
Euphoric Life C11-0000305-LIC

3 messages

Ocegueda, Ruby@Cannabis <Ruby.Ocegueda@cannabis.ca.gov>

Thu, Sep 18, 2025 at 9:20 AM

To: Euphoric Life <info@euphoriclif.com>

Cc: "nooshin@dalililaw.com" <nooshin@dalililaw.com>

Good Morning,

As stated in the Notice of Determination provided on August 7, 2025, the Department has determined that the submission fails to address and resolve the issues that resulted in the embargo and cannot be done in compliance with all provisions of MAUCRSA and the Department's regulations.

You were directed to send a plan for destruction of the items 1-16 listed in the Supplemental Embargo Notice to the Department for review. Please inform us by **5:00 PM today, September 18, 2025**, if you will be submitting a plan for destruction. If the plan is acceptable, Department staff will supervise completion of the plan.

If the Department does not receive a response by 5:00 PM today , or the Department cannot approve the plan, then the Department may begin condemnation proceedings in accordance with Business and Professions Code (BPC) section 26039.3, subdivision (f). Condemnation proceedings provide the person or licensee affected with a statement of the charges, an opportunity to exchange relevant information between parties, and the opportunity for a hearing to contest the charges in front of an Administrative Law Judge in accordance with Chapter 5 (commencing with section 11500) of the Government Code. Additionally, failure to adhere to the destruction plan approved by the Department and complete the destruction within the deadline identified may result in initiation of condemnation proceedings or other disciplinary actions. The licensee or owner of the affected cannabis or cannabis product shall pay fees and reasonable costs, including the costs of storage, testing, and supervision, incurred by the department in investigating and prosecuting the action taken pursuant to section 26039.3.

Be advised: *The items listed in the Supplemental Embargo Notice will remain under embargo until the embargo is lifted by the Department. While the embargo is in place, the items cannot be removed, sold, or disposed of without authorization of the Department or a court. The tag or marking may only be removed from the cannabis or cannabis products by a Department representative. Failure to abide by the embargo is subject to administrative fines up to \$10,000 for each item, and additional administrative or disciplinary action.*

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September 18, 2025

Via Email & Certified mail

Legal Affairs Division

Department of Cannabis Control

2920 Kilgore Rd,

Rancho Cordova, CA 95670

&

Ruby Ocegueda

Department of Cannabis Control

2920 Kilgore Rd,

Rancho Cordova, CA 95670

Request for appeal under BPC §26039.3(f) and Gov. Code §11500,

To Whom It May Concern:

We acknowledge receipt of your September 18, 2025 correspondence. Your demand that our client submit a destruction plan by 5:00 p.m. today, while continuing to ignore our outstanding concerns and evidence, is procedurally improper and inconsistent with BPC §26039.3(c), which expressly permits correction of misbranding or adulteration through labeling or processing.

The embargo has now remained in place for nearly five months, depriving our client of the use of lawfully METRC-tracked product. This has caused major and irreparable financial harm. The Department's refusal to consider corrective measures, coupled with shifting standards and contradictions between on-site staff statements and subsequent determinations, has rendered this investigation arbitrary and prejudicial, amounting to a *denial of due process* and an unreasonable seizure. Moreover, multiple scientists from the manufacturing division who were present during the inspection can attest that your office expressly refused to review the batch records and sourcing documentation when they were offered — contradicting your later claim that such documentation was not provided.

Accordingly, we formally demand an administrative hearing under BPC §26039.3(f) and Gov. Code §11500 et seq., or, in the alternative, an informal conference conducted by Department personnel who were not part of the enforcement team at the April 29 inspection. However, we specifically request the inclusion of **CDPH scientists Lai Long and Avery Nolan**, who were present during the inspection and can provide critical testimony regarding your office's refusal to review batch records and sourcing documentation that were offered at the time.

We object to any attempt to force destruction without affording our client this right. If this matter proceeds to hearing, our client will contest the embargo in full and will also

pursue damages for the Department's conduct which was not in accordance with California law — denial of statutory correction rights under BPC §26039.3(c), and the economic losses caused by the unlawful seizure of compliant METRC-tracked product.

We also note that our office has now twice requested the direct contact information of the Department's assigned counsel, and both times this request has been ignored. Continuing to route communications exclusively through enforcement staff — while counsel of record is sidelined — is improper, contrary to due process, and further evidence of bad faith. To resolve this matter efficiently and appropriately, we again demand that the Department immediately identify and engage its assigned counsel so this case can proceed on a proper footing.

We are now compelled to copy additional DCC licensing divisions because, despite repeated requests, we have not received any direct contact information other than a general email address. By continuing to withhold that information and providing no neutral point of review—and in light of your manager's presence during the inspection—this matter should be escalated to your legal department, as we are appealing your division's findings.

We look forward to your legal division's prompt response regarding our pending appeal.

Sincerely,

Nooshin Dalili

Nooshin Dalili
Attorney at Law