend; and
  - (3) whether or not the applicant poses, or could pose, an immediate threat to the operation of the Cannabis Business or any Cannabis Consumer.
- (d) In accordance with Section 13.2(B)(c), the CRA shall maintain the Excluded Cannabis Employee List.
- (e) The CRA shall update the Excluded Cannabis Employee List not less than monthly.
- (f) The CRA shall immediately provide each Cannabis Licensee with any updated Excluded Cannabis Employee List.

**Regulation 1.08 Requesting a CRA Interpretation of the Ordinance.**

- (a) A Licensee may request interpretation of the Ordinance and the applicability of a particular section of the Ordinance or these Regulations to the Licensees Cannabis Business operations by submitting a request for interpretation including but not limited to:
  - (1) The Ordinance section requiring interpretation;
  - (2) A description of the desired Cannabis Activity being questioned or sought under the Ordinance by the Licensee;
  - (3) Documentation related to safety or other pertinent information related to the Cannabis Activity in question;
  - (4) Any other information that may assist the CRA in deciding or rendering an interpretation of the Ordinance as requested.
- (b) The CRA may request additional information within ten (10) business days of receipt of such a request.
- (c) The CRA shall provide a response within thirty (30) days of receipt of the request or from the date of receipt of any additional information requested, whichever is later.
- (d) If the Licensee disagrees with the determination of the CRA, it may request an Administrative Hearing pursuant to Section 14.6 of the Ordinance.

## **Regulation 2**

### **Tribal Monitoring System**

#### **Regulation 2.01 Tribal Monitoring System.**

The Tribal Monitoring System will be designated by CRA Rule.

### **Regulation 3**

#### **Record Keeping; Financial Standards**

##### **Regulation 3.01 Record Keeping; Financial Standards**

- (a) Licensees shall maintain financial records in accordance with GAAP.
- (b) In addition to the financial records required by the Ordinance, for purposes of these Regulations “financial records” shall also include, at a minimum, cash logs, sales records, purchase of inventory, invoices, receipts, deposit slips, cancelled checks, employee compensation records, and tax returns, if applicable, in support of the profit and loss statement and balance sheet maintained by the Cannabis Business.
- (c) All taxes shall be computed in accordance with GAAP as required by applicable Tribal law or Compact. Licensees shall maintain financial records relating to such taxes for at least three years from the date a return is filed, if applicable. All such records shall be subject to audit by the CRA and the Tribe.

## **Regulation 4 Cannabis Operations**

### **Regulation 4.01 Contracting; Licensing Exemptions.**

**(a) Contracting with Vendors.**

(1) A Licensee may contract with another party to use the other party's intellectual property or for the other party to provide management or other services necessary for the operation of the Licensee pursuant to a consulting or management agreement. All consulting and management agreements must be submitted to the CRA for review.

(2) A Licensee shall submit a complete, redacted, signed copy of all vendor agreements to the CRA for review prior to performance under the agreement. Review by the CRA is for the sole purposes of determining if the vendor requires a license to provide services under the Cannabis Ordinance.

(3) CRA review of agreements will include but is not limited to, all the following:

(a) All payment terms between the parties including a provision that all payments made to the other party pursuant to the agreement must be made by the Licensee and not by any other party.

(b) Terms specifically naming and clearly defining any service to be performed pursuant to the agreement.

(c) Terms specifically requiring all business operations related to the production, sales, invoicing, and payment for Marijuana sold pursuant to an agreement must be performed by the Licensee.

(d) A statement indicating that the agreement contains the entire agreement of the parties.

(4) Licensing Exemption: The CRA may recognize and accept licensing determinations of any state or tribal cannabis regulatory agency regarding any Person who would otherwise require licensure by the CRA in accordance with the Cannabis Ordinance where that Person's licensing jurisdiction laws are as stringent or more stringent than the Cannabis Ordinance and the Person has a license in good standing from their licensing jurisdiction and not currently subject to disciplinary action unless otherwise approved by the CRA.

(a) Licensees must ensure that all contracted service providers meet age requirements established by the Cannabis Ordinance.

(b) Vendor Contracts exempt from CRA review. Vendors who offer a service to a Licensee not related to the purchase, sale or advertising of Marijuana are exempt from CRA review. Example: Xerox, general software licenses, Aramark, general office supplies, etc.

**Regulation 4.02 Material Changes in Operations** All material changes shall be reported using the CRA's Material Change Form.

- (a) Licensees have a continuing duty to provide the CRA with up-to-date contact information and shall notify the CRA in writing of any changes to the mailing addresses, phone numbers, electronic mail addresses, and other contact information they provide the CRA.
- (b) Licensees shall report to the CRA any changes to the Cannabis Business operations that are required in the Cannabis Ordinance and these regulations, as applicable.
- (c) Licensees shall report to the CRA any proposed material changes to the Cannabis Business before making a material change. A proposed material change is any action that would result in alterations or changes being made to the Cannabis Business to effectuate the desired outcome of a material change. Material changes, include, but are not limited to, the following:
  - (1) Change in owners, officers, members, or managers.
  - (2) Change of processing machinery or equipment.
  - (3) The addition or removal of a person named in the application or disclosed.
  - (4) Change of entity name.
  - (5) Any attempted transfer, sale, or other conveyance of an interest in a Cannabis Licensee.
  - (6) Any change or modification to the Cannabis Business before or after licensure that was not pre-inspected, inspected, or part of the Cannabis Business plans submitted pursuant to the Ordinance and Regulation 1.03 of these regulations or the final inspection, including, but not limited to, all of the following:
    - (i) Operational or method changes requiring inspection under these regulations.
    - (ii) Additions or reductions in equipment or processes.
    - (iii) Increase or decrease in the size or capacity of the Cannabis Business.
    - (iv) Alterations of ingress or egress.
    - (v) Changes that impact security, fire safety, and building safety.
- (d) Failure to timely provide notifications or reports to the CRA pursuant to this regulation may result in sanctions or fines, or both.

