

Criminal Penalties for Interference with Embargo - Pursuant to § 26-2C-43(M)(1) NMSA 1978 of the Cannabis Regulation Act, any person who intentionally, knowingly, or recklessly removes, conceals, destroys, or disposes of cannabis or cannabis products that are subject to an Order Restricting Movement or embargo commits a fourth-degree felony and is subject to sentencing under § 31-18-15 NMSA 1978.

**ENFORCEMENT BUREAU NOTICE OF EMBARGO / ADMINISTRATIVE HOLD
ORDER RESTRICTING MOVEMENT OF CANNABIS AND CANNABIS PRODUCTS**

(Issued pursuant to §26-2C-43 NMSA 1978)

Date of Order: February 11, 2026

Embargo Order No.: Embargo Order 2026-002

Licensee / Entity: Primos Raw Organics

License No.: VIC-2022-0065

Controlling Person(s): Ricardo Cantu

Premises Address: 2320 N Main Street Clovis, NM 88101

Email(s) on File: rickycantu2003@yahoo.com

TAKE NOTICE that the Enforcement Bureau of the New Mexico Regulation and Licensing Department (the EB), in coordination with the Cannabis Control Division (the CCD), hereby orders an embargo on the cannabis or cannabis products identified in Section I. 2. of this Order. This Order is issued under authority of the Cannabis Regulation Act, which provides authority to the CCD and EB to restrict the movement of cannabis products during an investigation. This embargo is a precautionary administrative action and does not, by itself, constitute a disciplinary action against your license. However, you are required to strictly comply with the directives in this Order. Failure to do so may result in further enforcement action separate from any sanctions for the underlying violations.

I. BASIS FOR ACTION

1. **Reason for Embargo:** During an EB investigation, the EB, in coordination with the CCD, developed objective and reasonable grounds to believe that the following cannabis or cannabis products are:

- ☒ Evidence of a violation of the Cannabis Regulation Act or CCD rules,
- ☒ A threat to public health or safety,
- ☐ Adulterated (§26-2C-18.1 NMSA 1978 CRA),

- ☐ Dangerously misbranded (§26-2C-17.1 NMSA 1978 CRA),
- ☐ Fraudulently misbranded (§26-2C-17.1 NMSA 1978 CRA),
- ☒ Illicit or sourced from an unlicensed entity,
- ☐ Other: _____

2. **Description of Identified Product(s):**

Product name / strain: See attached (Exhibit A),

Batch / lot / UID: See attached (Exhibit A),

Quantity: Approximately 773.5 pounds of cannabis flower See attached (Exhibit A),

Observed Issue: Primos Raw Organics held a cannabis producer license (License No. VIC-2022-0065) that was active from March 20, 2022, through March 20, 2025, and expired on March 20, 2025 (See attached Exhibit B). Primos Raw Organics submitted a new application for licensure on or around February 27, 2025, (Application No. BLA-6066). The CCD determined that Application No. BLA-6066 was deficient and issued a deficiency notice to Primos Raw Organics; the deficiencies were not cured, and no license was issued (See attached Exhibit C).

On January 12, 2026, the Clovis, New Mexico Police Department (Clovis PD) was dispatched to 2121 E. Llano Estacado Blvd., Clovis, New Mexico 88101, a self-storage facility (See attached Exhibit D). The property manager of the self-storage facility provided Clovis PD with access to Storage Unit 6, where forty-four (44) black-and-yellow one-hundred-eight (108) quart storage bins were found containing cannabis flower.

On January 22, 2026, the EB met with the Clovis PD to conduct an investigation of any violations of the CRA. During the EB's investigation, it was determined that the containers recovered by the Clovis PD bore track-and-trace identifiers that were traced directly to Primos Raw Organics' expired license, License No. VIC-2022-0065 (See attached Exhibit E). Because the material constitutes commercial cannabis grown by a previously licensed entity, and because the entity failed to maintain its license, properly transfer the product to a licensed facility prior to license expiration, or properly waste the product prior to license expiration pursuant to CCD regulations, the material has fallen outside the regulated market and has become illicit pursuant to § 26-2C-2(Z) NMSA 1978 of the CRA and is subject to embargo.

