**IN THE CIRCUIT COURT OF ATCHISON COUNTY**
**STATE OF MISSOURI**

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| STATE OF MISSOURI, ex rel., Attorney General Catherine L. Hanaway,<br><br>Plaintiff,<br><br>v.<br><br>TOKEN HEMP COMPANY, LLC d/b/a TOKEN THC DISPENSARY,<br><br>Serve:<br>Francis L. Shoemaker, Registered Agent<br>1306 US Highway 136 W<br>Rock Port, Missouri 64482<br><br>Defendant. | ) | Case No.: |

**PETITION FOR INJUNCTION, CIVIL PENALTIES, AND OTHER RELIEF**

## I. INTRODUCTION

1. The days of "hemp shops" masquerading as legal marijuana dispensaries are over in Missouri. For too long, these shops have used deceptive and unfair tactics designed to make it difficult—if not impossible—for consumers to distinguish their unregulated hemp businesses from state-licensed marijuana businesses. These shops offer intoxicating products that look and smell like marijuana; they refer to those products as cannabis; and they set up their stores to mimic—and even call them—dispensaries. Even worse, in some cases, including this one, these shops go one step further by actually advertising, selling, and offering for sale marijuana. Just because these drug pushers have a storefront and an LLC does not mean that their activity is legal.

2. Defendant Token Hemp Company, LLC d/b/a Token THC Dispensary brands itself as a "dispensary," which creates the false impression that it is a licensed, state-regulated marijuana dispensary facility. It is not. And despite lacking a state license authorizing it to advertise, sell, and offer for sale marijuana in Missouri, Token THC Dispensary operates true to its name by openly advertising, selling, and offering to sell marijuana—or what it deceptively calls "cannabis"—to Missouri consumers. Token THC Dispensary therefore is just like any other illegal drug dealer; the only difference is that it waves around lab test results to those looking to buy from it and falsely claims that those results show it "fully complies with all state and federal regulations."

3. The State brings this action to stop these unlawful practices.

## II. PARTIES

4. Plaintiff Catherine L. Hanaway is the Attorney General of the State of Missouri and brings this action on behalf of the State of Missouri pursuant to Chapter 407 of the Revised Missouri Statutes.

5. Defendant Token Hemp Company, LLC d/b/a Token THC Dispensary is a foreign limited liability company registered to do business in Missouri with a principal office address at 1306 US Highway 136 W, Rock Port, Missouri 64482.

## III. JURISDICTION AND VENUE

6. This Court has subject matter jurisdiction pursuant to Article V, § 14 of the Missouri Constitution and § 478.070, RSMo.

7. This Court also has subject matter jurisdiction pursuant to the Missouri Merchandising Practices Act (MMPA), specifically § 407.100, RSMo, which authorizes

the Attorney General to seek injunctive relief, civil penalties, and other relief against those who have violated, are violating, or are about to violate the MMPA.

8. This Court has personal jurisdiction over Token THC Dispensary pursuant to § 506.500.1, RSMo, because the causes of action set forth in this Petition arise from Token THC Dispensary's transaction of business within Missouri and its use and possession of real estate situated in Missouri, specifically its business operations within Missouri, including its online operations through the website 420thcnow.com and its brick-and-mortar operations at the premises commonly known as 1306 US Highway 136 W, Rock Port, Missouri 64482.

9. Venue is proper in this Court pursuant to § 407.100.7, RSMo, which provides that "[a]ny action under this section may be brought in the county in which the defendant resides, in which the violation alleged to have been committed occurred, or in which the defendant has his principal place of business." Token THC Dispensary has its principal place of business in Atchison County and has, in Atchison County, violated the provisions of Chapter 407 of the Revised Statutes of Missouri.