**Regulation 4.03 Adverse Reactions.**

(a) A Licensee shall notify the CRA within 1 business day of becoming aware or within 1 business day of when the Licensee should have been aware of any adverse reactions to a Marijuana or Cannabis Products that are reported to have caused an adverse reaction or is determined to be defective.

(b) A Dispensary must have a written policy for the return of Marijuana and Cannabis Products that contain, at a minimum, the following:

- (1) Product returned to a Dispensary must be tracked consistently in the Tribal Monitoring System.
- (2) Product returned to a Dispensary must be destroyed in compliance with any plan adopted and approved in accordance Regulation 1.03(a)(6)(c) within 90 calendar days of when the Dispensary became aware that the product must be destroyed.
- (3) Product returned to a Dispensary cannot be re-sold, re-packaged, or otherwise transferred to a customer or another Cannabis Business.
- (4) Product returned to a Dispensary is prohibited from being returned to the Dispensary by way of a delivery driver.
- (5) A Dispensary that does not comply with this Regulation may be subject to disciplinary proceedings.
- (6) A Dispensary may return a Marijuana or Cannabis Product that is past its expiration date to the Cannabis Processor who produced the Marijuana or Cannabis Product for destruction instead of destroying the Marijuana or Cannabis Product.

#### **Regulation 4.04 Product Returns.**

(a) A Dispensary may accept the return of Marijuana or Cannabis Products that is reported to have caused an adverse reaction or is determined to be defective.

(b) A Dispensary must have a written policy for the return of Marijuana and Cannabis Products that contains, at a minimum, the following:

- (1) Product returned to a Dispensary must be tracked consistently in the Tribal Monitoring System.
- (2) Product returned to a Dispensary must be destroyed in compliance with any plan adopted and approved in accordance Regulation 1.03(a)(6)(c) within 90 calendar days of when the Dispensary became aware that the product must be destroyed.
- (3) Product returned to a Dispensary cannot be re-sold, re-packaged, or otherwise transferred to a customer or another Cannabis Business.
- (4) Product returned to a Dispensary is prohibited from being returned to the Dispensary by way of a delivery driver.

(5) A Dispensary that does not comply with this Regulation may be subject to disciplinary proceedings.

(6) A Dispensary may return a Marijuana or Cannabis Products that is past its expiration date to the Cannabis Processor who produced the Marijuana or Cannabis Products for destruction instead of destroying the Marijuana or Cannabis Products.

**Regulation 4.05 Maximum THC Concentrations for Cannabis Products** as required by the Lac Vieux Desert Cannabis Ordinance Chapter 11, Section 11.4 (A) and (B).

- (a) No Licensee shall distribute, transfer, or sell processed Marijuana or Cannabis Products that exceeds the maximum THC concentrations established by this Regulation by more than 10%.
- (b) The total milligrams of THC (sum of delta-8 and delta-9) must not exceed the maximum limits below in Table 1. The printed package label must include the Testing Facility reported Total THC concentration.

**Table 1. Maximum THC (sum of delta-8 and delta-9) Concentrations for Processed Cannabis Products**

<b>Maximum THC (sum of delta-8 and delta-9) Concentrations for Cannabis Products</b>		
Delta-8 concentration may not exceed 10% of the product		
<b>Category</b>	<b>Adult-Use (per dose)</b>	<b>Adult-use (per container)</b>
Infused edible (gummies, baked goods, drink enhancers, syrup)	10mg	200 mg
Medicinal products (capsules, tinctures, oil-based drops, etc.)	10 mg	200 mg
Medicinal products not consumed orally (suppositories, tampons, transdermal patches)	100 mg	2000 mg
Beverages	10 mg	100 mg
Topical	N/A	N/A

1. For Marijuana and non-edible Cannabis Products, total THC and total CBD must be reported in percentages.
2. For edible Cannabis Product, total THC and total CBD must be reported as milligrams of Total THC and Total CBD per gram.



- (c) The allowable 10% variance for total THC in ‘a container’ will use the printed package label as the intended target and the median for calculation purposes as set forth in Table 2 below.

**Table 2. Total THC in Milligrams (mg)**

<b>Target Package Label</b>	<b>Lowest Concentration Allowed in Package</b>	<b>Highest Concentration Allowed in Package</b>
50	45	55
100	90	110
150	135	165
200	180	220

Example: The total maximum THC concentration for edible Cannabis Product container is 200 mg THC. Therefore, the maximum concentration of delta-8 THC allowed in the package is 20 mg. Additionally, the product must follow all guidelines for homogeneity so that the delta-8 THC is evenly distributed throughout the product.