3. Pursuant to §§26-2C-43(B)(3), (D), (E) NMSA 1978, the EB and the CCD have authority to embargo and restrict the movement of cannabis products suspected of being illegal, adulterated, or dangerously/fraudulently misbranded. Accordingly, the above-described products are hereby placed under embargo. This embargo order is necessary to preserve evidence and prevent diversion, tampering, or further risk to public health or safety pending completion of the investigation.

II. TERMS OF THE EMBARGO / ADMINISTRATIVE HOLD

Effective immediately, the licensee and all those in possession of the identified product in Exhibit A, shall comply with the following terms and conditions with respect to the embargoed cannabis products identified above. These measures are mandated by § 26-2C-43 NMSA 1978 to ensure the security and integrity of the embargoed items:

4. **Tagging & Signage:** Immediately tag or label each embargoed product with a visible marker clearly stating, “NOT FOR SALE OR DISTRIBUTION – UNDER EMBARGO”. The licensee must also post clear signage in the storage area indicating that the product is under embargo (see Exhibit F for a sample embargo tag/sign that you must print and post on the products identified in Section I.2 of this notice). All original packaging and labeling of the product must be maintained – do not alter or remove any existing labels at this time.
5. **Segregated Secure Storage:** Immediately segregate the embargoed product from other inventory. Store the embargoed items in a secure, limited-access area of the licensed premises that meets the security requirements of § 16.8.2.10 NMAC (e.g. a locked storage room or container with restricted access). This embargo storage area must remain under continuous video surveillance at all times. Only authorized personnel of the licensee may access the embargoed product, and unauthorized access is prohibited.
6. **Inventory Tracking:** The licensee must maintain strict inventory control over the embargoed product during the embargo period. All embargoed items shall remain recorded and identifiable in the state’s seed-to-sale inventory tracking system, with no gaps in continuity. The licensee shall preserve a full audit trail for all embargoed product (all inventory records and any movements or handling). The CCD may flag or designate the product’s status in the tracking system as “Hold” or “Embargoed”; the licensee must ensure no unauthorized changes are made to these records.
7. **Licensee Reporting (Within 48 Hours):** Within 48 hours of receipt of this Order, the licensee shall email the CCD at administrativehold@state.nm.us to confirm compliance with the embargo. The email must include the following documentation:
 - a. **Confirmation of Receipt:** A brief statement acknowledging that the licensee has received this Embargo Order and will comply with its terms.
 - b. **Embargoed Inventory Log:** A complete inventory log listing all cannabis products subject to the embargo (including product name/strain, batch/lot ID, quantity, and location of each item).
 - c. **Photographic Evidence:** Clear photographs demonstrating the embargo compliance measures, including:

- i. the segregated storage area where the embargoed products are secured,
 - ii. the embargo tags/signage affixed to the products or posted in the area, and
 - iii. the video surveillance setup covering the embargoed product.
 - iv. All required information should be sent in one email (with attachments as needed) to the above address.
8. **No Movement Without Approval:** Do not move or transport any embargoed product from the location where it is presently stored for any purpose, including for laboratory testing, without prior written approval from the CCD. The embargoed items shall not be sold, transferred, processed, repackaged, relabeled, or destroyed during the embargo period. If the CCD explicitly authorizes a specific movement of the product (for example, transport to an approved laboratory for testing), the licensee must strictly adhere to any conditions of that authorization.
- Any authorized movement must be:
- (1) documented in the inventory tracking system before and after transport, and
 - (2) carried out via secure transport with a valid manifest in compliance with all transport regulations. Under no circumstances may the embargoed product be delivered to customers or transferred to other licensees until and unless the embargo is lifted.
9. **Maintain Product Integrity & Access:** The licensee is responsible for preserving the condition and integrity of the embargoed products while this Order remains in effect. The product(s) shall be kept in the same state as when the embargo was imposed, no further manufacturing, packaging, curing, or other alterations are permitted. Prevent any tampering with or removal of the embargoed items; unauthorized access by any person is strictly prohibited. The licensee must also cooperate fully with the CCD and EB during this embargo. This includes permitting CCD or EB officials to inspect the embargoed products or storage area at any time and to collect samples for testing, if needed. Compliance with these requirements is mandatory. Failure to adhere to any of the above conditions (e.g. not providing the 48-hour report, not properly tagging or securing product, or any unauthorized movement or tampering) is a violation of this Order and may result in further enforcement action, including administrative penalties or disciplinary action against the license, separate from any enforcement for the underlying issue that prompted this embargo.