## IV. BACKGROUND

### Federal Law

10. Federal law distinguishes between "marijuana," "hemp," and "cannabis."

11. For purposes of simplicity, under current federal law:

a. "Marijuana" means any part of the plant Cannabis sativa L. with a delta-9 tetrahydrocannabinol ("delta-9 THC") concentration of *more than* 0.3 percent on a dry weight basis, 21 U.S.C. § 802(16);

b. "Hemp" means any part of that plant with a delta-9 THC concentration of *not more than* 0.3 percent on a dry weight basis, 7 USC § 1639*o*; and

c. "Cannabis" refers to any form of that plant with a delta-9 THC concentration that *has not yet been determined*, 7 C.F.R. § 990.1.

12. At the federal level, hemp is legal, but marijuana and cannabis—at least until its delta-9 THC concentration has been determined to be not more than 0.3 percent on a dry weight basis, at which point it is hemp and no longer cannabis—are not. *See* 21 U.S.C. § 812.

**Missouri Law**

13. Consistent with federal law, Missouri law distinguishes between hemp (which Missouri calls "industrial hemp"), on the one hand, and marijuana and cannabis, on the other hand, based on delta-9 THC concentration. If a product's delta-9 THC concentration does not exceed 0.3% on a dry weight basis, it is hemp; otherwise, it is marijuana a/k/a cannabis. *See* Mo. Const. art. XIV, § 2.2; § 195.010(12), RSMo; 19 CSR 100-1.010(48) (Division of Cannabis Regulation's marijuana regulations).

14. As relevant in this case, Missouri differs from federal law only in how it treats marijuana: In Missouri, like many other states, the purchase, possession, and consumption of marijuana by persons over 21 years of age is legal. *See* Mo. Const. art. XIV § 2.10.

15. When Missourians voted to legalize marijuana, they did not give free rein to anyone and everyone to sell marijuana. Instead, they demanded that the State, through the

Department of Health and Senior Services ("DHSS"), control the "distribution of marijuana under a system that licenses, regulates, and taxes the businesses involved while protecting public health." *See* Mo. Const. art. XIV, § 2.1.

16. In furtherance of that directive, Missouri's legal and regulatory system for marijuana restricts businesses from selling marijuana unless they obtain a license from DHSS, limits the places at which licensed businesses can sell marijuana to dispensary facilities, and prohibits marijuana advertisements from containing false or misleading representations. *See* Mo. Const. art. XIV, § 2.2; 19 CSR 100-1, *et seq.*

## V. FACTUAL ALLEGATIONS

17. Token THC Dispensary purports to sell hemp.

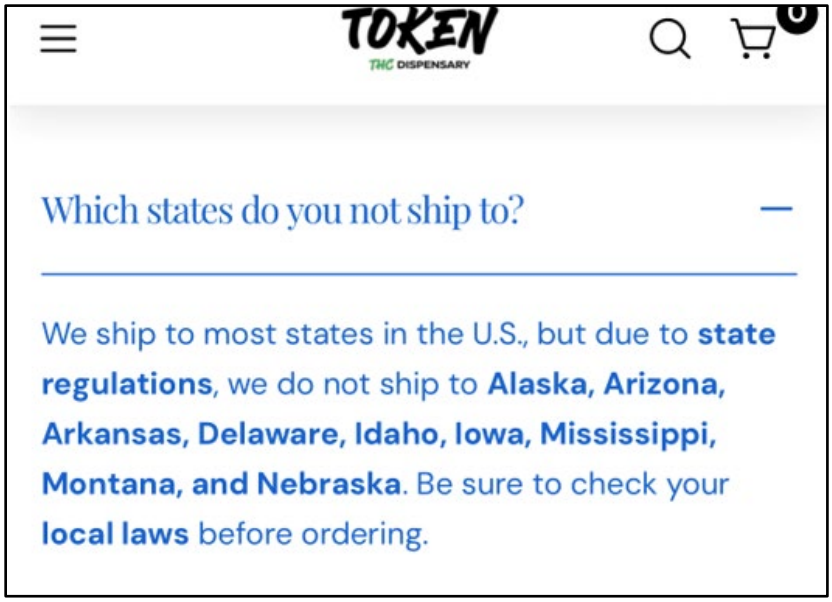
18. Token THC Dispensary is not licensed by DHSS to sell or dispense marijuana or cannabis at any place, including a dispensary.