- (d) Testing Facilities should complete potency testing based on the information provided by the processors at the time of the sampling event. The Testing Facility chain of custody should document the intended serving as stated by the processor. If a product is sampled as an individual dosage/serving, the Testing Facility will report Total THC in total milligrams (mg) per dose/serving. If the product is sampled as a finished package, the facility will report the Total THC in milligrams (mg) per package.

- (1) Please refer to equation 1 (below) for calculating Total THC with the inclusion of both Delta-8 and Delta-9:.
- (2) **Equation 1.** Total THC where M is the mass or mass fraction of Delta-9 THC, Delta-8 THC, or Delta-9 THC-A

$$\text{Total THC} = M(d8\text{THC}) + M(d9\text{THC}) + [0.877 \times M(d9\text{THCA})]$$

- (3) It is not mandatory for a Testing Facility to sample products in final packaging, although the products **must be in final form**. This means the samples must be ready for final packaging and sampled in the state in which they will be consumed.

Examples:

- Vape cartridges must be in filled cartridges ready for use, but do not have to be boxed for sale.
- Capsules must be in the capsule form used for consumption, but do not have to be in individual jars or bottles.

- (4) It is not incumbent on the Testing Facility to determine if the product will meet the package labeling requirements. The Testing Facility testing results provided in the Tribal Monitoring System will report potency as the product was submitted for testing and is not required to replicate the processor-designated Total-THC. The processor-designated Total-THC will be considered the target Total-THC

**Regulation 4.06 Licensee Prohibited Activity**

- (a) Marijuana may not to be processed, grown, sold or transported within 1,000 feet of an educational institution, public library, or designated recreation center.

**Regulation 4.07 Cannabis Customer Photo ID Retention**

- (a) Every Employee shall scan each new Cannabis Customers' government-issued photographic identification.
- (b) If the government-issued photographic identification does not scan. Employees shall take a photo of the front and back of the government-issued photographic identification, and manually enter the following customer information:
  - (1) Name
  - (2) Date of Birth
  - (3) Address
  - (4) ID Number
  - (5) ID Type (Identifying the issuing government (i.e. tribal, state, country)
  - (6) Member Group Information

**Regulation 4.08 Retail Licensee Transporting Cannabis to a Cannabis Testing Facility.** As authorized by the 6.1(B) of the Ordinance, a Cannabis Retailer Licensee may transfer Marijuana to or from a Cannabis Testing Facility for testing without the use of a Cannabis Secure Transporter if done in the following manner:

- (a) The Cannabis Retailer Licensee must submit a complete copy of a LVD CRA Transport Manifest including a copy of the transporters driver's license, proof of vehicle insurance, and vehicle registration to the CRA 2 business days prior to the departure date and time. The CRA must acknowledge receipt of the manifest no later than 24 hours prior to departure and return the acknowledged LVD Travel Manifest to the Cannabis Retail Licensee.
- (b) Only full time Employees of a Cannabis Retailer Licensee may transport to or from a Testing facility Such transports are subject to the following restrictions/requirements:
  - (1) Only 2.5 ounces or less of Marijuana, with no more than or 15 grams of Marijuana being in the form of Marijuana Concentrate may be transported for testing in a single transport run.
  - (2) Travel routes must be followed as provided in the LVD CRA Transport Manifest. Any variances to the route to be traveled encountered while in route must be immediately

reported to the Cannabis Retail Licensee Employee's supervisor and noted on the LVD Transport Manifest.

- (c) At all times Marijuana being transported must remain in a locked, secured, and sealed container that is not accessible to the Employee while in transit.
- (d) The completed LVD Transport Manifest must be provided within 48 hours of completion of delivery.

## **Regulation 5**

### **Pre-Licensure**

#### **Regulation 5.01 Temporary License.**

- (a) A Temporary License shall only be provided to an Applicant seeking permanent licensure of a Cannabis Business and within the sole discretion of the CRA.
- (b) A Temporary License does not authorize the retail sale of Marijuana to a Cannabis Customer or other Licensee.
- (c) To be eligible for a Temporary License, the Applicant must meet the following;
  - (1) All minimum application submission requirements outlined in 4.4(A)(2) of the Cannabis Ordinance.
  - (2) All other CRA License Application submission requirements unless the Applicant submits a statement of why certain items cannot be submitted at that time and the timeframe for completion.
  - (3) All required backgrounding must be completed prior to the CRA issuing a Temporary License.
- (d) A Temporary Licensee shall comply with all laws, rules and regulations applicable to a Licensee under the Cannabis Ordinance.
- (e) A Temporary License does not create a vested right in the holder for issuance of a permanent License.
- (f) A Temporary License shall no longer be valid upon issuance of a permanent license, denial of a permanent license, abandonment of an application for licensure, withdrawal of an application for licensure, or surrender of the Temporary License.
- (g) A Temporary Licensee must actively and diligently pursue requirements for a permanent license within the timeframes established by the Cannabis Ordinance to continue to hold a Temporary License, which includes meeting all the requirements set forth in the Cannabis Ordinance and any rules or regulations adopted by the CRA and:
  - (1) Paying the license fee specific to the permanent license being sought upon submitting the license application.
  - (2) Providing all information requested by the CRA or otherwise elaborating upon information previously provided to the CRA, or providing a statement demonstrating that the information cannot be provided due to the circumstances beyond the Temporary Licensee's control by the response date specified by the CRA, or within 30 calendar days of the date the CRA sends an information request to the Temporary Licensee if the CRA does not specify the response date.
- (h) A Temporary License may be issued for such period of time as determined by the CRA, not to exceed one hundred and eighty (180) days.

