



# STATE OF NORTH DAKOTA OFFICE OF ATTORNEY GENERAL

## NEWS RELEASE

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### **ATTORNEY GENERAL WRIGLEY ANNOUNCES SETTLEMENT WITH DELTA 8 RESELLERS OVER ILLEGAL SALE OF VAPING PRODUCTS.**

**BISMARCK, ND** – Attorney General Drew H. Wrigley today announced that he has reached a settlement with Vando Holdings Corp., K & L Products, LLP, Kristen Doka, and Ryan Doka, the owners and operators of the website [www.delta8resellers.com](http://www.delta8resellers.com) (Delta 8 Resellers), resolving claims that they sold and shipped illegal vaping products to North Dakota residents, including to minors. The Settlement is filed with the Burleigh County District Court and is pending court approval.

Delta 8 Resellers is based in the state of New Jersey, and advertises, sells, and ships hemp, THC, Delta 8 THC, kratom, or mushroom products, including vapes, vape cartridges, gummies, snacks, chocolates, and other edibles, nationwide through its website. The Consumer Protection and Antitrust Division commenced an investigation into Delta 8 Resellers when the Division received information that the company unlawfully sold electronic smoking devices to a North Dakota minor. The investigation revealed that the company also offers products that, pursuant to North Dakota law, are unlawful hemp products, adulterated or misbranded products, or contain a controlled substance. The settlement resolves alleged violations of the North Dakota Food, Drug & Cosmetics Act, North Dakota's consumer fraud law, the Hemp law, and the prohibition against selling electronic smoking devices to individuals under twenty-one years of age.

Delta 8 Resellers denied the attorney general's allegations that it engaged in unlawful conduct, however, has agreed to resolve the attorney general's investigation and claims through an Assurance of Voluntary Compliance. As part of this settlement, the company has agreed to cease any sales to North Dakota for a year, and if the company resumes sales in North Dakota after a year, the company is required to implement commercially reasonable age-verification technology to prevent sales to minors, as well as refrain from selling any products that are prohibited from sale by North Dakota law. The company has also agreed to pay a consumer refund and a civil penalty of \$10,000, of which \$5,000 is suspended if the company complies with the settlement agreement.

"The products sold by this company may be dangerous, and this settlement aims to stop this company from selling and shipping such products into our state that can harm North Dakotans," Wrigley said. Some of the products sold on Delta 8 Resellers website are known to likely contain controlled substances and the product labels fails to disclose or indicate the true content.

The misleading name, packaging, and description of these types of products not only make the products appear legal and harmless but also make the products appealing to minors. "The company's complete lack of meaningful age verification before selling and shipping its products is unlawful, careless, and offensive," said Wrigley. If the company decides to resume business in the state, the company will no longer be allowed to sell electronic smoking devices or other products to North Dakotans without first using age-verification technology to ensure the purchaser is twenty-one years of age.

A copy of the Assurance of Voluntary Compliance is attached.

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