19. Despite not being licensed to do so, Token THC Dispensary operates a dispensary in Atchison County, Missouri at 1306 US Highway 136 W, Rock Port, Missouri 64482.

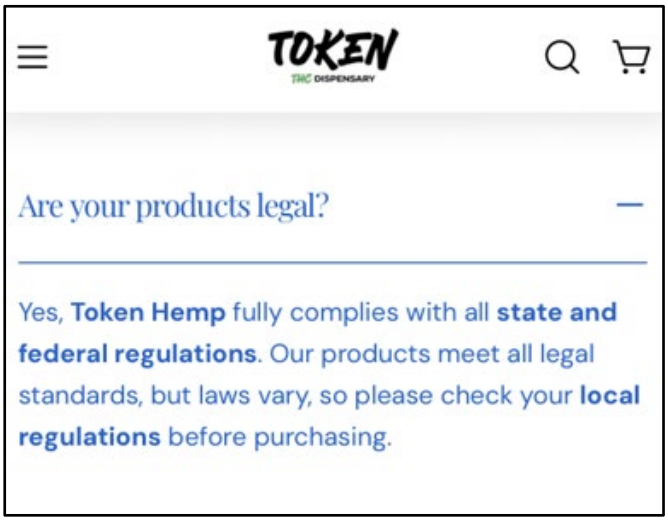


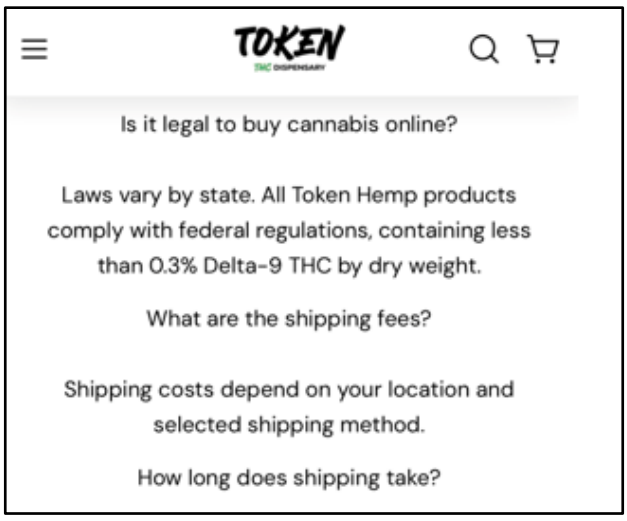
20. In addition to its physical dispensary in Missouri, Token THC Dispensary maintains a website—420thcnow.com—which can be and has been accessed from within the State of Missouri.

21. Token THC Dispensary lists on its website specific states to which it does not ship products; Missouri is not on that list.



