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October 9, 2025

Brandon Pollock
Nicholas Friedman
James Matthew Judge
Theory Wellness of Maine Manufacturing LLC
20 Industrial Drive
Waterville, ME 04901-5774



Re: Notice of Administrative Action including Monetary Penalty
Theory Wellness of Maine Manufacturing LLC AMF160 (1728)
OCP Incident # 2025-ACP-1579

Dear Mr. Pollock, Mr. Friedman, and Mr. Judge,

This Notice of Administrative Action is issued pursuant to the Maine Administrative Procedures Act (Maine APA), Title 5, Ch. 375, subchapter 4, to Theory Wellness of Maine Manufacturing LLC, AMF160 (now Theory Wellness of Maine LLC. AMF1728), for violations of the Cannabis Legalization Act (CLA), Title 28-B, Ch. 1 and the *Adult Use Cannabis Program Rule*, 18-691 CMR, Ch. 1 as described below. In response to these actions, the Department of Administrative and Financial Services, acting through its Office of Cannabis Policy (OCP), (collectively, “The Department”) is taking the administrative actions detailed in this notice.

The licensee named herein is subject to the administrative actions pursuant to 28-B MRS § 801 as described in Part II and III below that may be timely appealed in accordance with the Maine APA in accordance with Part IV of this Notice. Failure to timely appeal will result in the imposition of the administrative actions described herein.

- I. Summary of AUCP Investigation of License regarding Theory Wellness of Maine Manufacturing LLC, AMF160:
 1. At the time of the incidents described in this letter occurred, AMF160 Theory Wellness of Maine Manufacturing LLC was owned by Seven Point LLC and the principal listed was Brandon Pollock. On September 18, 2025, AMF160 was terminated, and operations were taken over by AMF1728 Theory Wellness of Maine LLC, which is also owned by Seven Point LLC, and the principals listed are Brandon Pollock and Nicholas Friedman.

2. On July 8, 2025, several batches of edible products, manufactured by Theory Wellness of Maine Manufacturing LLC, were flagged by Office of Cannabis staff while conducting a routine weekly audit of testing data. These flags indicated issues with production batch sizing, sample testing compliance, packaging and remediation procedures conducted on a failed sample test.
3. Inspector Matthew Clark was assigned to investigate the practices and procedures used by Theory Wellness in the production, sample collection, and packaging of those batches including; **1A40D03000005DD000051046-“Cherry Lime Chews”**.
4. The following is a timeline for batch **1A40D03000005DD000051046-“Cherry Lime Chews”**, as established through METRC data entries reviewed:
 - a. On June 25, 2025, a batch of 11,904 individual chews were manufactured as batch 1A40D03000005DD000051045.
 - b. On June 25, 2025, all 11,904 chews were packaged the same day into 1,190 (10 count) packages creating the package number 1A40D03000005DD000051046.
 - c. On June 26, 2025, Theory sent “8 each” for a lab sample to MCR (sample package 1A40D03000005DD000051048).
 - d. On July 7, 2025, MCR Lab reported sample failed testing for Total THC/serving at 14.4 mg and for homogeneity at 19.9 %RPD.
 - e. On July 9, 2025, Theory made an entry in METRC that they remediated the batch and adjusted the amount up “13 each” for a sample to reflect the larger number of packages due to dilution of the batch.
 - f. On July 9, 2025, Theory sent “13 each” twice, creating two retest samples that were sent to MCR.
5. On July 11, 2025, Inspector Clark and OCP Chemist Diana McKenzie travelled to Theory Wellness where they conducted a meeting with Director William Greer and a couple of his staff members including Seth Overlock.
6. During that conversation, OCP learned that Theory Wellness regularly produces edible batches in excess of 10,000 individual units and has done so for a long time. Much of that meeting was spent discussing rules involving required sample size based on batch size as stated in the following:

RULES FOR THE CERTIFICATION OF CANNABIS TESTING FACILITIES (18-691 C.M.R., Chapter 5 Table § 5(5)-A. Required Sample Size Based Upon Matrix Type and Batch Size)

*“*For harvest or production batches in excess of the sizes listed in this table (10 kg of plant material, 5 kg of concentrate or 10,000 production batch units), the batch must be divided and sampled in smaller batches in accordance with the batch size limits listed in this table and the rules governing the adult use cannabis program.*

***For production batches of prepackaged cannabis products, one production unit is one sample increment. For production batches of unpackaged cannabis products, one serving size of the cannabis product is one sample increment.”*
7. During that meeting, Theory Wellness Director William Greer and employee Seth Overlock contended the following:

- a. By “immediately” breaking a production batch down into 10 count packages, Theory Wellness staff believe they are operating within this rule requirement.
- b. When discussing this packaging entry in METRC where Theory indicated that they made 1190 packages of 10 count chews, Seth Overlock stated that they physically packaged the product at that time, putting them into the 10 count bags that will be eventually sold at retail.
- c. For sample collection, Overlock stated that they opened 8 packages and emptied the contents of those 8 packages into a glass bottle, which totaled 80 chews. In addition, two plastic vials are attached to the bottle with chews for homogeneity and potency testing.