## **Regulation 6**

### **Security**

#### **Regulation 6.01 Security.**

- (a) A Licensee shall maintain a security plan, including floor plan that shows all doors, windows, alarm sensors, alarm panels, video camera, and video storage devices. The security plan shall describe how alarms and videos are monitored and backed up in case of power loss.
- (b) The security plan shall ensure compliance with Chapter 13.3 of the Cannabis Ordinance.
- (c) Each Licensee shall comply with the requirements of Chapter 13.3 (B)(2) of the Ordinance for any Authorized Visitor. A Licensee shall promptly report to the CRA if any person is present in the secured area of any Cannabis Business who is not a Cannabis Employee or Authorized Visitor, or if any such person violates the Ordinance and these Regulations. Upon any such occurrence, the CRA may take action permitted under the Cannabis Ordinance.
- (d) A licensee shall securely lock the Cannabis Business, including interior rooms as required by these Regulations, windows, and points of entry, with commercial-grade, non-residential door locks or other electronic or keypad access. Locks on doors required for egress must meet the requirements of NFPA 80 (2022 ed.), Fire Doors and Other Opening Protectives.
- (e) A Licensee shall maintain an alarm system at the Cannabis Business. Upon request, a Licensee shall make available to the CRA all information related to the alarm system, monitoring, and alarm activity.
  - The alarm system:
    - (1) shall be remotely monitored by the Licensee or an alarm company that can alert law enforcement of any breeches.
    - (2) shall include perimeter sensors, motion sensors, and vibration sensors; and
    - (3) may include employee-activated trouble alarm capability directly transmitted to Lac Vieux Desert Law Enforcement.
- (f) A Licensee shall have a video surveillance system that, at a minimum, consists of digital or network video recorders, cameras capable of meeting the recording requirements in this Regulation, video monitors, digital archiving devices, and a color printer capable of delivering still photos.
- (g) A Licensee shall ensure the video surveillance system does all the following;
  - (1) records at a minimum the following areas;

- i. any areas where Marijuana is weighed, packed, stored, loaded, and unloaded for transportation, prepared, or moved within the Cannabis Business;
- ii. limited access areas and security rooms (transfers between rooms must be recorded);
- iii. areas storing a surveillance system storage device, with not less than one camera recording the access points to the secured surveillance recording areas;
- iv. the entrances and exits to the Cannabis Business, which must be recorded from both indoor and outdoor vantage points;
- v. point of sale areas where Marijuana is sold and displayed for sale;
- vi. areas where Cannabis Business revenue is stored or counted, e.g. vault area;
- vii. areas where Marijuana is destroyed.

(2) records, twenty-four (24) hours per day and seven (7) days per week, the area around any exterior door, as well as any area where any Marijuana is grown, harvested, processed, stored, destroyed, disposed, or prepared for transfer, sale or testing. The recordings shall be at least seven hundred twenty (720) pixels, fifteen (15) frames per second, Internet Protocol compatible and accurately stamped with date and time. Cameras shall have a backup power source that allows uninterrupted operation for at least one hundred twenty (120) minutes.

- (h) A Licensee shall ensure that each camera is permanently mounted and in a fixed location. Each camera must be placed in a location that allows the camera to clearly record activity occurring within 20 feet of all points of entry and exit on the Cannabis Business and allows for the clear and certain identification of any person, including facial features, and activities, including sales or transfers, in all areas required to be recorded under these rules.
- (i) A Licensee shall have sufficient lighting to meet video surveillance system requirements of this Regulation.
- (j) A Licensee shall have cameras that record when motion is detected at the Cannabis Business and record images that clearly and accurately display the time and date.
- (k) A Licensee shall secure the physical media or storage device on which surveillance recording is stored to protect it from tampering or theft.
- (l) A Licensee shall keep surveillance recordings for a minimum of 45 calendar days, except in instances of investigation or inspection by the CRA in which case the Licensee shall retain the recordings until the time as CRA notifies the Licensee that the recording must be destroyed.

- (m) Surveillance recordings are subject to inspection by the CRA and must be kept in a manner that allows for the CRA to view and obtain copies of the recordings at the Cannabis Business immediately upon request. A Licensee shall also send or otherwise provide copies of the recordings to the CRA upon request within the specified time by the CRA.
- (n) A Licensee shall maintain a video surveillance system equipped with a failure notification system that provides notification to the Licensee of any interruption or failure of the video surveillance system or video surveillance system storage device.
- (o) A Licensee shall maintain a log of the recordings, which includes the identity of;
  - (1) all Cannabis Employees who are responsible for monitoring the video surveillance system;
  - (2) any Cannabis Employee who removed any recording from the video surveillance system storage device and the time and date removed; and
  - (3) any Cannabis Employee who destroyed any recording.
- (p) A Licensee shall store video footage either in a locked cabinet or closet that prevents tampering or theft or on a secure third-party server. A Licensee shall limit access to video footage and maintain a list of all individuals who have access to the footage. A Licensee shall permit the CRA to access the video footage during normal operating hours. The CRA may require that video footage, as identified by the CRA, be retained until otherwise directed by the CRA.