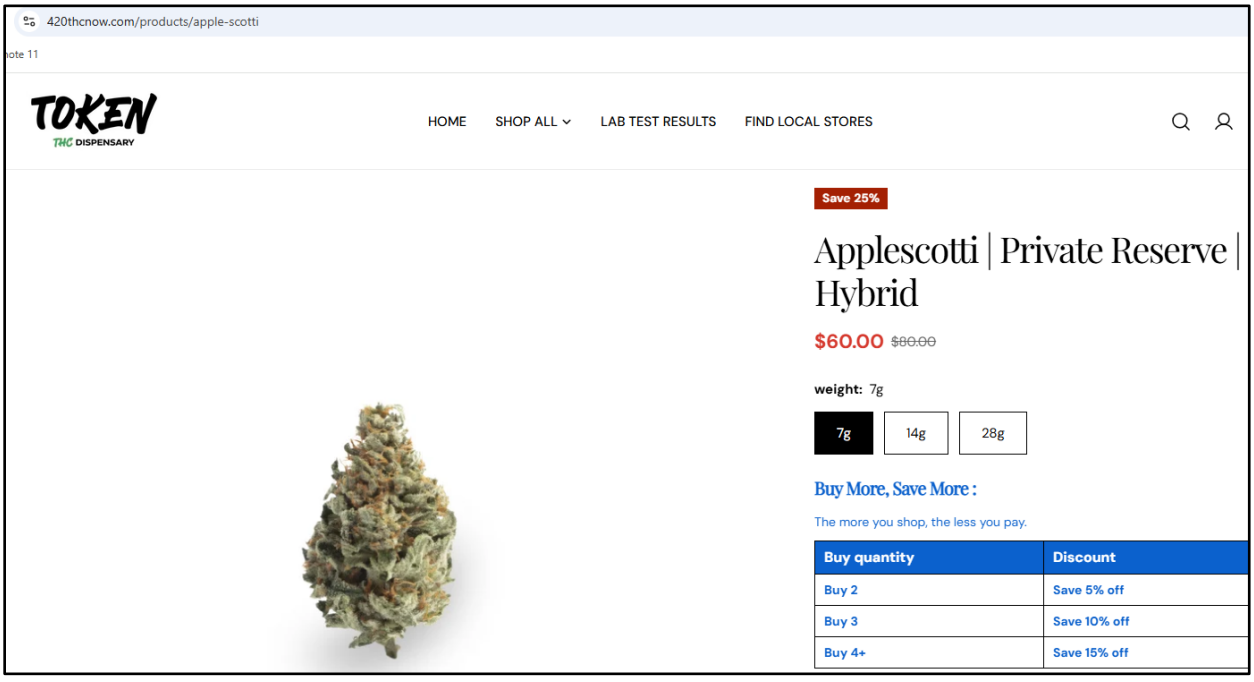

22. Token THC Dispensary claims on its website that it "fully complies with all state and federal regulations," that its cannabis "products meet all legal standards," that its "products comply with federal regulations, containing less than 0.3% Delta-9 THC by dry weight," and that its cannabis "products undergo rigorous third-party lab testing to ensure purity, potency, and safety."



