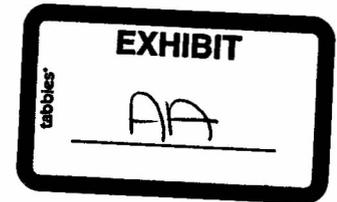


CT MMP Investments
48 Coach Light Dr.
Woodbury, CT 06798
April 21, 2013

William M. Rubenstein,
Commissioner, Department of Consumer Protection
Room 103, State Office Building,
165 Capitol Avenue,
Hartford, Connecticut 06106

RECEIVED

APR 24 2013



Re: Public Comment on Proposed Regulation Concerning ~~Palliative~~ Use of Marijuana
OFFICE OF THE COMMISSIONER

1. Where and how will the startup stock be provided?
2. The regulation states that any product created using organic solvents is considered adulterated, but tinctures and extracts are made using organic solvents including ethyl and isopropyl alcohol, naphtha, mineral spirits, and butane. When the product is complete it will have traces of the solvent used, however small. Will we be getting any changes to this regulation, including allowed residual levels, or will extracts and tinctures be unavailable under the Connecticut program.
3. The financial requirements for starting up a production operation are very difficult for an ordinary entrepreneur. This leaves the whole business open only to those with significant capital already or to those who rely on significant investor backing. Given that most expertise in this field resides outside of the state, will a producer backer who is not a Connecticut resident be permitted and how will their role be limited in running the operation?
4. How will CT regs. and laws be compliant with IRS Code 280E and its regulations and decisions (i.e., tax deductions, depreciation, and pass-through MUST be allowed to happen the same as any other business, not an "illegal enterprise" as per the regulation, otherwise it will be financially impossible to successfully run a production facility)
5. Will licenses be open only to private bidders, or to public institutions (e.g., Universities) as well? How, if yes, will such a scenario be fairly regulated - will licensing be differentiated between private and public entities?
6. How will sales tax be imposed? Will there be any additional tax levies on producers?
7. Proposed Regulation 21A-408-23 is onerous for investors in a start-up scenario in any business. It is one thing when the entity's name changes or moves locations, but entirely another thing when a small business needs to immediately expand space in order to meet demand for any product, even if it's medical marijuana. We feel it should be eliminated.
8. The records with the Commissioner of locations of all producers should NOT be public information for the same security reasons that would motivate security within each facility. There is always a possibility of criminal elements being mischievous enough to search public records in order to burglarize or rob a facility, and no amount of on-site security may be able to prevent such events. Therefore, the regulations in general need to respect the privacy rights of: 1) investors 2) employees of producers 3) the principals within the companies themselves for safety and security reasons. Therefore, we propose expanding the confidentiality requirements of 21A-408-33 to include producers, dispensers, employers thereof, investors thereof, and the like.

9. We really need to be able to use ethanol for extraction. I know there are safe laboratory procedures for doing that. It's done at low temperatures and the ethanol is drawn off in a low-pressure sealed environment to leave a pure oil while is treated with heat so that the body can absorb it and then mixed with glycerin or butter. Maybe dispensaries and the producers could both be allowed to process and extract. This would incentivize the people who want to grow efficiently to concentrate on such aspects of production. To the extent that it is not in compliance with such production techniques, Sec. 21A-408-55 should be amended appropriately.

10. Sec. 21A-408-52. operation of production facility. Segregation of certain production departments and personnel is onerous and costly. The same personnel for the start-up may well need to be engaged in BOTH, e.g., growing and harvesting. This should be amended to reflect that employees can have access to different production departments so long as they are pre-approved to work a the facility.

11. 21A-408-56. Packaging and labeling - the technical testing and chemical content of the marijuana outside of its product name, should not ALL appear on the packaging - there should be a standard one-sheet provided inside with the product that provides such information, otherwise, such labeling is again costly and duplicative of information already provided by the producer before it reaches the dispenser or is sent to the Commissioner for testing.

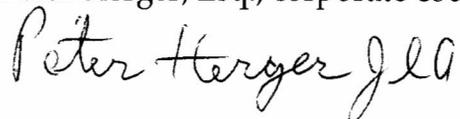
12. 21A-408-60. This does not allow for the possibility of letting producers contract with a security firm to transport product to dispensaries, which is a mistake. Quite frankly, The Pinkertons or another private secure armored transportation service may be appropriate given the sensitive nature of the product, rather than employees who become possible targets for criminal activity.

13. 21A-408-64. Disposal of marijuana. Does this include "bad" harvests or product that does not meet minimum requirements? This seems redundant to dispose of a product with a state rep. which is already deemed unusable under the other regulations. Where is marijuana to be stored before its destruction? What if the facility does not have room to store such product until a state authorized representative can get there to observe destruction/disposal? The better solution for disposal would be to simply set up a weekly or biweekly schedule with the state for all producers to unload bad marijuana to simply take their marijuana to a local authorized state medical waste disposal facility to destroy the batch and handle the paperwork through them.

14. What are the proposed/current locations of ALL dispensaries to date in the State?

Respectfully,

Peter Herger, Esq., corporate counsel, CT MMP Investments



By Jeremy Anderson for Mr. Herger

