

September 24, 2024

Mohibullah Zahed
Anna LLC dba Anna Tobacco & Smoke Shop
1008 Gateway Drive
Chaska, MN 55318
anna.group.us@gmail.com

Dear Mohibullah Zahed:

Subject: Administrative Order for 1008 Gateway Drive, Chaska, MN 55318

Registration Number: 4066

Enclosed is an administrative order (order) issued to Anna Tobacco & Smoke Shop for violation of Minnesota Statute 151.72.

This order contains penalties for the violations that have occurred.

If you have any questions, please contact Office of Cannabis Management (OCM) Enforcement Coordinator: Danielle DeVito, at Danielle.Devito@state.mn.us

Sincerely,



Margaret Wiatrowski

Enforcement and Compliance Program Manager
Office of Cannabis Management
PO Box 64034
St. Paul, MN 55164

Enclosure: Administrative Order Penalty Invoice

Administrative Order

Anna Tobacco & Smoke Shop
1008 Gateway Drive, Chaska, MN 55318

1. Authority

1. The Office of Cannabis Management (OCM) has the authority under Minnesota Statutes, section 342.19, subdivision 1, to inspect any cannabis or hemp business.
2. The Office of Cannabis Management has the authority under Minnesota Statutes, section 151.72, subdivision 6(d), to enforce the requirements of section 151.72 regarding the sale of certain cannabinoid products according to Minnesota Statutes, section 342.19.
3. The Office of Cannabis Management has the authority under Minnesota Statutes, section 342.19 subdivision 5 to issue administrative orders to correct violations or cease and desist from committing the violation, and assess administrative penalties up to \$10,000, an amount that deprives the business of any economic advantage gained by the violation, or both, for each violation of the chapter or rules adopted pursuant to the chapter.

2. Findings of fact

On December 22, 2023, Minnesota Department of Health (MDH) conducted an inspection of Anna Tobacco & Smoke Shop, known as “Regulated Party” henceforth, at 1008 Gateway Drive, Chaska, MN 55318. At the time of the inspection, the Regulated Party offered for sale several non-compliant products. The inspector voluntarily destroyed all high-risk products¹ during the inspection and pulled from the shelves all other non-compliant products.

On May 29, 2024, MDH conducted a reinspection of the Regulated Party. At the time of the inspection, MDH staff observed several non-compliant products offered for sale. The violations found at this second inspection were similar in nature and severity to the violations found at the first inspection. The inspector voluntarily destroyed all high-risk products during the inspection and pulled from the shelves all other non-compliant products.

3. Specific Violations

1. **Citation: Minnesota Statutes, section 151.72, subdivision 6 (a) (6).**

¹ As used in this Administrative Order, the term “high-risk products” means products containing in excess of twice the tetrahydrocannabinol (THC) limits established for such products under section 151.72 and/or products that appeal to children.

Finding: The Regulated Party offered for sale products extracted from hemp containing more than 0.3% of any tetrahydrocannabinol, which is prohibited.

- December 22, 2023 During the inspection the Regulated Party offered for sale; Zkittles THC-P Delta-8 Badder 1 gram shatter, Urb THC Vape and Hidden Hills THC Vapes. Products were removed from shelves during the inspection.
- May 29, 2024 During the inspection the Regulated Party offered for sale; Urb THC-A Vape containing 99.41% of THC and Fuego D8 THC Vapes. These products were removed from shelves during the inspection.

2. Citation: Minnesota Statutes, section 151.72, subdivision 3 (c) (2).

Finding: The Regulated Party offered for sale products containing intoxicating hemp-derived cannabinoids which are intended to affect the structure or function of the bodies of humans or other animals.

- December 22, 2023 During the inspection the Regulated Party offered for sale; Chapo THC-B THC-P PHC Delta 10 vapes, Treetop Hemp Co HHC vapes and Space Gods super nova THCA Vapes. These products were removed from shelves during the inspection.
- May 29, 2024 During the inspection the Regulated Party offered for sale; Urb D8 THC-A THC-H Vape and Torch D11 THC-H THC-JD Vapes. These products were removed from shelves during the inspection.