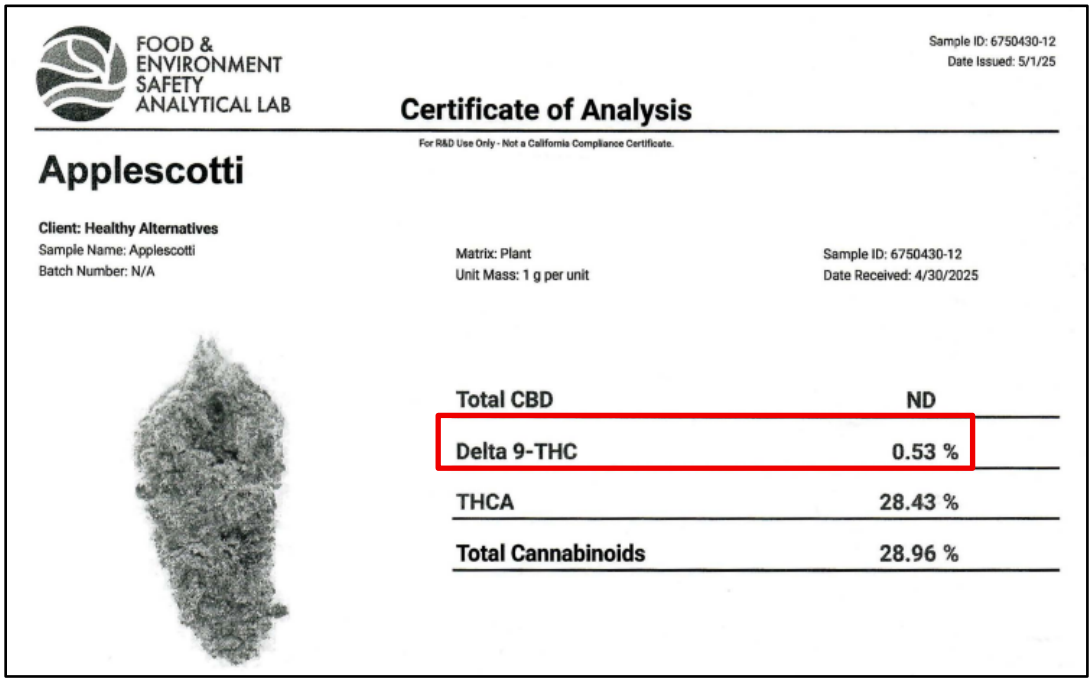




23. Contrary to those representations, Token THC Dispensary is currently advertising and offering marijuana products for sale to Missouri consumers in violation of federal and Missouri laws and regulations.

24. For example, one product that Token THC Dispensary is advertising and offering for sale to Missouri consumers is a flower strand called "Applescotti."



25. Token THC Dispensary's website contains a link to the lab test results for Applescotti. As evidenced by those lab test results, Applescotti is marijuana under federal and Missouri law because it has a delta-9 THC concentration of *more than* 0.3 percent.



FOOD & ENVIRONMENT SAFETY ANALYTICAL LAB

Sample ID: 6750430-12
Date Issued: 5/1/25

**Certificate of Analysis**

For R&D Use Only - Not a California Compliance Certificate.

**Applescotti**

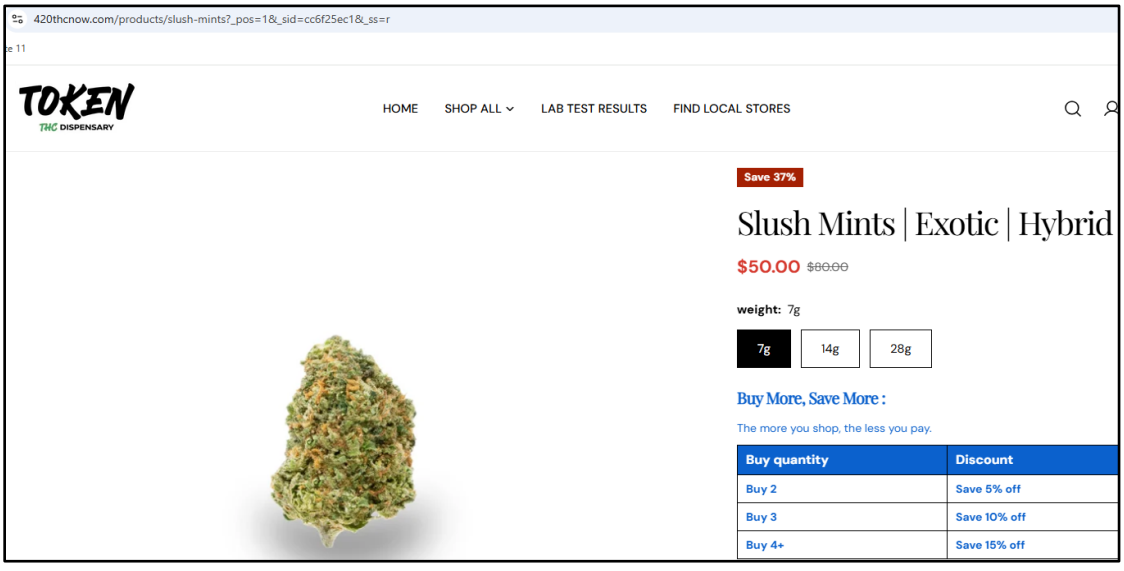
**Client: Healthy Alternatives**
Sample Name: Applescotti
Batch Number: N/A

Matrix: Plant
Unit Mass: 1 g per unit

Sample ID: 6750430-12
Date Received: 4/30/2025

| | |
|---|---|
| Total CBD | ND |
| Delta 9-THC | 0.53 % |
| THCA | 28.43 % |
| Total Cannabinoids | 28.96 % |

26. Another product that Token THC Dispensary is advertising and offering for sale to Missouri consumers is a flower strand called "Slush Mints."



