

APOTHCA, INC.
MCN281276
MPN281445

BACKGROUND & APPLICATION OF INTENT REVIEW

1. Name and address of the proposed Marijuana Establishment:

Apothca, Inc.
99 Development Road, Fitchburg, MA 01420

2. Type of license sought (if cultivation, its tier level and outside/inside operation):

Cultivation /Tier 5 – Indoor (30,001 to 40,000 sq. ft)
Product Manufacturer

3. Applicant is a licensee or applicant for other Marijuana Establishment license(s):

Retail (MRN281447)

4. List of all required individuals and their business roles in the Marijuana Establishment:

Andrew Young – Executive/Officer
Rachmil Lekach – Director
Moshe Bleich – Director
Corey Cutler – Director
Leon Nitka – Director
Joseph Lekach – Close Associate
Daniel Karten – Close Associate
Michael Thompson – Close Associate

5. List of all required entities and their roles in the Marijuana Establishment:

Artcan, LLC – is the source of debt capital for the proposed establishment. The applicant has reported that Artcan, LLC, does not have an equity interest in the proposed establishment.

6. Applicant’s priority status and information pertaining to co-located operations:

RMD Priority (RPA201880)

The RMD business will be co-located with the adult-use business in Fitchburg. The RMD has a Final Certificate of Registration for dispensing, cultivation, and processing.

7. The applicant and municipality executed a Host Community Agreement on July 6, 2018.
8. The applicant conducted a community outreach meeting on April 25, 2018 and provided documentation demonstrating compliance with Commission regulations.
9. The Commission received a municipal response from the municipality on October 19, 2018 stating the applicant was in compliance with all local ordinances and bylaws.
10. The applicant proposed the following programs for its Positive Impact Plan:
 - a. Institute hiring practices that will prioritize the hiring of individuals from disproportionate areas with a focus on Fitchburg;
 - b. Conduct industry specific educational seminars in cultivation, manufacturing, retail operations, and overall business training;
 - c. Partner with or support organizations providing jail diversion and restorative justice programs;
 - d. Provide financial mentoring services or host organizations providing these services; and
 - e. Hold monthly informational sessions regarding the process for sealing and expunging criminal records.

SUITABILITY REVIEW

11. There were no concerns arising from background checks on the individuals or entities associated with the application.
12. There were disclosures of any past civil or criminal actions, occupational license issues, or marijuana-related business interests in other jurisdictions.

These disclosures did not raise suitability issues.

MANAGEMENT AND OPERATIONS REVIEW

13. The applicant states that it can be operational within three (3) months from receiving the provisional licenses.
14. The applicant's proposed hours of operation are the following:

Monday – Sunday: 9:00 a.m. – 8:00 p.m.
15. The applicant submitted all applicable and required summaries of plans, policies, and procedures for the operation of the proposed establishment. The summaries were determined to be substantially compliant with the Commission's regulations.

16. The applicant proposed the following programs for its Diversity Plan:
- a. Host career fairs in underrepresented and minority communities;
 - b. Utilize suppliers who are committed to diversity and inclusion;
 - c. Encourage employees from diverse groups to refer applications for employment;
 - d. Establish recruitment efforts at higher learning institutions; and
 - e. Develop relationships with organizations serving minorities, women, people of all gender identities and sexual orientations, veterans, and persons with disabilities for employment referrals.

17. Summary of cultivation plan (if applicable):

The applicant submitted a detailed cultivation plan that demonstrated the ability to comply with the Commission's regulations.

18. Summary of products to be produced and/or sold (if applicable):

- a. Dissolving tablets and strips;
- b. Tinctures;
- c. Nasal/oral sprays;
- d. Suppositories;
- e. Oils;
- f. Waxes;
- g. Shatters;
- h. Budders;
- i. Live resins;
- j. Saps;
- k. Taffies;
- l. Crumbles;
- m. Moon rocks;
- n. Creams;
- o. Salves;
- p. Lotions;
- q. Body butters;
- r. Topicals;
- s. Dermal patches;
- t. Capsules;
- u. Cooking oils;
- v. Beverages;
- w. Sauces;
- x. Dips;
- y. Baked goods;
- z. Confections;
- aa. Chocolates;
- bb. Candies;
- cc. Gums;
- dd. Sugars;
- ee. Salts;
- ff. Syrups;
- gg. Butters;
- hh. Mints; and

ii. Teas.

19. Plan for obtaining marijuana or marijuana products (if applicable):

Not applicable.

20. ISO 17025 Certifying Body and Certificate Number (if applicable):

Not applicable.

RECOMMENDATION

Commission staff recommend provisional licensure with the following conditions:

1. Final license is subject to inspection to ascertain compliance with Commission regulations;
2. Final license is subject to inspection to ascertain compliance with applicable state laws and local codes, ordinances, and bylaws;
3. The applicant shall cooperate with and provide information to Commission staff;
4. Provisional licensure is subject to the payment of the appropriate license fee;
5. Final license is subject to the licensee providing Commission staff with a specific list of geographical areas that its Positive Impact Plan will be focused;
6. Final license is subject to the licensee providing Commission staff with clarification as to whether it shall do the items outlined in the “Continuing Efforts” section of its Positive Impact Plan;
7. Final license is subject to the licensee providing Commission staff with the metrics and measurements it will utilize to assess the progress or success of its Positive Impact Plan;
8. Final license is subject to the licensee providing Commission staff with the specific details, including types, of baked goods and other products that will be produced.

The applicant has demonstrated compliance with the laws and regulations of the Commonwealth and suitability for licensure. Therefore, the applicant is recommended for provisional licensure.