



Office of Cannabis Management

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Acting Executive Director

No. 2025-11
February 14, 2025

RESOLUTION TO RENDER A DECISION FOR ADMINISTRATIVE APPEAL Z SNACKS INC., v. OCM, INSPECTION NO. 102202406050002

WHEREAS, pursuant to Article 2 of the New York State Cannabis Law (“Cannabis Law”) Sections 10 and 17, the Cannabis Control Board (“Board”) is charged with the responsibility of issuing a final determination when an administrative decision following a hearing is appealed.

WHEREAS, pursuant to Article 6 Sections 138-a and 138-b of the Cannabis Law and Section 133.25 of Title 9 of the New York Codes, Rules, and Regulations (“NYCRR”), Appellee Office of Cannabis Management (“OCM”) conducted a regulatory inspection of Appellant Z Snacks Inc.’s (“Appellant”) business and issued an immediate Order to Seal for the premises.

WHEREAS, Appellant requested a hearing that was held before an Administrative Law Judge (“ALJ”) with the Office of Administrative Hearings (“OAH”), pursuant to Sections 133.16 and 133.25 of Title 9 NYCRR.

WHEREAS, following the hearing, the presiding ALJ issued a decision, pursuant to Title 9 NYCRR Section 133.21, extending the Order to Seal against Appellant’s business, pursuant to Cannabis Law Sections 138-a and 138-b, for offering cannabis and products marketed and labeled as cannabis without a license, registration, or permit to do so in violation of Sections 125 and 132of the Cannabis Law and Section 120(i) of Title 9 NYCRR.

WHEREAS, Appellant submitted an administrative appeal, and the exceptions noted therein to the Board for review and for a final determination, pursuant to Section 133.25(k) of Title 9 NYCRR.

WHEREAS, pursuant to Section 133.25(k) Title 9 NYCRR, the members of the Board have reviewed the record on appeal, including the memorandum filed by the parties, the hearing transcript, and the ALJ’s decision, and have made a preliminary determination to confirm the ALJ’s decision and deny the Appellant’s requested relief.

RESOLVED, that the members of the Board affirm the ALJ’s decision. The Board’s decision shall constitute the final determination on the matter.

[See Attachment A – Decision on Appeal]