#### **Regulation 6.02 Food and Beverage Consumption – Designated Areas Only.**

Consumption of food and beverages by employees or visitors is prohibited where Marijuana is stored, processed, or packaged or where hazardous materials are used, handled, or stored. The Cannabis Business may have a designated area for the consumption of food and beverages that includes, but is not limited to, a room with floor to ceiling walls and a door that separates the room from any Marijuana are grown, harvested, stored, processed, or packaged.

#### **Regulation 6.03 Authorized Visitors.**

Trade or professional services providers not normally engaged in the operation of a Cannabis Business, except for those individuals required to have employee credentials under the Ordinance, must be reasonably monitored, logged in as a visitor, and escorted through any limited access areas.

## **Regulation 7**

### **Packaging, Labeling and Marketing**

**Regulation 7.01 Requirements/Restrictions - ALL LICENSEES.** All Licensees shall adhere to the packaging, labeling, and marketing requirements found in Chapter 10 of the Ordinance as well as the following:

- (a) Marijuana must not be advertised or marketed to members of the public unless the person advertising the product has reliable evidence that no more than 30% of the audience or readership for the television program, radio program, internet website, or print publication, is reasonably expected to be underage as described in Ordinance Section 10.3.
- (b) A person receiving reasonable payment under a licensing agreement or contract approved by the CRA concerning the licensing of intellectual property, including, but not limited to, brands and recipes, is responsible for any marketing or advertising undertaken by either party to the agreement.
- (c) Marijuana packaging must include the universal symbol for Marijuana published on the Michigan Cannabis Regulatory Agency's website, as amended from time to time.

### **Regulation 7.02 Requirements – RETAIL LICENSEES.**

- (a) A Retail Licensee operating a Dispensary must make available to every customer at the time of sale a pamphlet measuring at least 3.5 inches by 5 inches, that includes, at minimum, the statement "National Poison Control Center Hotline 1-800-222-1222," and at least two of the following statements:
  - 1. Marijuana use during adolescence may affect the developing brain negatively by impairing thinking and problem solving.
  - 2. Marijuana use during adolescence may affect the developing brain negatively by impairing memory and learning.
  - 3. Marijuana use during adolescence may affect the developing brain negatively by impairing coordination.
  - 4. Marijuana use during adolescence may affect the developing brain negatively by impairing ability to maintain attention.
  - 5. Marijuana use during adolescence may impact performance in school.
  - 6. Marijuana use during adolescence may impact the risk of mental health issues.
  - 7. Marijuana use during adolescence may impact driving abilities.
  - 8. Marijuana use during adolescence may impact the potential for addiction.
  - 9. Any other rule as approved by the CRA and provided to the Licensee.



**Regulation 7.03 Curbside/Contactless Pick-Up Requirements.**

- (a) A Retail Licensee may designate an area for contactless or limited contact transactions within the building diagram and floor plan submitted to the CRA.
  - 1. Contactless or limited contact transactions include but are not limited to the following:
    - a. Curbside service.
    - b. Drive through window service.
    - c. Online or telephonic orders for Cannabis Products and payment for the order that will be picked up at the Dispensary.
- (b) A Retail Licensee operating a contactless or limited contact transaction must have a written standard operating procedure in place and on file with the CRA.
- (c) Contactless or limited contact transactions must be completed during normal business hours.
- (d) A Retail Licensee using a designated area for contactless or limited contact transactions must have in place an anti-theft policy, procedure, or automatic capability.
- (e) The designated area for contactless or limited contact transactions must comply with Regulation 6.
- (f) The contactless and limited contact transaction must comply with all the requirements of the Ordinance.
- (g) Cannabis Products being transferred during a contactless or limited contact transaction must be in an opaque bag and the contents must not be visible to the general public upon pick up.

**Regulation 8**  
**Trade Samples**

**Regulation 8.01 Trade Samples.**

(a) The following Licensees may provide trade samples:

1. A Grower may transfer trade samples of Marijuana to another Licensee or Person licensed by another jurisdiction.

2. A Processor may transfer trade samples of Marijuana to a Licensee, or a Person licensed by another jurisdiction.

(b) The transfer of trade samples does not require the use of a secure transporter under the Ordinance if the amount of trade samples does not exceed either of the following:

1. 15 ounces of Marijuana;

2. 60 grams of Cannabis Products excluding Marijuana;

(c). Trade samples must not be sold or transferred by the receiving Licensee to another Licensee or to a consumer.

(d) Any trade sample transferred to a Licensee must be recorded in the Tribal Monitoring System.

(e) Trade samples transferred under this regulation must be tested according to the Ordinance before being transferred to a Licensee or Person licensed by another

(f) A Licensee is limited to transferring the following aggregate amounts of trade samples to a Licensee or Person licensed by another jurisdiction in a 30-day period:

1. 2.5 ounces of Marijuana;

2. 15 grams of Cannabis Products excluding Marijuana;

(g) In addition to the requirements of the Ordinance and Regulation 7, a trade sample must have a label containing the statement "TRADE SAMPLE NOT FOR RESALE" in bold, capital letters attached to the trade sample.

