



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

KIRSTEN LC FIGUEROA  
COMMISSIONER

OFFICE OF CANNABIS POLICY

ERIK GUNDERSEN  
DIRECTOR

June 27, 2022

### Via USPS First Class Mail and Electronic Mail

Carol Baker  
[REDACTED]

### Subject: Notice of Revocation of Registry Identification Card(s)

Dear Ms. Baker

The Maine Department of Administrative & Financial Services, Office of Cannabis Policy (Department) is responsible for the administration and oversight of the Maine Medical Use of Medical Program (MMMP). Protection for authorized conduct requires compliance with the Maine Medical Use of Marijuana Act and program rules. Pursuant to its authority under 22 M.R.S., Chapter 558-C, §2430-F, the Department revokes the following Registry Identification Card(s): **CAROL BAKER CGR25297 and CGE6608**. Such revocations are effective three (3) calendar days after the date of this notice.

#### I. Justification for revocation:

The Department's decision to revoke your Registry Identification Card(s) is based on your violation of the Maine Medical Use of Marijuana Act. More specifically, the Department's MMMP field investigation staff have provided the Department with sufficient evidence to demonstrate the following statutory and regulatory violations:

- On 01/22/2022 a Maine Sheriff's Association agent went to Mike's 420 Pharmacy, located at [REDACTED]. The agent's intention during this visit was to conduct a compliance check at Mike's 420 Pharmacy to see if the staff was verifying patient cards when selling cannabis products. The agent's report indicated that he arrived at approximately 3:45 p.m. The agent advised that he photographed the outside of the store as the business flag showed open, but the gate was locked. The agent called the number on the sign and was told someone would be right out. The agent asked the female about the pre-rolls advertised on the sign. The female stated she could go in and get a couple, but no one was allowed in the business.

- The agent said the female went into the business and returned with two pre-rolls for \$20.00 which was paid with a \$20 bill. The agent then stated that he left the store, drove a short distance before stopping and securing the pre-rolls in an evidence bag. The agent said when he finished his trip, he secured the evidence at the OCP office in Augusta. The agent forwarded his report and video to OCP on 01-22-2022. Field Investigator Brown was able to view the video footage of the interaction between the agent and caregiver Carol Baker, who Field Investigator Brown recognized from an earlier routine inspection Field Investigator Brown had performed at their business, Mike's 420 Pharmacy. Field Investigator Brown was able to confirm that no one asked the agent if he was a patient, and no one asked to see his patient card or State identification.
- On 02/02/2022 a Maine Sheriff's Association agent returned to Mike's 420 Pharmacy, located at [REDACTED]. The agent's intention during this visit was to conduct a second compliance check to see if the staff was verifying patient cards when selling cannabis products. The agent's report indicated that he arrived at approximately 3:28 p.m. and observed the gate to the business was locked once again. The agent called the business and a man answered and the agent met the same female employee in the driveway once again. The female offered to get him another \$20 worth and he replied he only wanted \$10 like the sign in front of her business offered. The agent handed the female a \$20 bill and the female went into the business and returned with a plastic bag labeled "Mendo" and handed him \$10 change. The agent then stated that he left the store, drove a short distance before stopping and securing the pre-rolls in an evidence bag. He said when he finished his trip, he secured the evidence at the OCP office in Augusta. The agent forwarded his report and video to OCP on 02-02-2022. Field Investigator Brown was able to view the video footage of the interaction between the agent and caregiver Carol Baker, who Field Investigator Brown recognized from an earlier routine inspection. Field Investigator Brown confirmed that no one asked the agent if he was a patient, and no one asked to see his patient card or State identification.
- On 02/16/2022 a Maine Sheriff's Association agent returned to Mike's 420 Pharmacy, located at [REDACTED]. The agent's intention during this visit was to conduct a third compliance check to see if the staff was verifying patient cards when selling cannabis products. The agent's report indicated that he arrived at approximately 2:02 p.m. and observed the gate to the business was locked once again. The agent called the business and a female answered. The agent said he was interested in a single pre-roll and the female said she would be right out. The agent said the same female came out of her residence and went into the business. A female then came out and handed the agent a plastic bag with a single pre-roll labeled "Mendo". The agent handed the female a \$10 bill and the female never asked for a patient card or identification. The agent then stated that he left the store, drove a short distance before stopping and securing the pre-rolls in an evidence bag. He said when he finished his trip, he secured the evidence at the OCP office in Augusta. The agent forwarded his report and video to OCP on 02-17-2022. Field Investigator Brown was able to view the video footage of the interaction between the agent and caregiver Carol Baker, who Field Investigator Brown recognized from an earlier routine inspection. Field Investigator Brown was able to confirm that no one asked the agent if he was a patient, and no one asked to see his patient card or State identification.
- On 03/09/2022, Field Investigator Brown met with Carol Baker. Michael Baker was present also. Field Investigator Brown informed both that we had a complaint about selling product to a non-patient on three different occasions recently. I asked Ms. Baker if she had any patient transaction logs since January and you produced a log which showed three sales to three different patients. The only sales listed were on 01/02/2022 at 1:30 pm for 1 oz. and 01/04/22 at 4:00 pm for 2 oz. and "one joint" sold on 3/12/22 at 2 pm.

