



**State of New Jersey**  
**CANNABIS REGULATORY COMMISSION**

PHILLIP D. MURPHY  
*Governor*

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DIANNA HOUEYOU, *Chair*  
KRISTA NASH, *Vice Chair*  
AMELIA MAPP, *Commissioner*  
CHRIS RIGGS, *Acting Executive Director*

TAHESHA L. WAY  
*Lt. Governor*

**RESOLUTION 2025-08-07-16**  
**IMPOSITION OF SANCTIONS AGAINST BOTERA UNION LLC**

**WHEREAS**, pursuant to N.J.S.A. 24:6I-35(a)(15), the New Jersey Cannabis Regulatory Commission ("Commission") shall adopt rules and regulations, which shall include civil penalties for the failure to comply with regulations adopted pursuant to this section; and

**WHEREAS**, pursuant to N.J.A.C. 17:30-20.4(a), during an onsite assessment, a review of financial records, or other Commission review of the license holder and its operations, if the Commission identifies a violation of the Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, P.L.2021, c. 16, N.J.S.A. 24:6I-31 et seq., (the "Act") or the implementing Personal-Use Cannabis Rules (the "Personal-Use Regulations"), the Commission shall provide notice of the violation, including an official written report of the findings and the nature of the violation, to the cannabis business or testing laboratory within seven business days following the onsite assessment or other identification of the violation; and

**WHEREAS**, pursuant to N.J.A.C. 17:30-20.4(b), unless otherwise specified by the Commission, within 20 business days of receipt of the notice of violation, the cannabis business or testing laboratory shall correct the violation(s) and notify the Commission, in writing, of any corrective actions taken to correct the violations, and the date of implementation of such corrective actions; and

**WHEREAS**, pursuant to N.J.A.C. 17:30-8.1, every owner, principal, management services contractor, employee, or volunteer of a cannabis business license holder or a testing laboratory that accesses the premises of a cannabis business or handles cannabis on behalf of a license holder or testing laboratory and every cannabis handler pursuant to N.J.S.A. 24:6I-44(a) shall be required to register with the Commission and be issued a Cannabis Business Identification Card; and

**WHEREAS**, pursuant to N.J.A.C. 17:30-14.3(a), before allowing entrance to a cannabis retailer, and additionally prior to selling or serving cannabis items to a consumer, for each transaction, cannabis retailer personnel shall examine any one of the following pieces of photographic identification and shall confirm the consumer is of legal age to purchase cannabis: (1) the person's United States passport; other country's passport; or proper government-issued documentation for international travel, provided it is lawful to use as identification in the United States; (2) the person's motor vehicle driver's license, whether issued by New Jersey or by any other state, territory, or possession of the United States, or the District of Columbia, provided the license displays a picture of the person; (3) a New Jersey identification card issued by the New

Jersey Motor Vehicle Commission; or (4) any other identification card issued by a state, territory, or possession of the United States, the District of Columbia, or the United States that bears a picture of the person, the name of the person, the person's date of birth, and a physical description of the person; and

**WHEREAS**, pursuant to N.J.A.C. 17:30-14.3(d), the cannabis retailer shall not sell to a consumer in a single sales transaction: more than 28.35 grams (one ounce) of usable cannabis or more than 28.35 grams (one ounce), or the equivalent, of some combination of usable cannabis and cannabis products; and

**WHEREAS**, pursuant to N.J.A.C. 17:30-14.3(e), a cannabis retailer shall make a good faith effort to prevent a consumer from exceeding one ounce of usable cannabis or the equivalent weight in cannabis products, in multiple sales transactions; and

**WHEREAS**, Botera Union LLC (“Botera Union”) failed to adhere to the Personal-Use regulations as it relates to maintaining proper employment procedures, following age verification processes, and complying with product sales limits; and

**WHEREAS**, on July 2, 2025, a Notice of Violation was issued to Botera Union (INV-86-2025); and

**WHEREAS**, on July 31, 2025, Botera Union responded to the Notice of Violation and provided a corrective action plan within 20 business days of receipt of the Notice of Violation; and

