

### Edible Hemp Products Inspection Form

<b>Firm Name:</b> Mirgan LLC dba Chesapeake Tobacco & Vape	<b>Business ID:</b> 2307092	<b>Inspection ID:</b> 2307092-01
<b>Address:</b> 1744 Sentinel Drive Suite 110, Chesapeake, VA 23320	<b>Phone:</b> Owner of store [REDACTED]	
<b>Extent:</b> Full Inspection	<b>Purpose(s):</b> Compliance Inspection	
<b>Attention:</b> Mr. Assim Mirgan	<b>Start:</b> 7/26/23	<b>End:</b> 7/26/23
<b>Email:</b> [REDACTED]	<b>Report Issued via:</b> Email	

#### Requirements for Selling Edible Hemp Products

COMPLIANCE STATUS		IN=in compliance; OUT=not in compliance; NA=not applicable; NO=not observed COS=corrected on-site during inspection; R=repeat violation	COS	R
1	OUT	The firm has a food establishment permit issued by the VDACS Food Safety Program (or by the Virginia Department of Health). § 3.2-5145.2:1(B)(i), § 3.2-5100, § 3.2-5130	<input type="checkbox"/>	<input type="checkbox"/>
2	OUT	The firm is exempt from a food establishment permit by meeting certain criteria and certifying to the Department that they qualify for the exemption. § 3.2-5145.2:1(B)(i), § 3.2-5100, § 3.2-5130	<input type="checkbox"/>	<input type="checkbox"/>
3	OUT	An Edible Hemp Products Disclosure Form has been submitted to VDACS. § 3.2-5145.2:1(B)(iii)	<input type="checkbox"/>	<input type="checkbox"/>
4	OUT	Approved Source. Edible hemp products are produced by a manufacturer that is under food safety inspection by the responsible food regulatory agency in the location in which such manufacturing occurs, and production/sales of food products containing hemp extract is lawful in that location. § 3.2-5145.3, 2VAC5-595-40(D)	<input type="checkbox"/>	<input type="checkbox"/>
5	OUT	Products are accompanied by a COA from an ISO 17025 accredited lab; documentation of ISO 17025 accreditation is available for review at the point of sale. § 3.2-5145.4:1(D)	<input type="checkbox"/>	<input type="checkbox"/>
6	OUT	Products contain a total THC concentration that is no more than 0.3%. § 3.2-5145.2:1	<input type="checkbox"/>	<input type="checkbox"/>
7	OUT	Hemp derived ingredients meet the definition of "Extract" given in 2VAC5-595-10 (Excludes THC's other than Delta 9 THC; CBN, THCV allowed)	<input type="checkbox"/>	<input type="checkbox"/>
8	IN	Products do not contain a synthetic derivative of tetrahydrocannabinol. "Synthetic derivative" means a chemical compound produced by man through a chemical transformation to turn a compound into a different compound by adding or subtracting molecules to or from the original compound. § 59.1-200 (A)(69)	<input type="checkbox"/>	<input type="checkbox"/>
9	OUT	Products contain no more than 2 mg of total THC per package OR contain an amount of CBD that is at least 25 times greater than the amount of total THC per package. § 3.2-5145.2:1	<input type="checkbox"/>	<input type="checkbox"/>
10	OUT	Products containing any THC are contained in child-resistant packaging. Package is resealable if it contains multiple servings. § 3.2-5145.4:1, § 4.1-600, § 59.1-200 (A)(71)	<input type="checkbox"/>	<input type="checkbox"/>
11	IN	Labeling. The product label Statement of identity is on the Principal Display Panel (PDP) and adequately describes the product. § 3.2-5123(A)(4)(a); § 3.2-5123(A)(8)(ii); 21CFR101	<input type="checkbox"/>	<input type="checkbox"/>
12	OUT	Labeling. The product Statement of Net Quantity of Contents (US Customary and Metric measures) is present and on the PDP. § 3.2-5123(A)(8)(iii); 21CFR101	<input type="checkbox"/>	<input type="checkbox"/>
13	IN	Labeling. The label states the amount of food in a single serving. § 3.2-5145.4:1(B)(ii)	<input type="checkbox"/>	<input type="checkbox"/>
14	IN	Labeling. There is a Statement of Ingredients and all ingredients, including the sub-ingredients of any ingredient made of two or more substances, are listed on the label. § 3.2-5145.4:1(B)(i); § 3.2-5123(A)(4)(b); 21CFR101	<input type="checkbox"/>	<input type="checkbox"/>
15	IN	Labeling: If the product contains Allergens, they are declared on the label. 21CFR101	<input type="checkbox"/>	<input type="checkbox"/>