(h) A Licensee that receives a trade sample may distribute the trade sample to its employees to determine whether to purchase the Cannabis Products.

**Regulation 8.02 Internal Samples.**

(a) A Licensee may provide internal samples directly to its employees to ensure product quality and determine whether to sell the Cannabis Products.

- (b) Internal product samples may not be transferred or sold to another Licensee or Cannabis Customer.
- (c) Internal product samples may not be consumed on-site at the Cannabis Business.
- (d) Internal product samples shall be tested before being provided to Employees pursuant to testing requirements contained in Chapter 12 of the Ordinance and any Rule or Regulation promulgated by the CRA.
- (e) Any internal product sample provided under this rule must be recorded in the Tribal Monitoring System.
- (f) A Cannabis Grower is limited to providing a total of one (1) ounce of internal Cannabis Product samples to each of their employees in a 30-day period.
- (g) A Cannabis Processor is limited to providing internal Cannabis Product samples consisting of six (6) grams of Cannabis Product with a total THC content of 2000 mgs to each of their employees in a 30-day period.
- (h) A Retail Licensee is limited to providing a total of one half (1/2) ounce of Marijuana, and Cannabis Products with a total THC content of 2000 mgs of internal Cannabis Product samples to each employee in a 30-day period.
- (i) Internal samples shall not be considered part of any Employee's compensation.

## **Regulation 9**

### **Transportation**

#### **Regulation 9.01 Transportation Requirements.**

- (a) Cannabis Secure Transporter Licensee must ensure the transport of Marijuana is in a locked, secured, and sealed container that is not accessible to the Licensee while in transit. Such container must be secured by a locked closed lid or door or sealed by tamper-proof tape or equivalent provided the means of sealing the product would alert the receiving Cannabis Business that the Marijuana had been tampered with at some point from the time it departed the shipping Cannabis Business.
- (b) Money. A Cannabis Secure Transporter Licensee transporting money associated with the purchase or sale of Marijuana, shall lock the money in a sealed container to be kept separate from the Marijuana which shall only be accessible to the Secure Transporter Licensee.
- (c) As required by Chapter 9 Section 9.4 of the Ordinance, a Licensee shall submit transport manifest to the CRA for approval, in advance, each time the Licensee intends to transport any Marijuana, a Cannabis Secure Transporter Licensee:
- (1) Shall not alter an a CRA approved transport manifest in any way;
  - (2) Shall not possess Marijuana not listed on an approved transport manifest.
  - (3) Shall maintain a physical copy or electronic copy of the transport manifest and transport manifest available to the CRA upon request; and
  - (4) Shall not leave Marijuana in an unattended Cannabis Transporter Vehicle unless the Cannabis Transporter Vehicle is locked and equipped with an active vehicle alarm system.
- (d) Any Licensee that is transferring Marijuana shall remain onsite until the Marijuana is weighed and accepted or rejected before leaving the Cannabis Business.
- (e) Cannabis Secure Transporter Licensee Vehicles are subject to inspection within the Reservation at any time by the CRA or Tribal Law Enforcement to determine compliance with the Ordinance and these Regulations.
- (f) All persons transporting Marijuana for any Licensee on a public or private road within the Reservation in connection with any Cannabis Business while engaged in such activity must always wear an identification badge issued by the CRA that is affixed to a conspicuous place on the outside of their clothing.
- (g) All persons transporting Marijuana for any Licensee on a public or private road within the Reservation in connection with any Cannabis Business activities shall always possess a legible copy of their employer's Cannabis Business License, as applicable.

(h) A Licensee shall provide to the CRA, the make, model, and license plate number of all Cannabis Transporter Vehicles.

(i) All Cannabis Transporter Vehicles shall be insured, have valid state or tribal-issued vehicle registration, be in good working order and equipped with an alarm and locking compartments for securing cargo, and must be equipped with a vehicle-rated fire extinguisher and battery jumper cables.

(j) All Cannabis Transporter Vehicles used to engage in any Cannabis Business activities within the Reservation shall contain sufficient fuel to minimize the need to refuel in transit.

(k) All Cannabis Transporter Vehicles shall contain no exterior markings which identify the contents of the vehicle.

(l) All Cannabis Transporter Vehicles must contain a global positioning system (GPS) device for identifying the geographic location of the Cannabis Transporter Vehicle.

(1) The device must be either permanently or temporarily affixed to the Cannabis Transporter Vehicle while it is in operation, and the device must remain active and in the possession of the person operating the Cannabis Transporter Vehicle at all times during delivery.

(2) A Licensee must be able to identify the geographic location of each Cannabis Transporter Vehicles at all times.

(m) No firearms shall be permitted in Cannabis Transporter Vehicles.

(n) All Cannabis Transporter Vehicles shall have a heating system and a cooling system that is adequate to keep Marijuana within a temperature range that prevents melting, spoilage, or other damage.

(o) A Licensee shall identify and record all Cannabis Transporter Vehicles with the CRA and have the required vehicle registration with the secretary of state as required under state law. A Licensee's Cannabis Transport Vehicles is subject to inspection at any time when within the Reservation by the CRA to determine compliance with the Ordinance and these Regulations.

