



ATTORNEY GENERAL OF MISSOURI  
CATHERINE L. HANAWAY

March 23, 2026

VIA CERTIFIED MAIL  
Gray Area Cannabis  
20001 E Jackson Dr Suite A  
Independence, MO 64057

Gray Area Distribution, LLC.  
Brycen Jacob Mackison, Registered Agent



**RE: Illegal Hemp Sales to Missouri Consumers & Deceptive signs, packages, and labels**

Dear Sir:

You are hereby directed to cease and desist from (1) selling or offering for sale all products with delta-9-tetrahydrocannabinol (delta-9 THC) concentrations of more than .3 percent on a dry weight basis; (2) representing any product as “cannabis,” “marijuana,” or “weed,” or similar words or slang that tends to deceive consumers that you’re a licensed marijuana dispensary; and (3) permitting the sale of adulterated products containing foreign and unsafe substances such as heavy metals, solvents and pesticides that pose a risk of, or causes, a substantial injury to consumers.

**1. Sale of Intoxicating Hemp in Violation of the MMPA**

While sections 1 and 2 of Article XIV of the Missouri Constitution legalized the sale of marijuana, they simultaneously require those who dispense such marijuana to be licensed. The sale of marijuana without a license is a violation of Missouri law and, subsequently, a violation of the Missouri Merchandising Practices Act (“MMPA”) under Chapter 407, Revised Statutes of Missouri.

Even “industrial hemp” is excluded from the definition of marijuana, under both current Missouri and federal law, this exception does not allow for the sale of your intoxicating hemp-derived products. Products with more than a 0.3% concentration of delta-9 THC on a dry weight basis is considered marijuana. When determining the

delta-9 THC level, the concentration is to be tested “using post-decarboxylation or other similar reliable methods.” 7 U.S.C. § 1639p(a)(2); and see Laboratory Testing Guidelines U.S. Domestic Hemp Production Program, USDA, <https://www.ams.usda.gov/rules-regulations/hemp/information-laboratories/lab-testing-guidelines> (last viewed Feb. 20, 2026). The decarboxylation process converts THCA to delta-9 THC, meaning the delta-9 THC concentration of hemp products must account for any present THCA. Further, to test the “dry weight basis” one must, first, remove all moisture from a product, then evaluate the concentrate of delta-9 THC as against, at least, the dry-weight of the product. Following these testing guidelines your intoxicating hemp-derived products would qualify as marijuana.

The Attorney General has the authority to enforce the MMPA, which prohibits unfair practices in connection with the sale of merchandise. Your sale of marijuana without a license constitutes a violation of Missouri law and public policy and presents a risk of substantial injury to Missouri consumers and, thus, is an unfair practice in violation of the MMPA.

## **2. Signage, Packaging, or Labeling in Violation of the MMPA**

Article XIV Section 2 of the Missouri Constitution and the Final Rule promulgated by the Department of Health and Senior Services (DHSS) prohibits any deception or misleading statements when advertising marijuana products. See 19 CSR 100-1.100(5). You currently use words like “cannabis”, “weed,” “marijuana” or other similar wording to suggest the sale of marijuana on signage, packaging, or labeling. However, you are not a licensed dispensary with DHSS. Thus, your use of such signage, packaging, or labeling is deceptive in violation of Article XIV Section 2 of the Missouri Constitution, and, further, constituting a violation of the MMPA.

The words “cannabis,” “weed,” and “marijuana” are understood by consumers to be interchangeable and synonymous. Consumers understand that in order to sell marijuana in Missouri, a dispensary must first be licensed and follow strict regulations and guide lines to ensure the safe sale of marijuana. Missouri consumers, when seeing words like “cannabis”, “marijuana,” or other similar wording assume the store using such language is licensed to sell such products. Consumers are deceived and think they are going to a licensed store, when, in reality, they are not – subjecting them to unregulated intoxicating hemp products they would not otherwise purchase.

Your use of signage, packaging, or labels that use wording such as “cannabis,” “weed,” or “marijuana,” is deceptive and is an unfair trade practice under the MMPA.

**3. Sale of intoxicating hemp products in a manner designed to confuse consumers.**

Under Article XIV Section 2 “No person shall sell any product in a manner designed to cause confusion between marijuana or a marijuana-infused product and any product not containing marijuana.” As such, if you allege you are not selling marijuana, then you are, nevertheless, causing confusion among consumers that you are selling marijuana by your use of “cannabis”, “weed”, “marijuana”, etc. during the sale, advertisement, or promotion of your product via signage, packaging, or labeling. Thus, you are still in violation of the Missouri Constitution and, therefore, violating the MMPA.

**4. Sale of products containing a foreign and unsafe substances, including pesticides, solvents, heavy metals namely the pesticides, that pose a risk of, or causes, a substantial injury to consumers.**

The Attorney General has promulgated rules explaining and defining terms used in §§ 407.010 to 407.145 of the MMPA. The relevant rules include, but are not limited to, the provisions of 15 CSR 60-8.010 to 15 CSR 60-9.110. 15 CSR 60-8.020 provides:

“An unfair trade practice is any practice which –

(A) Either –

1. Offends any public policy as it has been established by the Constitution, statutes or common law of this state, or by the Federal Trade Commission, or its interpretive decisions; or

2. Is unethical, oppressive or unscrupulous; and

(B) Presents a risk of, or causes, substantial injury to consumers.”

In addition to selling marijuana without a license, you have sold products that contain a foreign and unsafe substances that pose a risk of, or causes, a substantial injury to consumers in violation of the MMPA. You have sold products that contain: (1) heavy metals such as lead, arsenic, cadmium, mercury and chromium; (2) pesticides such as paclobutrazol, pyridaben, imidacloprid, and myclobutanil; and (3) solvents such as methanol, acetone, and isopropyl alcohol. Marijuana, that does not qualify as “industrial hemp” continues to be a Schedule I drug or substance under the Controlled Substances Act. Title 21 United States Code and §196.010 (5) RSMo 2016, as amended. Mo. Rev. Stat. §196.015(1) specifically prohibits the “...sale, or delivery, holding or offering for sale of any food, drug, device, or cosmetic that is adulterated or misbranded.”

You are hereby directed to cease and desist from (1) selling or offering for sale all hemp products with Delta 9-tetrahydrocannabinol (delta-9 THC) concentrations of more than .3 percent on a dry weight basis (as detailed above); (2) using language such as “cannabis,” “marijuana,” “weed,” “kush,” or similar words or slang that

tends to deceive consumers that you're a licensed marijuana dispensary in connection with your products or business; and (3) permitting the sale of adulterated products containing foreign and unsafe substances such as heavy metals, solvents and pesticides. Your continued unlawful correspondence with Missouri residents may result in subsequent legal action under the MMPA, an injunction against you, imposition of civil penalties, and you being required to pay the Attorney General's costs of investigation and litigation, including attorney's fees.

Sincerely,

**CATHERINE L. HANAWAY**  
Attorney General