COMPLIANCE STATUS	IN=in compliance; OUT=not in compliance; NA=not applicable; NO=not observed COS=corrected on-site during inspection; R=repeat violation	COS	R
16	OUT Labeling. The Name and Address of the Manufacturer or Distributor is on the label. § 3.2-5123(A)(8)(i); 21CFR101	<input type="checkbox"/>	<input type="checkbox"/>
17	OUT Labeling. When the product is labeled as containing specific cannabinoids, the number of milligrams of each cannabinoid is declared. 2VAC5-595-60(D)	<input type="checkbox"/>	<input type="checkbox"/>
18	OUT Labeling. A Batch Code is on the product label. § 3.2-5145.4:1(E)	<input type="checkbox"/>	<input type="checkbox"/>
19	IN Labeling. The label does not contain a claim indicating the product is intended for diagnosis, cure, mitigation, treatment, or prevention of disease. § 3.2-5145.4:1(F)	<input type="checkbox"/>	<input type="checkbox"/>
20	OUT Labeling. If the product contains THC, the label states the number of milligrams of THC in each serving. § 3.2-5145.4:1(B)(iii)	<input type="checkbox"/>	<input type="checkbox"/>
21	OUT Labeling. If the product contains THC, the label states the total milligrams of THC included in the package. § 3.2-5145.4:1(B)(iii)	<input type="checkbox"/>	<input type="checkbox"/>
22	OUT Labeling. If the product contains THC, the label states the total percentage of THC in the package (" $<0.3\%$ THC" does not meet this requirement). § 3.2-5145.4:1(B)(iii)	<input type="checkbox"/>	<input type="checkbox"/>
23	OUT Labeling. If the product contains THC, there is an age restriction statement (May not be sold to persons younger than 21). § 3.2-5145.4:1(C)	<input type="checkbox"/>	<input type="checkbox"/>
24	IN Labeling. If the product contains THC, the packaging/labeling does NOT bear any significant likeness to another manufacturer's product. § 3.2-5145.2:1(D); § 59.1-200(A)(73)	<input type="checkbox"/>	<input type="checkbox"/>
25	OUT No person shall offer for sale or sell a regulated hemp product that depicts or is in the shape of a human, animal, vehicle, or fruit. § 59.1-200 (A)(72)	<input type="checkbox"/>	<input type="checkbox"/>
26	IN Foods are stored and offered for sale under general sanitary conditions. § 3.2-5106	<input type="checkbox"/>	<input type="checkbox"/>

**List of Products Observed During the Inspection and Reviewed for Compliance:**

- A- 3CHI Pink Lemonade Drink Enhancer 25 mg Delta 8 THC 10 pouches
- B- 3CHI Tangerine Lime Drink Enhancer 25 mg Delta 8 THC 10 pouches
- C- Pineapple Chill Delta 8 50 mg liquid
- D- Just CBD Sugar Free Gummy Worms 3000 mg CBD
- E- Twisted Delta 8 Tincture Natural 1000 mg

**Violations:**

1. The firm has not obtained a food establishment permit issued by the VDACS Food Safety Program.
2. The firm may be able to qualify as exempt from a food establishment permit but has not certified to the Department that they qualify for the exemption.
3. An Edible Hemp Products Disclosure Form has not been submitted.
4. There was no documentation of approved source for products reviewed. Referring to the list above, the products included: A, B, C, D, and E.
5. A Certificate of Analysis from an ISO 17025 accredited lab was not available for products reviewed, and/or documentation of ISO 17025 accreditation was not available for review. Referring to the product list above, the products included: A, B, C, D, and E.
6. Products reviewed contained a total THC concentration of greater than 0.3%. Referring to the product list above, the products included: A, B, C, and E.
7. Products reviewed contained hemp ingredients that do not meet the definition of "Extract" in 2VAC5-595-10. Referring to the product list above, the products included: A, B, C, and E.

<p>9. Products reviewed contained more than 2mg of THC per package and did not also contain an amount of CBD that is at least 25 times the amount of THC. Referring to the product list above, the products included: A, B, C, and E.</p> <p>10. Products that contain THC were not in child-resistant packaging and/or multi-serving package was not resealable. Referring to the product list above, the products included: A and B.</p> <p>12. Labels on products reviewed did not contain a compliant net quantity of contents. Referring to the list above, the products included: Referring to the list above, the products included: A and B.</p> <p>16. Labels on products reviewed did not contain the name and address of manufacturer or distributor. Referring to the list above, the products included: E.</p> <p>17. Labels on products reviewed that state that they contain a specific cannabinoid did not have the number of milligrams of that cannabinoid listed. Referring to the product list above, the products included: E.</p> <p>18. Labels on products reviewed did not have a batch code. Referring to the product list above, the products included: A and B.</p> <p>20. Products that contain THC did not state on the label the number of milligrams of THC in each serving. Referring to the list above, the products included: C and E.</p> <p>21. Products that contain THC did not state on the label the total number of milligrams of THC in the package. Referring to the list above, the products included: A and B.</p> <p>22. Products that contain THC did not list the total percentage of THC in the product. Referring to the product list above, the products included: A, B, C, and E.</p> <p>23. Products that contain THC did not have an age restriction statement on the label: Referring to the list above, the products included: A, B, C, and E.</p> <p>25. Products reviewed depicted or were in the shape of a human, animal, vehicle, or fruit. Referring to the product list above, the products included: D.</p>
<p><b>Remarks:</b></p>
<p><b>Received By Name &amp; Title:</b> Assim Mirgan, Owner</p>
<p><b>Inspector Name:</b> Marla Seplak, Food Safety Specialist</p>
<p><b>Inspector Name:</b> Melissa Barr, Food Safety Specialist</p>