(p) A person operating a Cannabis Transporter Vehicle shall have access to a secure form of communication with the Cannabis Business, such as a cellular telephone, at all times in the vehicle or on his or her person.

(q) The person operating Transporter Vehicles shall maintain a log that includes all stops, and the reason for each stop. A Licensee shall maintain the log for at least one (1) year from delivery date and make it available to the CRA upon request. The log may be maintained electronically.

(r) A Licensee shall maintain a record of each delivery of Marijuana in a Cannabis Delivery Log, which may be a hard copy or electronic format. A Licensee shall maintain Cannabis Delivery Logs for a minimum of one (1) year from the date of delivery and shall be provided to CRA upon request. For each delivery, the Cannabis Delivery Log must record the following:

(1) the date and time that the delivery began and ended;

- (2) the name of each person operating the Cannabis Transporter Vehicle;
- (3) the amount and type of Marijuana delivered; and
- (4) the signature of the individual who accepted delivery.

(s) A Licensee shall immediately notify the CRA, or law enforcement of any theft, loss of Marijuana, or criminal activity. A Licensee shall report to the CRA and law enforcement, if applicable, any other event occurring during the transport of Marijuana that violates the Ordinance, these Regulations, or the Licensee's Transport Manifest, including any collisions involving Cannabis Transporter Vehicles or any diversion of Marijuana.

(t) The Cannabis Business to which Marijuana is delivered shall document in a discrepancy report any difference between the type and quantity of Marijuana documented on the transport manifest and the type and quantities of Marijuana and Marijuana Products received. The Cannabis Business shall promptly forward each discrepancy report to the CRA for investigation.

## **Regulation 10**

### **Cannabis Testing Requirements**

**Regulation 10.01. Testing Requirements.** All Cannabis Products sold, processed, or grown by a Licensee must pass a safety test from a Cannabis Testing Facility as defined in the Ordinance.

**Regulation 10.02. Testing Procedures.** A Cannabis Testing Facility shall test and certify all Marijuana before the Marijuana may be sold or otherwise transferred to any Cannabis Customer in accordance with this Ordinance or as otherwise required by rule or regulation of the CRA.

- (a) Before any testing activity, the Licensee shall supply the CRA with a description of the testing location, the product being tested and intended testing activity.
- (b) For any Cannabis Testing Facility other than a Testing Facility Licensee, the Licensee must supply in writing to the CRA the licensure or other documentation to show that Cannabis Testing Facility meets the requirements of Ordinance 12.5 unless excluded by CRA rule or regulation.
- (c) The CRA shall review the submissions and either approve or require modifications before any testing activity begins.

### **Regulation 10.03. Testing of Cannabis Plants.**

- (a) A Grower Licensee shall:
  - 1. Uniquely identify each immature plant Batch with a single Plant Tag and record the information in the Tribal Monitoring System. Each immature plant Batch must consist of no more than 100 immature plants.
  - 2. Tag each individual plant that is greater than 8 inches in height from the growing or cultivating medium or more than 8 inches in width with an individual Plant Tag and record the identification information in the Tribal Monitoring System.
  - 3. Separate the plants as the plants go through different growth stages and ensure that the Plant Tag is always identified with the plant throughout the growth span so that all plants can be easily identified and inspected and record the identification information in the Tribal Monitoring System
- (b) After a tagged plant is harvested, it is part of a harvest Batch so that a sample of the harvest Batch can be tested by a licensed laboratory. A Cannabis Grower Licensee shall

quarantine a harvest Batch from other plants or Batches that have test results pending. A harvest Batch must be easily distinguishable from other harvest Batches until the Batch is broken down into packages.

- (c) Before the Cannabis Product leaves the Cannabis Grower Licensee, a sample of the harvest Batch must be tested by a licensed laboratory. All test results must indicate passed in the Tribal Monitoring System before the Cannabis is packaged. A Cannabis Product from a harvest Batch must not be transferred or sold until tested, packaged, and tagged. A Cannabis Product from a harvest Batch that fails safety testing may only be sold or transferred subsequent to the remediation requirements in Section 9.9(H) Failed Product and Remediation.
- (1) In the event the Cannabis Grower Licensee and Cannabis Processor Licensee are encompassed in one facility and the Cannabis transfers directly to the Cannabis Processor and does not leave the facility for processing, the Cannabis shall only be required to be tested after processing and before sale to a Cannabis Customer.
- (2) After test results show a passed test and the harvest Batch is packaged, the Cannabis Grower Licensee shall destroy the individual Plant Tags. Each package must have a package tag attached. A Cannabis Grower Licensee shall ensure this information is placed in the Tribal Monitoring System in accordance with this Ordinance.
- (3) After a Cannabis Processor Licensee receives or purchases a package in the Tribal Monitoring System, and the Cannabis Processor Licensee proceeds to process the Marijuana in accordance with this Ordinance, the Cannabis Processor Licensee shall give the Marijuana a new package tag any time the Cannabis Product changes form or is incorporated into something else.
- (4) After a package is created by a Cannabis Processor Licensee of the Cannabis Product in its final form, the Cannabis Processor Licensee shall have the sample tested. The Cannabis Processor Licensee shall not transfer or sell a Cannabis Product to a Cannabis Retail Licensee until after test results entered into the Tribal Monitoring System indicate a passed test.