III. DURATION OF EMBARGO & POSSIBLE OUTCOMES

10. **Duration:** This embargo order is a temporary measure. In accordance with law, an embargo shall remain in effect only for the period of time reasonably necessary for the CCD and/or the EB to complete the investigation. The EB and the CCD will actively work to conclude the investigation as

promptly as possible. If the embargoed products are misbranded but not dangerous or fraudulent, the embargo will last only as long as needed for the licensee to properly relabel or repackage the products as directed by the CCD. In all cases, the embargo will be lifted when the CCD determines that grounds for the embargo no longer exist or that all compliance issues have been resolved.

11. **Outcomes:** Upon conclusion of the investigation, the licensee will be notified of the final determination regarding the embargoed products. Possible outcomes include, but are not limited to, the following:
12. **Release of Product:** If the CCD determines that the embargoed products are compliant or remediable, the EB will lift the embargo. All embargo tags or markings will be removed, and the products will be released back to the licensee's normal inventory for use or sale (subject to any corrective actions that were required, such as relabeling). For example, cannabis that was embargoed solely for minor labeling or packaging deficiencies may be released once the licensee corrects the labels in accordance with CCD instructions and receives written approval confirming compliance. (If the CCD provides written authorization for corrective relabeling, those products must remain under embargo until the CCD verifies and approves the new labeling.)
13. **Recall or Seizure:** If the investigation finds that the embargoed product is adulterated, dangerously or fraudulently misbranded, illicit, or poses a significant public health risk, the CCD may initiate a product recall or the EB may proceed to seize the product for public safety reasons. A recall order would require the licensee to remove the product from all points of sale/distribution and follow specified notification procedures for customers and other businesses. A seizure would involve the EB taking physical custody of the product to prevent any further distribution. In either case, the licensee will receive separate notice and instructions if a recall or seizure is initiated.
14. **Condemnation & Destruction:** If it is determined that the embargoed product is illegal (e.g. cannabis from an unlicensed source) or so defective as to be unfit for any use (e.g. dangerously adulterated), the CCD may petition the district court for condemnation of the product. Condemnation is a legal process wherein the court may order the forfeiture and destruction of the products. If the court issues a condemnation order, the Department (Regulation and Licensing Department) will oversee the destruction of the cannabis product at the licensee's expense. If, on the other hand, the court does not find grounds for condemnation, the embargo will be lifted and the EB will ensure that all embargo tags or markings are removed so the products can be returned to the licensee or rightful owner. The licensee will be informed of the court's decision and any further requirements (for example, disposal protocols if condemnation is ordered). Please note that the above outcomes are

not mutually exclusive. An embargoed product might first be subject to a recall (to get it out of commerce) and later to a court-ordered destruction, depending on what the investigation reveals and what regulatory or legal actions are deemed appropriate. The CCDs primary goal is to protect public health and safety while ensuring due process for the licensee. The licensee will be kept informed of any change in the status of the embargoed products. This embargo will remain in effect until you receive official written notice from the CCD lifting the embargo or until it is superseded by a recall, seizure, or court order.

