

Crossing Boundaries: Cannabis Company Takes Legal Action After US Border Confiscation

Introduction: Cannabis Shipment Seized at US Border

In a legal battle unfolding in British Columbia, a cannabis shipment valued at \$834,901 has become the subject of a lawsuit after it was seized at the United States border. The seizure, totaling about 151,300 grams of cannabis products and associated paraphernalia, has prompted a lawsuit filed by two Canadian companies against the transport firm responsible for the shipment.

Contractual Agreements and Allegations

We Grow BC Ltd. and Westleaf Labs, based in Alberta, have brought the lawsuit against Kelowna-based Seven Elk Shipping. The lawsuit, filed in April in B.C. Supreme Court, alleges that Seven Elk Shipping disregarded explicit instructions not to transport the cannabis products across the US border. According to the claim, the plaintiffs had engaged Seven Elk Shipping in January 2023 for the transportation of cannabis products within Canada. The shipping agreements explicitly stated that the transport company was prohibited from attempting to transport cannabis products through the United States.

Events Leading to the Seizure

On May 17, as per the claim, Seven Elk Shipping took possession of three pallets of cannabis from Port Coquitlam for transport to We Grow in Creston, along with two pallets from Delta for delivery to Westleaf in Calgary. However, on the same day, the truck containing the cannabis products attempted to cross the border at the Peace Arch crossing. The products were subsequently seized by the U.S. Customs and Border Protection Trade Enforcement Branch.

Allegations and Legal Ramifications

The plaintiffs contend that the actions of Seven Elk Shipping have resulted in reputational harm and financial losses. They allege breach of contract, negligence, vicarious liability for the driver's actions, damages, and unjust enrichment. We Grow and Westleaf seek compensation for the seized shipment, along with reimbursement of the shipping fees amounting to \$11,901.

Response and Legal Proceedings

As of now, Seven Elk Shipping has not provided any comment on the matter. It's essential to note that none of the allegations presented in the lawsuit have been proven in court, and the legal proceedings are ongoing.

This case underscores the complexities and challenges faced by companies operating in the cannabis industry, particularly concerning transportation across international borders. The outcome of this lawsuit will likely have significant implications for both the companies involved and the broader cannabis industry in Canada.

Email: info@cannabisriskmanager.com | Phone: +415-226-4060

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