420thcnow.com/products/slush-mints?_pos=1&_sid=cc6f25ec1&_ss=r

TOKEN THC DISPENSARY

HOME SHOP ALL LAB TEST RESULTS FIND LOCAL STORES

Save 37%

Slush Mints | Exotic | Hybrid

$50.00 ~~$80.00~~

weight: 7g

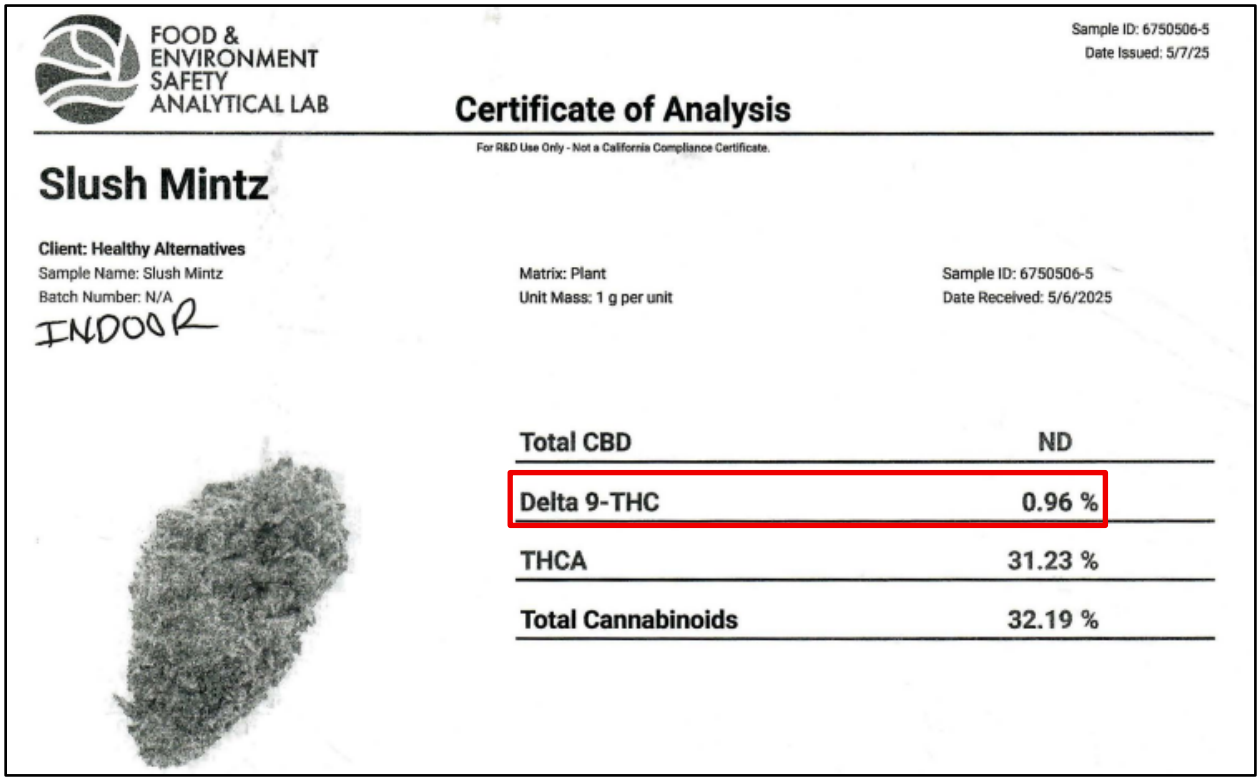
7g 14g 28g

Buy More, Save More :

The more you shop, the less you pay.

| Buy quantity | Discount |
|---|---|
| Buy 2 | Save 5% off |
| Buy 3 | Save 10% off |
| Buy 4+ | Save 15% off |

27. Like Applescotti, Slush Mints is marijuana under federal and Missouri law because it has a delta-9 THC concentration of *more than* 0.3 percent, as reflected by the below lab test results that are accessible through a link on Token THC Dispensary's website.