The COA from MCR Lab includes a photo of the product tested, which is consistent with what Theory explained they provided for the sample.

8. During the meeting, Theory Wellness and Inspector Clark also discussed the fact that in the case of batch **1A40D03000005DD000051046**, initial testing failed for potency and homogeneity. Theory Wellness was asked how they remediated failed batches and they advised the following;
 - a. Seth Overlock told Inspector Clark that they physically opened all 1190 packages, removed the 11,900 chews, placing them back into a cooking vessel and conducted traditional remediation techniques to include; melting the chews down, adding in non-cannabis material and remixing, before pouring back into the chew molds.
 - b. Theory Wellness told Inspector Clark that in these cases, the packaging is ruined and is therefore thrown away. It should be noted that in this one failed test, 1190 packages would have had to have been discarded using this procedure.
9. At the time of this meeting with Director Greer and his team at Theory Wellness, the results of the retests had not come back from MCR. Inspector Clark decided he would take a couple of audit samples for testing while on site.
10. In addition to **1A40D03000005DD000051046- “Cherry Lime Chews”**, batch **1A40D03000005DD000051044- “Lemon Ginger Chews”** was previously identified as being manufactured and packaged in the same manner around the same time. This batch failed testing and was also remediated. Retests had been sent out to MCR Labs with results still pending.
11. Inspector Clark advised Theory that he planned to take an audit sample of the following batches:
1A40D03000005DD000051046- “Cherry Lime Chews”
1A40D03000005DD000051044- “Lemon Ginger Chews”
12. Theory Wellness staff walked Inspector Clark into the manufacturing area of the building and showed him two tray stands of numerous trays of chews still in their molds. One stand contained various trays of **A40D03000005DD000051046-**

“Cherry Lime Chews”, while the other tray stand contained various trays of **1A40Do3000005DD000051044- “Lemon Ginger Chews”**.

13. Inspector Clark watched as Seth Overlock collected 20 individual chews for a sample of **1A40Do3000005DD000051046- “Cherry Lime Chews”**, which were placed in a sample bag, and an additional 2 individual chews obtained for potency and homogeneity testing, which were placed in a plastic vial.
14. Overlock then collected 20 individual chews for a representative sample of **1A40Do3000005DD000051044- “Lemon Ginger Chews”**, which were placed in another sample bag, and an additional 2 individual chews obtained for potency and homogeneity testing, which were placed in a separate plastic vial.
15. Both samples were taken to MCR Lab, where they were dropped off by 1315hrs on July 11, 2025. A copy of the Chain of Custody Form and has been uploaded into ALMS.
16. On July 15, 2025, OCP was notified that both the retests submitted by Theory, as well as the audit samples that were submitted, had all passed MCR Lab testing for each of the batches.
17. Upon review of the circumstances of this investigation and current rules, OCP has determined that Theory Wellness will be allowed to continue breaking down large production batches into pre-packed units immediately upon making those production batches, but under the following stipulations:
 - a. The edible product must be **physically** packaged as intended for the retail market (pre-packaged retail units), not just recorded as such in METRC.
 - b. The edible product sampled in accordance with **18-691 C.M.R., Chapter 5 Table § 5(5)-A. Required Sample Size Based Upon Matrix Type and Batch Size** must be sampled and sent to the lab in the pre-packaged retail units, not in bulk packaging.
18. On July 22, 2025, Inspector Supervisor Mark Desjardin and Inspector Clark conducted a follow up visit with Director Greer at Theory Wellness. During that visit, Director Greer was updated on OCP’s official determination.
19. Upon speaking about Director Greer about the physical packaging of the product, he admitted that during the previous meeting, Seth Overlock had made some false statements. Greer advised that Overlock “was nervous” and made the false statement that all individual chews are physically placed into packaging units when divided up with the METRC entry. Director Greer clarified this by advising that sometimes the individual chews are physically packaged, but sometimes they are not pre-packaged until after the batch passes testing.
20. Inspector Supervisor Desjardin told Director Greer that he should have corrected Overlock’s false statement when it was made. Director Greer advised that he didn’t want to call Overlock out in front of everyone else. CIS Desjardin suggested that Greer could have taken Inspector Clark aside separately and corrected it with him.