It is further noted that Carol Baker is a Caregiver Assistant to her husband, Michael Baker, CGR25171. Michael is a Caregiver Assistant, CGE6607, to his wife, Carol Baker. They both operate out of the same location and use the same name, Mike's 420 Farmacy.

- Field Investigator Brown reviewed the complaint filed by the agent from the Maine Sheriff's Association with you. You informed Field Investigator Brown that you did not recall the exact dates of the sales that were reviewed. Field Investigator Brown pointed out the use of clear plastic bags labeled with the strain of the cannabis and you confirmed that you did provide the product to individuals in these bags. Field Investigator Brown informed you of proper packaging requirements during your initial inspection on September 22, 2020. You confirmed with Field Investigator Brown that this was covered in the initial inspection.
- The investigation determined that on 01/22/2022 you sold cannabis products to a non-patient; Failed to retain records of sales; Utilized packaging that was not tamper evident, child resistant, opaque; and failed to use a label warning "Contains Harvested Cannabis" This conduct is in violation of Title 22.
- The investigation determined that on 02/02/2022 you sold cannabis products to a non-patient; Failed to retain records of sales; Utilized packaging that was not tamper evident, child resistant, opaque; and failed to use a label warning "Contains Harvested Cannabis" This conduct is in violation of Title 22.
- The investigation determined that on 02/16/2022 you sold cannabis products to a non-patient; Failed to retain records of sales; Utilized packaging that was not tamper evident, child resistant, opaque; and failed to use a label warning "Contains Harvested Cannabis" This conduct is in violation of Title 22.

For the following reasons, your eligibility to participate in the MMMP has been revoked:

- Three incidents of Furnishing harvested cannabis to a person who was neither a qualifying patient nor otherwise authorized to possess medical cannabis, a violation of 22 MRS § 2423-A (2) and a mandatory revocation of registry identification card under 22 MRS § 2430-F (2).
- No Child Resistant Packaging/Cannabis Sale, a violation of 22 §MRS §2429-A(1)(A).
- No Opaque Packaging/Cannabis Sale, a violation of 22 MRS §2429-A(1)(B).
- Failure to maintain adequate business records, a violation of 22 MRSA §2430-G, including a record of all transfers of cannabis plants and harvested cannabis, and patient transaction logs.

For these reasons, your eligibility to participate in the MMMP has been revoked. Please immediately return your Registry Identification Card to:

Department of Administrative & Financial Services  
Office of Cannabis Policy  
Maine Medical Use of Cannabis Program  
162 State House Station

Augusta, ME 04333-0162

## **II. Registration Revocation and Right to Request an Informal Hearing:**

Pursuant to 22 M.R.S. §2430-F, the Department may suspend or revoke a registry identification card for violation of Chapter 558-C and the rules adopted by the Department. A person who has had authorization for conduct under Chapter 558-C revoked due to failure to comply with Chapter 558-C and rules adopted by the Department may request an informal hearing. If you would like to request an informal hearing, please notify the Department in writing within thirty

(30) calendar days of the revocation effective date at the address information provided above. A request for an informal hearing should be sent to Vernon Malloch, Deputy Director of Operations by email at [Vernon.Malloch@maine.gov](mailto:Vernon.Malloch@maine.gov) or USPS at 162 State House Station, 19 Union Street, Augusta, Maine 04333-0062. If the Department does not receive a hearing request in accordance with the policy, the revocation becomes final.

Sincerely,

*Michael W. Field*

Michael W. Field  
Director of Compliance  
Office of Cannabis Policy

Cc: file