



August 3, 2023

Minerva Canna Group
Attn: Erik M. Briones
911 N. Camino del Pueblo
Bernalillo, NM 87004

RE: NOTICE OF VIOLATION FOR OPERATING WITHOUT A VALID PERMIT

Dear Mr. Briones,

Our records indicate that Minerva Canna located at 911 N. Camino del Pueblo, Bernalillo, NM 87004 is manufacturing cannabis edible products and/or cannabis edible finished products without a valid permit from the New Mexico Environment Department, Cannabis and Hemp Bureau (NMED-CHB).

Beginning April 1, 2023, Class II, III or IV cannabis manufacturers that produce cannabis edible products or cannabis edible finished products are required to be properly licensed by the Regulation and Licensing Department, Cannabis Control Division and also have a valid food permit from NMED-CHB to begin/continue cannabis edible production (16.8.6.8.I NMAC). In addition, 7.6.2 NMAC also prohibits the production and/or distribution of food without a valid permit from NMED-EHB (7.6.2.8.B(14)(a) and 7.6.2.11.A(2)).

Please respond to the Notice of Violation as follows:

1. Within 3 business days of receipt, contact NMED-CHB at cannabis.hemp.bureau@env.nm.gov to notify the Bureau of your receipt of this NOV and intent to comply with items 2 and 3 below,
2. Within 15 business days of receipt, submit a complete NMED-CHB Cannabis Edible Manufacturing Facility application, and
3. After submittal of complete application, respond to NMED-CHB notifications of deficiencies and/or requests for further information by providing corrections and/or information within 3 business days of each notification.

Failure to fully comply with 16.8.6 NMAC, 7.6.2 NMAC, and the conditions of this Notice of Violation may result in NMED-CHB taking further enforcement action against your facility. Enforcement action may include seeking relief in District Court. A Civil Penalty of up to five hundred dollars (\$500) for each violation of the Food Service Sanitation Act may apply. Each and every violation of the provisions of that act shall constitute a separate offense, NMSA 1978, §25-1-12(B).

If you have questions concerning this Notice Violation, please contact NMED-CHB at cannabis.hemp.bureau@env.nm.gov or (505) 222-9500.

Pursuant to the NMED Delegation Order dated March 24, 2023, the Cabinet Secretary has delegated the authority to issue this Notice of Violation to the CHB Bureau Chief.

Please note that your facility will appear on the Department's Enforcement Watch as a result of this NOV (see: <https://www.env.nm.gov/enforcement-watch/>). Further, the Department will issue a press release to local media highlighting your facility as appearing on this webpage. Your facility will remain on the Enforcement Watch website as an active matter until this matter is fully resolved, including the payment of any assessed civil penalty.

Best Regards,

Johnathan Gerhardt, Bureau Chief
Cannabis and Hemp Bureau
Environmental Health Division
New Mexico Environment Department

cc: Lauren Reichelt, Environmental Health Division Director
Chelsea Porter, Cannabis and Hemp Bureau
Nydea Espinoza, Cannabis and Hemp Bureau
Nick Mourning, Cannabis Control Division