**WHEREAS**, pursuant to N.J.A.C. 17:30-20.5(a), in response to a violation of any provision of the Act or regulations, the Commission is authorized to take enforcement action or impose sanctions upon a license holder. Sanctions may include, but are not limited to, civil monetary penalties; suspension, revocation, non-renewal, or denial of a license; referral to State or local law enforcement, pursuant to N.J.A.C. 17:30-20.6, -20.7, and -20.8; or any combination thereof; and

**WHEREAS**, pursuant to N.J.A.C. 17:30-20.6(b), a monetary penalty imposed by the Commission on a license holder pursuant to regulations may not exceed \$500,000 per major violation or \$50,000 per any other license violation; and

**WHEREAS**, pursuant to N.J.A.C. 17:30-20.6(c), a violation by each entity or person per day shall constitute a separate incident for purposes of calculating the number of violations; and

**WHEREAS**, pursuant to N.J.A.C. 17:30-20.6(d), the Commission may impose greater penalties for successive violations up to the maximum amounts; and

**WHEREAS**, pursuant to N.J.A.C. 17:30-20.6(f), the Commission may, in the Commission's sole discretion, consider additional factors in determining the penalty for each violation. Such factors may include, but are not limited to:

1. Any prior violations that the license holder has admitted to or was found to have engaged in;

2. Good faith measures by the license holder to self-report or prevent the violation;
3. The license holder's record of compliance with the laws and rules pertaining to personal use cannabis;
4. Corrective action(s) taken by the license holder related to the current violation or prior violations;
5. Willfulness and deliberateness of the violation;
6. Likelihood of reoccurrence of the violation; and
7. Violations involving damage or danger to the life, health, welfare, safety, or property of any person; and

**WHEREAS**, pursuant to N.J.A.C. 17:30-20.7(a), violations shall be categorized as follows:

1. Category I, which is the exhibition of a pattern and practice of violating the requirements of the rules, posing a serious risk of harm to the health, safety, or welfare of consumers or personnel;
2. Category II, which is the failure to comply with administrative requirements, such that the licensee or permittee poses an immediate and serious risk of harm or actual harm to the health, safety, or welfare of consumers, personnel, or the general public, including, but not limited to, transfer of cannabis to a person under 21 years of age;
3. Category III, which is the submission of fraudulent, false, or misleading information, as to a material fact, to the Commission, or falsifying or concealing any record required to be maintained by the license holder;
4. Category IV, which is the failure of any owner, principal, management services contractor, employee, or volunteer of a cannabis business license holder or testing laboratory to register with the Commission and be issued a Cannabis Business Identification Card; or failure to complete training course, or failure to be in physical possession of their Cannabis Business Identification Card while acting in the course of their duties; and
5. Category V, which shall consist of other violations of the Commission's rules, or violations of valid ordinances established by municipalities that do not constitute a major violation;

**NOW, THEREFORE, BE IT RESOLVED** by the New Jersey Cannabis Regulatory Commission that Botera Union violated the personal-use regulations by failing to maintain proper employment procedures, follow age verification processes, and comply with product sales limits. The Commission further finds that the violation did not pose an immediate and serious risk of harm or actual harm to the health, safety, or welfare of consumers, personnel, or the general public.

The Commission has determined to impose a penalty of **\$5,000.00** against Botera Union pursuant to violations of the regulations. A Notice of Enforcement shall be provided to the license holder in accordance with this Resolution and the Commission's regulations.

Pursuant to N.J.A.C. 17:30-20.6(i), the license holder may request an adjudicatory hearing pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and 52:14F-1 et seq., to contest the Commission's imposition of a civil monetary penalty for any license violation within

14 days of receipt of the Notice of Enforcement Action.

Submitted by:

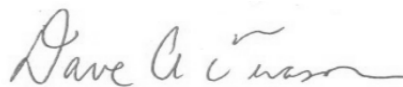


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Dianna Houenou, Chair

**CERTIFICATION**

I hereby certify that the foregoing is a true copy of the Resolution adopted by the Cannabis Regulatory Commission at its meeting held on the 7th day of August 2025.



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Dave Tuason, Chief Counsel

<b>Vote on the Approval of This Resolution</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recused</b>
Chairwoman Houenou		X	X				
Commissioner Mapp			X				
Vice Chair Nash	X		X				