



STATE OF ARKANSAS
**Department of Finance
and Administration**

ALCOHOLIC BEVERAGE CONTROL

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May 2, 2024

License #: 00021
Dispensary Facility
DBA: Green Springs Medical
Dragan Vicentic, LICENSEE
309 Seneca St.
Hot Springs, Arkansas, 71901

DIRECTOR'S ORDER

There was considered by the Director, the matter pertaining to charges against License #00021, Dispensary facility, to do business as Green Springs Medical, Arkansas, 309 Seneca St, Hot Springs, Arkansas. The following charges were considered:

1. On or about March 29, 2023, it was discovered your facility could not locate sixty eight grams (68 g) and thirty-four (34) prepacked medical cannabis items that were in your inventory tracking system and you possessed thirty-three grams (33 g) of cannabis over what was in your inventory tracking, a violation of ABC MM Rule 23.5(d) and (f), three (3) counts.
2. On or about March 29, 2023, it was discovered that your facility failed to conduct a comprehensive biannual inventory of all usable marijuana within your facility, a violation of ABC MM Rule 12.1.
3. On or about April 24, 2023, it was discovered that your facility failed to enter correct UIN's on cannabis sales to patients, a violation of ABC MM Rule 17.1(a)(vi)(4) and 12.6.
4. On or about August 3, 2023, it was discovered your facility's processing was unsanitary with litter and dirty utensils; a violation of ABC MM Rule 10.6. Furthermore, your facility had already received a verbal warning for unsanitary conditions during your March 2023 biannual inspection and you refused to clean up your facility.
5. On or about August 3, 2023, it was discovered your facility could not locate seven hundred and eight grams (708 g) and three hundred and five (305) prepacked medical cannabis items that were in your inventory tracking system and you possessed nine grams (9 g) of cannabis over what was in your inventory tracking, a violation of ABC MM Rule 23.5(d) and (f), three (3) counts.

6. On or about August 3, 2023, you failed to cooperate with ABC Enforcement, a violation of ABC MM Rule 4.1(b).

7. On or about October 17, 2023, your facility adjusted inventory weight up due to "moisture loss." Subsequent investigation suggested this was an error that was remediated. While no violation is issued at this time, you are **WARNED** to track and adjust inventory appropriately to reflect your physical inventory of cannabis products.

8. On or about October 12, 2023, it was discovered your facility failed to label medical cannabis to patients in compliance with Department of Health Rules, a violation of ABC MM Rule 15.1(b)(iii) and 23.5(h).

9. On or about October 18, 2023, it was discovered that your operator failed to cooperate with ABC Enforcement, selling cannabis products to patients with expired mandatory lab tests after clear and unambiguous directive from ABC to cease such practices, a violation of ABC MM Rule 4.1(b).

10. On or about January 30, 2024, it was discovered that your facility sold medical cannabis that had expired, invalid lab testing, a violation of ABC MM Rule 23.2(l) and 23.5(b), one hundred and fifty-one (151) counts. Your facility sold over eighteen hundred (1,800) separate items across one hundred and fifty-one (151) separate UIN's of products that had expired test results.

A hearing was held on April 18th, 2024. The hearing was attended by ABC Agents Allen, Wilson, and Hodges. Licensee, Dragan Vicentic appeared pro-se. Chip Leibovich was the hearing officer for ABC.

FINDINGS OF FACT

1. Green Springs Medical, medical marijuana dispensary (license 00021), was inspected by ABC Enforcement on March 29, 2023. During that inspection, Agent Allen compared a selection of GSM's inventory as recorded on GSM's inventory tracking. The following discrepancies were noted:

30.47 grams of Critical Kush NSM were missing,

5 grams of Black Jack were missing,

33.16 grams of Chiesel were missing,

1 prepackaged 1-gram of Badder Gold Digger was missing,

12 "9 Pound Hammer" cartridges were missing,

2 dabbable syringes of Sour Tangie were missing,

3 White widow vape cartridges were missing,

11 ArkanRaw 1 gram oil (tinctures) were missing,

5 1-gram prepackaged Area 41 were missing,

GSM also possessed 13 grams of Burkle flower over what GSM reported in inventory tracking, and

GSM possessed 20 grams of Payton Pie flower over what GSM reported in inventory tracking

2. During that biannual inspection on March 29th, the agents requested Mr. Vicentic provide them with his most recent comprehensive biannual. The document provided did not include unique identification numbers (UIN's) and was handwritten. The list was not dated. It is not possible to tell from the handwritten notes whether GSM actually inventoried any items or when they were counted.

3. Charge #3 was authored by Agent Brooks who has retired from ABC and was not present at the hearing.

4. At the August 3, 2023 biannual, agents took pictures of the processing area in GSM. The tables are cluttered and debris is on the tables. Agents had previously warned Mr. Vicentic, at the March 29th, 2023, biannual that conditions were unsanitary; yet conditions remained filthy.

