



NOTICE OF OPPORTUNITY FOR HEARING

IN THE MATTER OF LICENSEE: CCD 000131-00; Greenleaf Apothecaries, LLC dba The Botanist;

WHEREAS, the Ohio Department of Commerce Division of Cannabis Control (“the Division”) oversees licensure for dual use and medical marijuana dispensaries pursuant to Ohio Revised Code (“R.C.”) 3780.02, 3780.03, 3780.10, 3796.02 and 3796.09.

WHEREAS, Greenleaf Apothecaries, LLC dba The Botanist (“Licensee”) is the holder of a certificate of operation for a dual use dispensary with dispensary license number CCD 000131-00.

WHEREAS, the Division has conducted compliance reviews, on-site inspections and interviews of Licensee and its owners, operators, and employees, operating from the primary business addresses of 3840 Greentree Avenue SW, Unit 4, Canton, Ohio 44706.

The Division alleges the following regarding the dispensary license held by Licensee:

1. Licensee was awarded a dual use dispensary license and certificate of operation on August 6, 2024.
2. On or about July 18, 2025, the Division issued guidance regarding permissible activities at a dispensary.¹ This guidance was posted on the Divisions website and was sent directly to Licensee. A follow up reminder noting all applicable guidance was sent to all licensees on or about August 5, 2025.
3. The July 18 guidance indicated that “food trucks/other food offered for sale or complimentary” was prohibited. Additionally, the guidance indicated that “unapproved signage outside the dispensary was prohibited”. Furthermore, in this guidance the Division reminded licensees that any violation of these restrictions could result in a civil penalty of up to \$50,000 per violation.
4. On or about July 22, 2024 Licensee attended a meeting with the Division of Cannabis Control where the requirements to follow the medical rules and guidance as a condition of licensure were specifically outlined.

¹ A copy of this and all other guidance documents can be found here: <https://com.ohio.gov/divisions-and-programs/cannabis-control/licensee-resources/applications/supplemental-guidance>

5. On or about July 22, 2024 Licensee signed an agreement as a condition of receiving the above referenced dual use license which required Licensee to continue to follow the current medical marijuana rules as required by OhioAdm.Code Chapter 3796 and Licensee agreed to adhere to all present and future guidance and directives issued by the Division of Cannabis Control (“Division”). This agreement specifically required Licensee to follow the medical rules as it relates to advertising. This agreement was fully executed on or about August 2, 2024.
6. On August 6, 2024, the first day of adult use cannabis sales, Licensee allowed an ice cream vendor to distribute food and beverages on the dispensary premises in violation of OhioAdm.Code 3796:6-3-24 and contrary to the signed agreement and the directives of the Division.
7. On or about August 6, 2024, a registered employee of Licensee posted on social media, a photograph of the above referenced ice cream food truck with the caption “Free Ice Cream”.
8. On August 6, 2024, Licensee displayed external signage larger than sixteen inches by eighteen inches that was not attached to the dispensary’s permanent structure.
9. Licensee did not receive preapproval from the Division for any of the advertng activities listed in paragraphs 6 through 8 as required by OhioAdm.Code 3796:6-3-24(C) and (D).
10. Pursuant to OhioAdm.Code 3796:6-3-24(C), a dispensary shall not use a name, logo, sign or advertisement unless the name, logo, sign or advertisement has been submitted to the state Division and the applicable advertising approval fee has been paid.
11. Pursuant to OhioAdm.Code 3796:6-3-24(H), a dispensary shall not display external signage larder than sixteen inches in height by eighteen inches in width that is not attached to the entity’s permanent structure.
12. Pursuant to OhioAdm.Code 3796:6-3-22(H), a dispensary shall not offer, furnish, or allow food or beverages to be consumed on the premises of a dispensary.
13. Pursuant to OhioAdm.Code 3796:6-4-03(A)(13) allows the Division to revoke, suspend, limit, place on probaion, refuse to grant or renew a lincese or may impose a monetary penalty for failure to comply with an order or settlenment agreement of the Division.
14. OhioAdm.Code 3796:6-4-03(A) allows the Division to revoke, suspend, limit, place on probaion, refuse to grant or renew a lincese or may impose a monetary penalty for any violation of Chapter 3796 of the Revised Code or the rules promulgated in accordance with Chapter 3796 of the Revised Code.

Based on Paragraphs (1) through (14) above, the Department of Commerce, Division of Cannabis Control intends to impose on Licensee's Dispensary license a total of a \$150,000 civil as follows:

- 1. For the unapproved distribution of food and beverages from an ice cream truck on the Dispensary premises: a \$50,000 Civil Penalty.**
- 2. For the unapproved posting on social media of "free ice cream" : a \$50,000 Civil Penalty.**
- 3. For the unapproved use of signs and use of non-compliant signs: a \$50,000 Civil Penalty.**

Pursuant to Revised Code 119.07, the Department of Commerce hereby provides notice that the Licensee is entitled to a hearing if a request for hearing is received by the Department of Commerce within **thirty (30) days** from the date of mailing of this Notice. The hearing request must be submitted to:

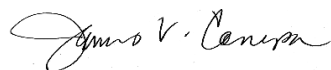
Ohio Department of Commerce
Division of Cannabis Control
77 S. High Street
20th Floor
Columbus, OH 43215

The Licensee is hereby notified that if the Department of Commerce does not receive delivery of a request for hearing within thirty (30) days from the date of the mailing of this Notice, the Department of Commerce, intends to issue an Order to Impose a \$150,000 Civil Penalty on Greenleaf Apothecaries, LLC dba The Botanist CCD000131-00.

See Ohio Administrative Code 3796:6-4-03 Ohio Revised Code 3796.09.

The Licensee is further advised that at such hearing the Licensee and the Department may appear in person, by their attorneys, or together with their attorneys, or they may present their position, arguments, or contentions in writing, and that at the hearing they may present evidence and examine witnesses appearing for or against them. Licensee is further notified that Licensee must be represented by an attorney at the hearing if the Licensee is a corporation, a limited liability company, or other "legal entity" as defined by Ohio Revised Code 1705.01(D), and Licensee wishes to make legal arguments, examine witnesses, or undertake any tasks that can only be performed by an Ohio licensed attorney. If Licensee wishes to be represented by an attorney not licensed in Ohio, that attorney must be admitted pro hac vice pursuant to rules established by the Supreme Court of Ohio prior to the hearing date. *See Gov.Bar R. XII.*

State of Ohio
Department of Commerce



By: James V. Canepa
Title: Superintendent, Division of Cannabis Control

Date: August 9, 2024

Certified Mail Tracking Number –
cc: Rachel Huston, Assistant Attorney General