**Regulation 10.04. Failed Product and Remediation.** In the event a sample provided to a laboratory pursuant to this Ordinance does not pass the required safety tests, the Cannabis Business that provided the sample shall dispose of the entire Batch from which the sample was taken and document the disposal of the sample using the Tribal Monitoring System pursuant to this Ordinance. If the Cannabis Business has a reasonable belief that the failed safety tests were



erroneous, the Cannabis Business may resubmit new samples to the laboratory from the same Batch.

- (1) A failed Cannabis Product must pass two (2) separate tests with new samples consecutively to be eligible to proceed to sale or transfer.

**Regulation 10.05. Sampling and Testing Technical Guidance for Marijuana Products**

- (a) As required by Chapter 12.5 of the Cannabis Ordinance, all Cannabis Products sold, processed or grown by a Licensee must pass a safety test. The CRA has determined that it is in the best interest of Cannabis Consumers to ensure that testing complies with.

- (1) *Sampling and Testing Technical Guidance for Marijuana Products* issued by the Michigan Cannabis Regulatory Agency and as amended from time to time. The Sampling and Testing Technical Guidance for Marijuana Products contains best practices as well and pass or fail levels that should be adhered to for Cannabis Consumer safety which includes safety tests for Mycotoxin and Target Analytes.

## **Regulation 11**

### **Person Licensed by Another Jurisdiction**

**Regulation 11.01. Purchase of Cannabis.** Chapter 6.1 of the Ordinance authorizes the Cannabis Retail Licensee to purchase or transfer Marijuana from a Cannabis Business, or Person licensed by another jurisdiction for the purpose of Distribution and sale or transfer in accordance with the Ordinance or any Rules or Regulations established by the CRA.

**Regulation 11.02. Requirements for purchasing Marijuana from a Person licensed by another jurisdiction.** Prior to receiving Marijuana Products from Person licensed by another jurisdiction, the Cannabis Retail Licensee must provide the CRA with the following:

- (a) A copy of the license from the licensing jurisdiction of the Person supplying any Marijuana.
- (b) An Attestation from the Person licensed by another jurisdiction that states the Person:
  - 1. is in good standing within the jurisdiction licensed;
  - 2. Is not and has not been the subject of any disciplinary action in any licensing jurisdiction;
  - 3. will ensure the Cannabis Retail Licensee possesses the most up to date copy of the Person's license to operate; and
- (c) will report any disciplinary action immediately to the Cannabis Retail Licensee involving the Person while the Person and the Person maintain a business relationship. The Cannabis Retail Licensee receiving Marijuana Products from a Person licensed by another jurisdiction must ensure that all products available for retail sale to a Cannabis Customer meets the labeling and testing requirements of the Ordinance and any CRA Rule or Regulation.

## **Regulation 12**

### **Limited Supplier License**

**Regulation 12.01. Compliance Exemptions.** Chapter 19.7(A) states that unless exempt as defined by CRA rule or regulation, a Limited Supplier Licensee shall adhere to the requirements contained in Chapters 5, 10, 11, and 12 of this Ordinance along with all applicable CRA rules and regulations. Therefore, the CRA exempts the Limited Supplier Licensee from the following sections of the Ordinance:

- 5.1 (C), (D), (E), and (G)
- 5.2 (B)(6)
- 5.3
- 5.4
- 11.2 (A)(1-3)
- 11.2 (D)
- 11.3
- 11.6
- 11.7

## Legislative History

Originally approved by the CRA on March 21, 2024.

Amended to make minor non-substantive wording changes and added Regulation 4.05 on April 10, 2024.

Amended Regulation 7.02 to correct telephone number on April 22, 2024.

Amended to add Regulation 7.03 and made non-substantive wording changes on June 28, 2024.

Amended to move Regulation 7.01(d) to Regulation 4.06. on July 22, 2024

Amended to add Regulation 10.05 on July 30, 2024.

Amended to add Regulation 4.07 on September 4, 2024.

Amended to add Regulation 7.01 (e) and made non-substantive wording changes to Regulation 10.05 on September 20, 2024.

Amended language in 1.03(b)(2) to change licensee reporting requirement to monthly rather than annually, amended language in 1.08, amended language in Regulation 4.05, made non-substantive wording changes to Regulation 4.05, added Regulation 4.08, added Regulation 8.02(h), made non-substantive wording changes to Regulation 8.02, amended the language of 7.01(c), removed Regulation 7.01(d) & (e), made non-substantive wording changes to Regulation 10.02(b), added Regulation 11.01 and 11.02, and added Regulation 12 on January 15, 2025.

Amended Regulation 4.08 (a) to include proof of vehicle insurance and vehicle registration on April 14, 2025.

## REGULATION CERTIFICATION

I, Andrea Russell hereby certify that these regulations were approved on: 4/14/2025 as to substance and may be subject to minor formatting changes. In accordance with 3.7 (C) of the Lac Vieux Desert Cannabis Ordinance and shall have the force and effect of law.

By: Andrea Russell  
Lac Vieux Desert Cannabis Regulatory Authority