



**Mission:**

To protect, promote and improve the health of all people in Florida through integrated state, county and community efforts.

**Ron DeSantis**  
Governor

**Scott A. Rivkees, MD**  
State Surgeon General

**Vision:** To be the Healthiest State in the Nation

**Sent via Electronic Delivery**

December 4, 2020

Better-Gro Companies, LLC  
d/b/a Columbia Care Florida  
c/o James A. McKee  
Foley & Lardner, LLP  
106 East College Avenue, Suite 900  
Tallahassee, FL 32301  
jmckee@foley.com

Re: Variance Request - CCF – Harvest Failure Certification Request

Reference Number - 00003733

Dear Mr. McKee,

The Florida Department of Health ("Department") received a variance request ("Variance"), from Better-Gro Companies, LLC, dba Columbia Care ("Columbia Care") on November 30, 2020. In the Variance, Columbia Care notified the Department of a harvest failure and intent to purchase wholesale product to recover the loss. The claimed harvest failure occurred at Columbia Care's cultivation facility located at:



The Department requests the following information:

**Harvest Failure**

- Provide a detailed description of the crop loss to include:
  - The stage of growth at the time of loss
  - Documentation of the cause of crop loss, to include any photo evidence
  - A detailed corrective action plan
  - Any updated standard operation procedures, applicable to the harvest failure
  - Seed-to-sale data notifying the Department of when marijuana plants are lost and destroyed
  - Documentation of fumigation or treatment of plants, or removal and destruction of infested or infected plants, in accordance with chapter 581 and any rules adopted thereunder, in compliance with section 381.986(8)(e)6.d., Florida Statutes.

**Wholesale Purchase**

- Provide documentation of the wholesale purchase to include:
  - Any fully executed contracts and agreements (such as security or testing) with pricing details included
  - The product type being purchased (e.g. dry flower, oils, etc.)
  - Explanation of how the wholesale purchase will be formulated
  - Explanation of how the wholesale purchase will be labeled and packaged
  - Explanation of how the medical marijuana treatment center will test products produced from wholesale purchase
  - Explanation of how the wholesale purchase will be tracked in the seed-to-sale system
  - Explanation of how the wholesaler ensures they can supply their patients after the transaction

Florida Department of Health  
Office of Medical Marijuana Use  
4052 Bald Cypress Way, Bin M-01 • Tallahassee,  
FL 32399  
PHONE: 850/245-4657  
FloridaHealth.gov



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Provide written responses to the above requests for additional information with all supporting documentation necessary. If any responses contain confidential information you must identify that at the time of submittal and provide a redacted version of the submission. If you have any questions, please contact the Department directly for assistance.

Sincerely,



Chief of Staff & Marijuana Coordinator  
Florida Department of Health

cc: William Theodat; wtheodat@col-care.com  
Kathleen Driscoll; kdriscoll@col-care.com