IV. NOTICE OF RIGHT TO AN ADMINISTRATIVE HEARING

15. **Right to Administrative Hearing:** Pursuant to §26-2C-43 (I) NMSA 1978, a licensee aggrieved by an embargo or related enforcement action has the right to request an administrative hearing before a hearing officer as provided by rule, related to this Order restricting the movement of the cannabis at issue. If you wish to contest the embargo, you must submit a written request for a hearing to the CCD within ten (10) calendar days from the date this Order was executed. Failure to request a hearing within that time period will result in the Order remaining in effect without further review.
16. **Hearing Request Requirements:** Your written request for a hearing must include the following information:
 - a. the name of the licensed entity requesting a hearing,
 - b. the CCD license number of the entity requesting a hearing,
 - c. a copy of this Notice of Embargo (or a reference to the Order number) so that the matter can be identified, and
 - d. identify the interest the aggrieved licensed entity requesting the hearing has in the embargoed product.
17. **Where to Send the Hearing Request:** The request must be received by the CCD within the 10-day window via certified mail to the following address:

Eden Sayers, Division Counsel
Cannabis Control Division
2550 Cerrillos Road
Santa Fe, NM 87505
18. **Hearing Procedure:** Upon timely receipt of a proper hearing request, the CCD will schedule an administrative hearing. The hearing will be conducted by a hearing officer in accordance with §16.8.12.12 NMAC.

19. **Auxiliary Aids and Translation Services:** If Respondent requires auxiliary aids and translation services for effective communication during the hearing on this matter, they must submit to the CCD in writing a statement that includes the specific aid's and/or language translation services requested. This statement must be included as an attachment and provided with the written request for a hearing.
20. **Right to Appeal:** Pursuant to § 26-2C-43 (I) NMSA 1978 if a licensee is dissatisfied with the final agency decision after an embargo hearing is held, the licensee may appeal that decision to the district court pursuant to § 39-3-1.1 NMSA 1978.
21. **Effect of Request on Embargo:** Filing a hearing request does not automatically stay the embargo. The embargo and all terms of this Order remain in effect unless and until a final decision is issued modifying or lifting it. The licensee must continue to comply with this Order during the pendency of any appeal, absent an explicit written stay or modification from the CCD or a court.

ISSUED BY THE CANNABIS CONTROL DIVISION

Signature: 

Todd Stevens, Director
Cannabis Control Division,
of the New Mexico Regulation and Licensing Department

Date: 2/11/2026

Statutory Authority and Enforcement Execution

This Embargo Order is issued pursuant to § 26-2C-43(B)(3) NMSA 1978. Pursuant to §§ 26-2C-43(A) and (C)(1) NMSA 1978, the Enforcement Bureau of the New Mexico Regulation and Licensing Department is authorized to execute and enforce this Embargo Order, including embargoing, taking possession of, securing, tagging, inventorying, and preventing the movement, transfer, or disposal of the identified cannabis products.

CERTIFICATE OF SERVICE TO LICENSEE(S)

I hereby certify that a true and correct copy of this Notice of Embargo/Order Restricting Movement was served by personal service, mailed to the above-named licensees (and/or its designated agent) via United States Postal Service Certified Mail, return receipt requested, and emailed to the email address on file, on this 11th day of February 2026. A copy has also been posted on the Cannabis Control Division's public website.

Primos Raw Organics
2320 N. Main St.
Clovis, NM 88101

Certified Mail No.: 9589 0710 5270 3073 7951 91
Return Receipt Requested

Primos Raw Organics
2400 Parker St.
Amarillo, TX 79109

Certified Mail No.: 9589 0710 5270 3073 7952 07
Return Receipt Requested

**STATE OF NEW MEXICO
REGULATION AND LICENSING DEPARTMENT
CANNABIS CONTROL DIVISION**

IN THE MATTER OF:

Embargo Order No.: 2026-002

Primos Raw Organics
License No. VIC-2022-0065
Ricardo Cantu
Respondent(s).

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Enforcement Bureau Notice of Embargo/
Administrative Hold Order Restricting Movement of Cannabis and Cannabis Products for
Embargo Order No. 2026-002 Primos Raw Organics was hand delivered to:

Monaghan Law Office
Registered Agent
c/o Primos Raw Organics
6707 Academy Rd. NE Ste. A
Albuquerque, NM 87109

On this date: 02-11-2026

By:

John Vasquez, Special Agent
Enforcement Bureau
Regulation and Licensing Department
2550 Cerrillos Road
Santa Fe, NM 87505



Signature

Alexandra Magel

Received By (print name)

Alexandra

Signature

2/11/26

Date

If Applicable:

Witness (Print Name)

Signature

Date

Statement:

