

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

AES Compassionate Care, LLC, :
AGRiMED Industries of PA, LLC, :
Cresco Yeltrah, LLC, Curaleaf :
PA, LLC, Franklin Labs, LLC GTI :
Pennsylvania, LLC, Ileara Healthcare, :
LLC, Laurel Harvest Labs, LLC, :
Pennsylvania Medical Solutions, LLC :
PurePenn LLC, Standard Farms, LLC, :
Whole Plants, LLC, Agape Total :
Health Care, Inc., Bay, LLC, CB :
Health Services, LLC, Chamounix :
Ventures, LLC, Dubois Wellness :
Center, LLC, Franklin BioScience - :
NE, LLC, Franklin BioScience - :
Penn, LLC, Franklin BioScience - :
SE, LLC, Franklin BioScience – SW :
LLC, GuadCo, LLC, Harvest of :
Northeast PA, LLC, Harvest :
of South Central PA, LLC, Harvest of :
Southeast PA, LLC, Harvest of :
Southwest PA, LLC, Keystone :
Integrated Care, LLC Keystone :
Relief Centers, LLC, KW Ventures :
Holdings, LLC, Lebanon Wellness :
Center, LLC, Pennsylvania :
Dispensary Solutions, LLC, SMPB :
Retail, LLC, Applied Herbals, LLC, :
and Darin Chapman, :

Petitioners :

v. :

Debra Bogen Secretary, Pennsylvania :
Department of Health, and Laura :
Mentch, Director of the Pennsylvania :
Department of Health, Bureau of :
Medical Marijuana, :

Respondents :

No. 176 M.D. 2025

Heard: June 24 and 25, 2025

ORDER

AND NOW, this 17th day of March, 2026, Petitioners' Application for Special Relief in the Nature of a Preliminary Injunction and Peremptory Writ of Mandamus (Application) is GRANTED. Respondents Debra Bogen, Secretary, Pennsylvania Department of Health and Laura Mentch, Director of the Pennsylvania Department of Health, Bureau of Medical Marijuana are hereby ENJOINED from enforcing the regulation at 28 Pa. Code § 1151.27(f)(iii) when considering requests to approve medical marijuana vaporization products containing added substances in the form of botanically-derived terpenes.

A peremptory writ of mandamus is issued upon Respondents directing them to diligently act on all pending requests for the approval of medical marijuana vaporization products containing added substances in the form of botanically-derived terpenes.

Pursuant to Pa.R.Civ.P. 1531(b), this Order shall become effective upon Petitioner's filing of a bond or legal tender of the United States with the Court in the amount of one hundred dollars (\$100.00).

Petitioners' request for relief from application of Pennsylvania Rule of Appellate Procedure, 1736(b), Pa.R.A.P. 1736(b), pertaining to automatic supersedeas upon Respondents' appeal, is GRANTED. Any appeal of this Order by Respondents will not trigger an automatic supersedeas.

s/ *Stacy Wallace*

STACY WALLACE, Judge