5. During that August inspection, GSM had the following inventory discrepancies noted by agents:

GSM was missing 55 grams of Cryo Tahoe OG Kush
GSM was missing 5 grams of Coka flower
GSM was missing 10 grams of Sour Tangie flower
GSM was missing 62 grams of wedding cake flower
GSM was missing 120 grams of Payton-cough flower
GSM was missing 454 grams of Cookies flower
GSM possessed 9 grams of Double OG over what was listed in its inventory
GSM was missing 2 Northern Lights vape cartridges, 4 packages of Lemon Icing Badder, 7 packages of NSM 3:1 topical, 4 packages of NSM Cheesecake bites, 3 Wild Berry gummie packages, 1 package NSM 1:1 tincture, 4 Green Springs tinctures, 30 packages of GSM suppositories, and 250 prepackaged Gelato eights.

6. During the August 3rd biannual inspection, the licensee, Dragan Vicentic, expressed frustration with agents conducting an inspection and was slamming inventory on his counters during the agents' inspection.

7. Charge #7 was a warning only and no violation was issued as a result.

8. In October 2023, an undercover ABC agent purchased medical cannabis from GSM. After the purchase, ABC agents discovered the product – Funky Charms 3.51 g. flower – was not labeled with testing dates.

9. At the August 3, 2023 biannual inspection, ABC Agents provided Mr. Vicentic a list of UIN's that had quality assurance (QA) test dates over one year old that were still in GSM's inventory. They explained that QA tests expire after one year per Department of Health Rules and that these items could not be sold without retesting. Despite this, GSM continued to sell products that had expired lab tests. On social media, patients publicly posted complaining about two-year-old products. An undercover agent purchased an expired product from GSM in October of 2023 that had QA testing from June 21, 2022.

10. In addition to the social media posts, and in addition to the undercover operation that discovered GSM was still selling products with expired test results – GSM recorded over 1,800 sales of expired products after the August 3rd warning to cease such practices. ABC Agents also inspected GSM on January 30, 2024 and GSM was unable to produce over 500 items with expired QA test that had been in GSM’s inventory in August 2023. Licensee, Dragan Vicentic, admitted these items had all been sold.

CONCLUSIONS OF LAW

Based upon the testimony presented, as well as evidence submitted, the following conclusions of law are made:

1. GSM failed to properly utilize inventory tracking and could not account for 68 grams of flower or 34 prepackaged medical cannabis items during GSM’s March 2023 biannual inspection; GSM also possessed thirty three grams of cannabis flower over what was identified in its inventory tracking, a violation of ABC MM Rule 23.5(d) and (f).

2. GSM’s handwritten undated “comprehensive biannual” that did not include UIN’s was insufficient and a violation of ABC MM Rule 12.1. It is obvious GSM does not conduct comprehensive biannual inspections given the large number of discrepancies in its inventory between what is digitally reported to the state and what is physically on hand at the facility.

3. Charge #3 is not supported by the evidence and should be dismissed.

4. GSM is a medical marijuana dispensary. Their processing area is contaminated with debris and rubbish and unfit for any medical purpose, a violation of ABC MM Rule 10.6. Dragan Vicentic had previously been warned to clean up his processing area and he refused to do so.

5. GSM was missing 708 grams of cannabis flower and 305 prepackaged medical cannabis items that were in its inventory; GSM also over possessed 9 grams of flower for one UIN over what was in its inventory system, a violation of ABC MM Rule 23.5(d) and (f).

6. Mr. Vicentic’s behavior towards ABC agents may have been uncalled for; however, ABC Administration determines that is not a violation of law and charge #6 should be and is hereby dismissed.

7. Charge 7 was a warning and no violation is issued.

8. GSM failed to properly label cannabis with testing date, a violation of ABC MM Rule 15.1(b)(iii) and 23.5(h).

9. GSM continued to make sales of cannabis products that had expired QA tests despite clear directive from ABC Enforcement to cease such practices. Such failure to cooperate constitutes a violation of ABC Rule 4.1(b)

10. GSM deliberately ignored ABC and sold over 1,800 cannabis products with expired QA test results, a violation of ABC Rule 23.2(l) and (23.5(b).

11. There is no suitable fine that can correct or otherwise control GSM's reckless endangerment of cannabis patients. The only available remedy is to revoke permit #00021, doing business as Green Springs Medical.

NOW THEREFORE, for reasons stated herein, it is hereby **ORDERED** that license # 00021, Dispensary facility should be and is hereby **REVOKED**.

You are hereby notified that you have the right to appeal this decision to the full Alcoholic Beverage Control Board within fifteen (15) days from the date this ORDER is received.

ALCOHOLIC BEVERAGE CONTROL DIVISION


CHRISTY BJORNSON, DIRECTOR

CB/lcm

Certificate of Service

I have this 2nd day of May, 2024, served this document on



Permittee Signature



Agent Signature