21. Director Greer was asked if he had viewed their video recording in reference to processing **1A40D03000005DD000051046** (11,904 individual Cherry Lime Chews). Specifically, when staff allegedly packaged them into 1,190 pre-package units on June 25, 2025, as had been entered in METRC by Leah Cuetara (IIC3036) around 12:59PM. Director Greer stated that he was certain that staff never packaged the product as entered in METRC. He further advised that as a result there would be no video evidence that Theory Wellness employees had cut open the 1,190 pre-packaged units to empty them before remediation efforts were conducted on July 9, 2025, as entered in METRC by Seth Overlock (IIC2064) around 1:27PM. This is because none of these individual units were ever pre-packaged as was previously advised.
22. Director Greer advised that Theory Wellness would comply with whatever they were asked to do to remain compliant but pointed out that physically packaging the product was not necessarily the problem. He explained that the labelling machine they use requires empty bags to run through it on a flat surface. To put labels on the packaging, the bags would have to be emptied out, or the labels would have to be affixed by hand.
23. Director Greer also walked Inspector Clark and Inspector Supervisor Desjardin into the manufacturing facility, where two employees were actively filling 10 count retail bags of Lemon Ginger Chews. The entire batch of individual chews were in a large plastic container. The bags being filled were all pre-labelled, further showing evidence that this batch of Lemon Ginger Chews had also not been physically pre-packaged, but rather was likely entered into METRC as such, to work around the 10,000-unit limit per test on a single production batch.
24. In speaking with Director Greer, it seemed like the typical process of the chews production included removing all chews from their molds, storing them inside these large plastic totes, and packaging them into the 10 count bags that were previously labelled on the labelling machine, after testing had passed. As Director Greer stated earlier, on some occasions, the chews are physically packaged, although those occasions seem to be the exception and occur rarely.
25. Director Greer was made aware that from a business standpoint, they had to either accept the 10,000 individual unit limit at production or physically break that production batch up into pre-packaged units. Director Greer understood that either way they plan to move forward as a business, also dictates how they must submit their testing samples to the lab (either by bulk, or by pre-packaged units).
26. On August 18, 2025, Inspector Clark issued Director Greer a Notice of Violation.
27. On August 28, 2025, Inspector Clark and Inspector Supervisor Desjardin were on site at Theory Wellness for an unrelated meeting with Director Greer. During that visit, batch **1A40D03000005DD000055470** “**Cherry Lime Chews**” was observed being physically packaged into retail bags by two employees in the manufacturing area.
28. Upon a later review of METRC data, batch **1A40D03000005DD000055470** “**Cherry Lime Chews**” was manufactured as a batch size of 12,096 units on August 18, 2025. According to Theory Wellness data entries, the batch was packaged into

1,209 packages on August 18, 2025, with “13 packages” submitted as a sample test on August 19, 2025.

29. This conduct clearly shows that Theory Wellness continued with these noncompliant practices on batches exceeding 10,000 individual units after Director Greer was verbally told that Theory Wellness needs to correct this practice on July 22, 2025.

II. Summary findings of fact and violations:

The Department finds, based upon its investigation, interviews, and inspection of Theory Wellness of Maine LLC (AMF160) located in Waterville, Maine the following:

1. 18-691 C.M.R., Chapter 30 §2(1)E “Conduct While Using Inventory Tracking System”

- (1) A cannabis establishment and its designated inventory tracking system administrator(s) and inventory tracking system user(s) shall enter data into the inventory tracking system that fully and transparently accounts for all inventory tracking activities and authorized transfers. Both the cannabis establishment and the individuals using the inventory tracking system are responsible for the accuracy of all information entered into the inventory tracking system. Any misstatements or omissions may be considered a major license violation affecting public safety.*

To work around the product batch limit of 10,000 units per lab test, Theory Wellness staff are inaccurately entering data in the tracking system (METRC), which shows the production batch is being divided into 10-unit packages, when in fact they are not physically packaging the product as they are reporting. This causes a transparency issue in the tracking system.

During the investigation, Theory Wellness staff were asked several times about their procedures and clearly made several false statements to Inspector Clark. These misstatements were not corrected until a subsequent follow-up visit was conducted.

This is also a violation of:

18-691 CMR Chapter 30 §6 (4) (B) (13) A Major violation

- (13) Conduct that demonstrates a pattern of willful or reckless disregard for the tracking system requirements, sales tax obligations, excise tax obligations, mandatory testing obligations, or facility requirements;*

2. 18-691 C.M.R., Chapter 40 §1(1)(C) Collection by Self-Sampling Licensees.

