



JANET T. MILLS
GOVERNOR

STATE OF MAINE
OFFICE OF CANNABIS POLICY
162 STATE HOUSE STATION
19 UNION STREET
FIRST FLOOR
AUGUSTA, MAINE 04333-0162

ADMINISTRATIVE & FINANCIAL SERVICES

ELAINE CLARK
ACTING COMMISSIONER

OFFICE OF CANNABIS POLICY

JOHN HUDAK
DIRECTOR

March 27, 2025

Andrew Pettingill (RIC)

[REDACTED]

[REDACTED]

Re: Notice of Administrative Action including Monetary Penalty
OCP Incident Numbers- 2025-MCP-1896

Dear Mr. Pettingill,

This Notice of Administrative Action is issued pursuant to the *Maine Administrative Procedures Act* (Maine APA), Title 5, Ch. 375, sub ch. 4, to Andrew Pettingill, Medical Use Cannabis Program (MUCP) RIC21801 for violations of the *Maine Medical Use of Cannabis Act* (MMUCA), Title 22 M.R.S., Chapter 558-C, and the *Maine Medical Use of Marijuana Program Rule*, 18-691, Ch. 2, as described below. In response to these violations, 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 MMUCA as described in Part II, and III below that may be timely appealed accordance with the Maine APA in accordance with Part IV of this Notice. Failure to appeal in a timely will result in the imposition of the administrative actions described herein.

I. Summary of MUCP Investigation of License

1. Kristin Pettingill (CGR25947) is a registered caregiver with retail authority to operate Evergreen Cannabis Company of Portland; a caregiver retail store located at 178A Washington Ave. in Portland. Andrew Pettingill RIC21801 is an employee of Evergreen Cannabis Company of Portland, and he is also a caregiver (CGR25948).
2. On December 13, 2025, a contracted compliance inspector (CI) for the Office of Cannabis Policy Rachel Frost was conducting random spot checks of local medical cannabis businesses to ensure sales were only being made to qualifying patients. The contracted compliance inspector is not a qualifying patient and does not have a medical certificate to purchase medical cannabis.
3. The CI Frost reported that at around 3:54 pm on December 13, 2025, she entered Evergreen Cannabis Company Portland and purchased 1 pack of PJ's Black Cherry Bedtime Gummies. The sale was made to CI Frost after she entered the store and asked to purchase gummies. At no time did the employee, later identified as you,

Andrew Pettingill ask if CI Frost was a medical patient. You also did not ask for government identification or a medical patient card.

4. After the sale was made the CI Frost left the store and secured the gummies in her vehicle and then returned to Evergreen Cannabis Company again to issue a Notice of Violation. CI Frost was greeted by you and attempted to identify you as the employee who made the sale. CI Frost advised that you would not identify yourself but you were issued a Notice of Violation and signed it. The signature looked like "Andrew Pettingill". Compliance Inspector Chris Stearns later identified you as the employee. The incident was video and audio recorded.
5. The video and audio recording of the transaction was reviewed and starts by showing the front of Evergreen Cannabis company with the 178A on the front door. OCP contracted Compliance Inspector Rachel Frost enters the store and a male employee later identified as you asks CI Frost if "she has been there before" and she states, "I have not" and you say, "Come on back" and waves to the back of the store where the cannabis products are located. You ask CI Frost what brought her to the store and she responds, "Looking for some gummies". You both talked about what kind, and you state, "5mg is that going to be it for you". The package of THC gummies is visible on the counter and the cash being handed to you is visible. At no time was the contracted compliance inspector asked if she was a patient prior to or after the transaction. She was also not asked for a patient card or identification.
6. On December 17, 2025, OCP Compliance Inspector Chris Stearns met with you, and you provided CI Stearns with the transaction receipt for the sale. CI Stearns asked you to describe your recollection of the transaction and you stated that you remembered that the contracted compliance inspector was curt with you, and you thought she was a customer that comes into the store monthly. You told CI Stearns the customer asked only for gummies and seemed flustered. You said you then completed the transaction and did sell the cannabis gummies.
7. You told CI Stearns that you were served with a violation notice from T. Frost who produced an OCP identification card. While speaking with CI Stearns you took full responsibility for the violation and stated that the business has an SOP for sales and it will be followed. OCP CI Stearns also asked about the item purchased and you confirmed that Pj'S Black Cherry Gummies (5mg THC per serving) was the item that was sold to contracted CI Frost.

II. Summary conclusions of facts and violations:

The Department finds, based upon its investigation and interviews:

1. Evergreen Cannabis Company, a caregiver retail store (operated by Kristin Pettingill), more specifically employee Andrew Pettingill transferred cannabis product to a person who is not a qualifying patient. This is a violation of:

Title 22 M.R.S. § 2423-A (2)A-1. Authorized conduct for the medical use of Cannabis: Sales to a person who is not a qualified patient.

And

Title 22 M.R.S. § 2430-I (4)(A) Administrative penalty for sale or transfer to nonpatient states:

First time a registrant or agent sells, furnishes or gives cannabis for medical use to a person who is not authorized to possess cannabis for medical use under this chapter, the registrant or registrant agent that sold, furnished or gave cannabis for medical use to a person not authorized to possess cannabis for medical use may be subject to an administrative penalty for a minor registration violation.

III. Summary of administrative actions taken by the Department:

Considering the violations summarized above and in order to ensure compliance with Maine Medical Use of Cannabis Program, 22 M.R.S., Chapter 558-C the Department is taking the following administrative actions:

1. In response to employee Andrew Pettingill, transferring harvested cannabis to a person who is not a qualified cannabis patient in violation of the Maine Medical Use of Cannabis Act:
 - a. OCP imposes the following fine against Andrew Pettingill (RIC21801):
\$200 for a minor violation in accordance with section 2430-I (3) (A)(1) of the Maine Use of Cannabis Act, to be remitted to the Department no later than 120 days from the date of this notice.

Title 22 M.R.S § 2430-I (3) (A)(1):

For a registered caregiver who does not operate a retail store and a registrant agent:

(1) Not more than \$200 for each minor registration violation

IV. Summary of administrative appeal rights:

The Department issues this Notice of Administrative Action in accordance with its authority pursuant to 22 M.R.S., Chapter 558-C, §2430-I 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 and Order of Forfeiture and Destruction 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

Cc: Deputy Director Vernon Malloch, Office of Cannabis Policy