FOOD & ENVIRONMENT SAFETY ANALYTICAL LAB

Sample ID: 6750506-5
Date Issued: 5/7/25

**Certificate of Analysis**

For R&D Use Only - Not a California Compliance Certificate.

**Slush Mintz**

**Client: Healthy Alternatives**
Sample Name: Slush Mintz
Batch Number: N/A
INDOOR

Matrix: Plant
Unit Mass: 1 g per unit

Sample ID: 6750506-5
Date Received: 5/6/2025

| | |
|---|---|
| Total CBD | ND |
| Delta 9-THC | 0.96 % |
| THCA | 31.23 % |
| Total Cannabinoids | 32.19 % |

## VI. CAUSES OF ACTION

### Count One: Violation of the Missouri Merchandising Practices Act
### Unlawful Unfair Practices

28. The State incorporates by reference all other allegations in this Petition as if fully set forth herein.

29. The Missouri Merchandising Practices Act ("MMPA") makes it unlawful for any person to engage in any deceptive or unfair practice in connection with the sale or advertisement of merchandise in trade or commerce in or from the State of Missouri,

regardless of whether such practice is committed before, during or after the sale or advertisement. § 407.020.1, RSMo.

30. As a for-profit business entity, Token THC Dispensary is a "person" within the meaning of the MMPA. § 407.010(5), RSMo.

31. The marijuana and hemp products that Token THC Dispensary advertises, sells, and offers for sale constitute "merchandise" for purposes of the MMPA. § 407.010(4), RSMo.

32. Token THC Dispensary's acts of selling and offering for sale marijuana and hemp to consumers is a "sale" within the meaning of the MMPA. § 407.010(6), RSMo.

33. Token THC Dispensary's website contains "advertisements" for purposes of the MMPA because the product listings on that website are attempts to induce persons to acquire merchandise as defined under the MMPA. § 407.010(1), RSMo.

34. Token THC Dispensary's advertisements, sales, and offers for sale of marijuana and hemp are in trade or commerce in or from the State of Missouri, including because they directly or indirectly affect the people of Missouri. § 407.010(7), RSMo.

35. It is an unfair practice under the MMPA to engage in any practice which violates state law intended to protect the public, and presents a risk of or causes substantial injury to consumers. 15 CSR 60-8.090.

36. Token THC Dispensary's conduct of advertising, selling, and offering for sale marijuana without a license from DHSS is an unfair practice under the MMPA because it offends the public policy established by Article XIV of the Missouri Constitution, Chapter 195 of the Revised Statutes of Missouri, and the Missouri Division of Cannabis's

Marijuana Regulations; because it is a violation of the federal Controlled Substances Act and Chapter 579 of the Revised Statutes of Missouri, both of which are intended to protect the public; and because it presents a risk of substantial injury to Missouri consumers.

37. Advertising, selling, and offering for sale marijuana without a license from, or regulation by, DHSS presents a risk of substantial injury to consumers because marijuana obtained from illicit sources is of uncertain quality and may be adulterated with dangerous pesticides and heavy metals or contain undisclosed types or concentrations of psychoactive substances.

38. Because Token THC Dispensary's practices, as set forth in this count, are unfair and thus unlawful under the MMPA, § 407.020.1, RSMo, the State is entitled to injunctive relief and civil penalties pursuant to § 407.100, RSMo.

**Count Two: Violation of the Missouri Merchandising Practices Act**
**Unlawful Deceptive Practices**

39. The State incorporates by reference all other allegations in this Petition as if fully set forth herein.

40. Under the MMPA, "[d]eception is any method, act, use, practice, advertisement or solicitation that has the tendency or capacity to mislead, deceive, or cheat, or that tends to create a false impression." 15 CSR 60-9.020(1).

41. By representing that it "fully complies with all state and federal regulations," that its "products meet all legal standards," and that its "products comply with federal regulations, containing less than 0.3% Delta-9 THC by dry weight," Token THC Dispensary has engaged in a deceptive practice because those representations are false and

have the tendency or capacity to mislead and deceive consumers and create a false impression.

42. Token THC Dispensary has also engaged in a deceptive practice by referring to hemp and marijuana products that it advertises, sells, and offers for sale as "cannabis." Such advertisements are deceptive, unethical, and have the tendency to mislead and deceive consumers because consumers may believe that such products (a) are not legally categorized as marijuana, when they are; (b) are state-regulated marijuana subject to Missouri's legal and regulatory requirements, assuring quality and safety, when they are not; and/or (c) are sold by a licensed dispensary subject to oversight by DHSS. In these ways, such representations tend to create a false impression in the minds of Missouri consumers.

43. Under 19 CSR 100-1.010(24), a "dispensary facility" is defined to mean "a medical marijuana dispensary facility, a comprehensive marijuana dispensary facility, or a microbusiness dispensary facility." Each of these types of facilities is licensed by DHSS.

44. Token THC Dispensary has further engaged in a deceptive practice by calling itself a "dispensary" because doing so is unethical and has the tendency or capacity to mislead and deceive consumers and create a false impression that Token THC Dispensary is licensed and regulated by DHSS and therefore permitted to sell marijuana, when it is not.

45. Because THC Dispensary's practices, as set forth in this count, are deceptive and therefore unlawful under the MMPA, § 407.020.1, RSMo, the State is entitled to injunctive relief and civil penalties pursuant to § 407.100, RSMo.

## VII. PRAYER FOR RELIEF

WHEREFORE, the State prays that this Court enter judgment:

(a) Finding that Token THC Dispensary violated the Missouri Merchandising Practices Act, § 407.020, RSMo, *et seq.*;

(b) Issuing a preliminary and permanent injunction, pursuant to § 407.100, RSMo, prohibiting and enjoining Token THC Dispensary and its officers, agents, servants, employees and attorneys, as well as those persons in active concert or participation with them who receive actual notice, from engaging in the unlawful practices described above, including from advertising or offering for sale marijuana, from referring to its business or operations as a dispensary, and from referring to its hemp products as cannabis.

(c) Requiring Token THC Dispensary, pursuant to § 407.140.3, RSMo, to pay the State of Missouri a civil penalty of up to $1,000.00 per violation of the Missouri Merchandising Practices Act that the Court finds to have occurred.

(d) Requiring Token THC Dispensary, pursuant to § 407.130, RSMo, to pay all court, investigative, and prosecution costs of this case.

(e) Requiring Token THC Dispensary, pursuant to § 408.040, RSMo, to pay pre- and post-judgment interest.

(f) Requiring Token THC Dispensary, pursuant to § 407.130, RSMo, to pay all court, investigative, and prosecution costs of this case.

(g) Granting such other and further relief as the Court deems just and proper.

## VIII. JURY DEMAND

The State demands a trial by jury on all issues so triable.

Dated: October 16, 2026

Respectfully submitted,

**CATHERINE L. HANAWAY**
Attorney General

*/s/ Justin M. Ladendorf*
Louis J. Capozzi III, #77756
*Solicitor General*
Justin M. Ladendorf, #68558
*Deputy Solicitor General*
Alex R. Buttram, #77676
*Assistant Solicitor General*
Missouri Attorney General's Office
815 Olive St., Suite 200
St. Louis, MO 63101
(314) 340-7559
Justin.Ladendorf@ago.mo.gov

*Counsel for Plaintiff*