A self-sampling licensee may collect samples of cannabis or cannabis products cultivated, manufactured, or otherwise produced or sold by that licensee if the licensee has submitted all required documentation to the Department and in compliance with:

- (1) Sample collection, transport, and receipt recordkeeping requirements;*

- (2) *The Department-required sampling standard operating procedures;*
- (3) *The Department-required Best Practices Guide;*
- (4) *The requirements and restrictions of 28-B MRS §604-A; and*
- (5) *The rules governing the adult use cannabis program.*

18-691 C.M.R., Chapter 40 APPENDIX A Maine Adult Use Cannabis Program Sample Collection Standard Operating Procedure for Mandatory Testing

“Sampling Unpackaged Servings or Prepackaged Retail Units of Cannabis Concentrate and Cannabis Products”

For unpackaged or pre-packaged samples, based on batch size, the required number of increments collected from each batch is listed in the following chart. Each sample increment is one serving of an unpackaged retail unit or one pre-packaged unit (i.e., one unpackaged serving or one pre-packaged unit containing multiple servings is one sample increment).

# of Unpackaged servings or Pre-packaged retail units in Production Batch*	Number of Sample increments**	Where to take samples:
≤ 50	2 units	One from beginning and one from end
51 -150	3 units	Beginning (1), Middle (1), End (1)
151 – 500	5 units	Beginning (2), Middle (2), End (1)
501-1200	8 units	Beginning (3), Middle (2), End (3)
1201 -3200	13 units	Beginning (4), Middle (5), End (4)
3201-10000	20 units	Beginning (6), Middle (7), End (7)

**For production batches in excess of 10,000 units, the production batch must be divided and sampled in batches of 10,000 units or less.*

***Depending on the weight of the pre-packaged samples, more than the listed number of increments may need to be taken as directed by the cannabis testing facility. The increments sampled should cover the range of the batch. See table above.*

Theory Wellness has been submitting their lab samples to the lab as a bulk sample, not in the pre-packaged units as is outlined in Appendix A- “Maine Adult Use Cannabis Program Sample Collection Standard Operating Procedure for Mandatory Testing”.

This is also a violation of:

18-691 CMR Chapter 30 §6 (4) (B) (13) A Major violation

(13) Conduct that demonstrates a pattern of willful or reckless disregard for the tracking system requirements, sales tax obligations, excise tax obligations, mandatory testing obligations, or facility requirements;

III. Summary of administrative actions taken by the Department:

Considering the violations summarized above and in order to ensure compliance with the MLA and Department rules, the Department is taking the following administrative actions to ensure licensee compliance with program requirements:

1. For Theory Wellness staff inaccurately entering data in the tracking system (METRC), which shows the production batch is being divided into 10-unit packages, when in fact they are not physically packaging the product as they are reporting in order to work around the product batch limit of 10,000 and during the investigation, Theory Wellness staff clearly made several false statements to Inspector Clark; a violation of: **18-691 CMR Chapter 30 §6 (4) (B) (13) A Major violation**

(13) Conduct that demonstrates a pattern of willful or reckless disregard for the tracking system requirements, sales tax obligations, excise tax obligations, mandatory testing obligations, or facility requirements;

OCP imposes the following fine against Theory Wellness: **\$5000** for a major license violation in accordance with 28-B MRS § 802-A (3) (B) be remitted to the Department no later than 120 days from the date of this notice.

2. For Theory Wellness Theory Wellness submitting their lab samples to the lab as a bulk sample, not in the pre-packaged units as is outlined in Appendix A- “Maine Adult Use Cannabis Program Sample Collection Standard Operating Procedure for Mandatory Testing” and making false statements regarding how the samples were submitted a violation of:

18-691 CMR Chapter 30 §6 (4) (B) (13) A Major violation

(13) Conduct that demonstrates a pattern of willful or reckless disregard for the tracking system requirements, sales tax obligations, excise tax obligations, mandatory testing obligations, or facility requirements;

OCP imposes the following fine against Theory Wellness: **\$5000** for a major license violation in accordance with 28-B MRS § 802-A (3) (B) be remitted to the Department no later than 120 days from the date of this notice.

IV. Summary of administrative appeal rights:

The Department issues this Notice of Administrative Action in accordance with its authority pursuant to 28-B MRS § 802-A (7) and the Maine APA, 5 MRS, Ch. 375. If you disagree with the Department’s findings of fact or administrative actions, you may request a formal hearing within 30 days from the date of this Notice. Failure to timely request a formal hearing of the Department will result in this Notice of Administrative Action including Monetary Penalty becoming the FINAL ORDER of the Department. You will not be able to petition for a review in Superior Court, and it could impact your continued participation in the programs administered by the Office of Cannabis Policy.

A request for a formal hearing may be sent via e-mail to Deputy Director Vernon Malloch: Vernon.Malloch@maine.gov or via USPS mail to: Office of Cannabis Policy, 162 State House Station, Augusta, Maine 04333.

Sincerely,



Dean Goodale
Director of Compliance
Office of Cannabis Policy

Cc: Director John Hudak, Office of Cannabis Policy
Deputy Director Vernon Malloch, Office of Cannabis Policy
Anya Trundy, Office of the Commissioner
Deanna White, Esq., Office of the Attorney General