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GOVERNOR

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OFFICE OF CANNABIS POLICY
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ADMINISTRATIVE & FINANCIAL SERVICES

KIRSTEN LC FIGUEROA
COMMISSIONER

OFFICE OF CANNABIS POLICY

JOHN HUDAK
DIRECTOR

November 6, 2024

Justin Olsen
New World Organics

[REDACTED]

[REDACTED]

Re: Notice of Administrative Action including Monetary Penalty
Justin Olsen CGR27773
OCP Incident Number- 2024-MCP-748

Dear Mr. Olsen,

This Notice of Administrative Action is issued pursuant to the *Maine Administrative Procedures Act* (Maine APA), Title 5, Ch. 375, subch. 4, to **Justin Olsen**, Medical Use Cannabis Program (MUCP) **CGR27773** for violations of the *Maine Medical Use of Cannabis Act* (MMUCA), Title 22 M.R.S., Chapter 558-C, 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 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 MUCP Investigation of License

1. On 05/16/2024 the Office of Cannabis Policy received a complaint stating that an individual posted on Readit that they had purchased gummies from New World Organics in Rockland that were incorrectly dosed.
2. On 5/16/2024 Field Investigator James York contacted you (Justin Olsen) who is the owner and caregiver for New World Organics a caregiver retail store. You advised FI York that you had seen the post on Readit, but you did not think it was a dosing problem. You also advised FI York that your business had not done testing on edibles in months, so there were no supporting lab results to confirm the THC content on the labels or to confirm that the gummies that were packaged were homogenous throughout the package. Two packages of gummies were taken to the lab by FI York and those packages passed testing for homogeneity and cannabinoids.

3. On 5/23/2024 FI York spoke to the individual that posted the information on Reedit. The witness reported to FI York that he has been using edibles for over a year and only purchases 100 mg packages. He told FI York that in January of 2024 he purchased a package of 100mg gummies from New World Organics in Rockland. He said when he used the gummies from this package, he had a “very severe reaction” and stated, “it hit him like a ton of bricks”. He told FI York that the severe reaction lasted the entire day, and the witness said he was very concerned. The witness told FI York that a couple of days later he took 1/5 of a gummy and stated that the effect was “still heavy but okay”. The witness told FI York he still had 8 gummies left and he turned them over to FI York on 5/28/2024.
4. FI York advised he was given the remaining gummies, and the label stated Monster Munchies Strawberry Banana, 100 mg Gummy Pack, 10mg per gummy. These gummies were sent to MCR Lab for testing. The result of the testing was that the total THC for the gummies was 126mg per dose and 1260mg per package.
5. FI York told you to cease selling any gummies from the above batch and to not sell any gummies that are labeled with THC content not associated with a test from a certified laboratory for potency and homogeneity. On 6/5/2024 FI York met with you, and you advised that there were no remaining packages of the mislabeled gummies.

II. Summary conclusions of fact and violations:

The Department finds, based upon its investigation and interviews:

1. You (Justin Olsen) who is a registered caregiver, who owns and operates a caregiver retail establishment in Rockland, sometime around January 2024, manufactured, and sold gummies that were labeled indicating 100mg per package, 10 mg per gummy that were in fact 1260 mg per package and 126mg per gummy, which is more than twelve times the stated dose. And you advised that you had been including the cannabinoid content on your labels without having test results from a certified lab verifying the cannabinoid content and you had not tested your batches of gummies in months. This is a violation of:

Title 22 M.R.S., Chapter 558-C section 22 MRS § 2429-A(3)

Labels. If a registered caregiver, dispensary or manufacturing facility affixes a label on the packaging of any harvested cannabis provided to a qualifying patient and that label includes information about contaminants, the cannabinoid profile or potency of the harvested cannabis, the label must be verified by a cannabis testing facility.

And

Title 22 M.R.S., Chapter 558-C section 22 MRS §2429-A(2)(C)

2. Packaging prohibitions. Harvested cannabis sold in a retail transaction under this chapter may not be:

C. Labeled or packaged in a manner that obscures identifying information on the label or uses a **false or deceptive label**;

And

Title 22 M.R.S., Chapter 558-C § 2430-I (1-A) (A)(6) *Major registration violation affecting public safety includes intentional or knowing egregious conduct that*

imminently jeopardizes public health and safety or conduct that indicates a willful or reckless disregard for public health and safety that poses an imminent risk to public health and safety

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, Title 22 M.R.S., Chapter 558-C the Department is taking the following administrative actions to ensure you, Justin Olsen, CGR27773 stays in compliance with program requirements:

1. In response to you (Justin Olsen) who; manufactured, and sold gummies that were labeled indicating 100mg per package, 10 mg per gummy that were in fact 1260 mg per package and 126mg per gummy, which is more than twelve times the stated dose and you advised that you had been including the cannabinoid content on your labels without having tests results from a certified lab verifying the cannabinoid content, and you had not tested your batches of gummies in months.
 - a. OCP imposes the following fine against Justin Olsen CGR27773: **\$7,500 for a major registration violation affecting public safety in accordance with § 2430-I (3) (B)(3) of the Maine Use of Cannabis Act**, to be remitted to the Department no later than 120 days from the date of this notice.

B. For a covered entity, except a registered caregiver who does not operate a retail store:

(3) Not more than \$7,500 for each major registration violation affecting public safety

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 timely 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

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