3. Citation: Minnesota Statutes, section 151.72, subdivisions 5a (f) and 6 (a) (6).

Finding: The Regulated Party offered for sale edible cannabinoid products, not intended to be consumed as beverages, in packages containing tetrahydrocannabinol in excess of the 50 milligram per package limit.

- December 22, 2023 During the inspection the Regulated Party offered for sale; Urb Yummies Delta-8 Delta-9 gummies containing 3000mg of THC per package, Elf THC Delta-8 THC-P gummies containing 1000 mg of THC per package, and Urb THC HHC Chocolate Bar containing 300mg of THC per package. These products were voluntarily destroyed during the inspection.
- May 29, 2024 During the inspection the Regulated Party offered for sale; Urb D8 D9 Live Resin gummies containing 35000 mg of THC per package, Koko D8 D9 3000 mg of THC per package and Torch THC-P D9 THC-X gummies 3500 mg of THC per package. These products were voluntarily destroyed during the inspection.

4. Corrective Actions

The regulated party must demonstrate in writing within 30 days of receiving this order that the violation(s) listed in section 3 have been corrected or you have developed a plan to correct the violation(s) that is acceptable to the office.

5. Administrative Penalty

Due to the serious and repeated nature of the violations listed in section 3, the Regulated Party is assessed an administrative penalty of \$6,000 that must be paid to OCM within 30 days of receiving this order. Please refer to the enclosed invoice for payment.

OCM determined the penalty by considering several factors. OCM performed two inspections within a five-month period which revealed serious and/or repeat violations. It was determined that the Regulated Party willfully violated the statute due to violations being found on a subsequent inspection despite the Correction Order that was issued on January 19, 2024 for the same or similar violations. Three violations were deemed severe due to the threat to public health with examples including edibles more than twice the legal limit of THC per serving.

6. Failure to Comply

Failure to comply with this order will result in additional enforcement action by OCM. Additional enforcement action may include an additional administrative penalty of up to \$10,000 per violation, or an amount that deprives the business of any economic advantage gained by the violation, or both, and/or referral to law enforcement for potential criminal violations.

7. Right to Reconsideration

This order may be reviewed by requesting a reconsideration from OCM if you believe the information in this order is in error. The request must:

- Be in writing via US Certified Mail
- Be delivered to OCM within 7 calendar days after receiving this order;
- Specify which parts of the order are alleged to be in error;
- Explain why they are alleged to be in error; and
- Provide documentation to support the allegation of error.

A request for reconsideration does not stay the administrative order unless OCM issues a supplemental order granting additional time. OCM's disposition of a request for reconsideration is final.

If our office does not receive a request for reconsideration by the listed due date, this order becomes final.

Direct all written correspondence to: Margaret Wiatrowski, Office of Cannabis Management, PO Box 64034, St. Paul, MN 55164, or at Margaret.Wiatrowski@state.mn.us.

Ordered by,
Margaret Wiatrowski
Enforcement and Compliance Program Manager
Office of Cannabis Management
PO Box 64034
St. Paul, MN 55164

<https://mn.gov/ocm/>

Office of Cannabis Management
 PO BOX 64034
 St. Paul, MN 55164

Invoice #: **B10C018**
 Invoice Date: **9/24/2024**
 Due Date: **10/24/2024**
 Balance Due: **\$6,000**
 Customer PO

Bill To: Mohibullah Zahed
 Anna LLC dba Anna Tobacco & Smoke Shop
 1008 Gateway Drive
 Chaska, MN 55318

Billing Contact: Mohibullah Zahed

Remit To:
Office of Cannabis Management
ATTN: Cashier
 PO BOX 64034
 St. Paul, MN 55164

Invoice Contact:
 Margaret Wiatrowski
 Margaret.Wiatrowski@state.mn.us
 651-539-5033

Item Description	Date	Unit Price	Qty	Total
Penalty for violations of M.S. Sec 151.72	9/24/2024			6,000.00

Additional Information:

Prepared by: _____

Subtotal: \$6,000

Tax:

Total: \$6,000

Please include a copy of this invoice with your payment.
 Finance charges will be added if payment is not received by the due date.

OCM Funding							
Fund	FinDeptID	Appropriation	Account	Bus Unit	Project	Activity	Source Type
1000	B1035090	B105G00	512474				