



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

JOHN HUDAK
DIRECTOR

May 1, 2025

Brad Thomas



Re: Notice of Administrative Action including Monetary Penalty
The Cheese House DSP116
OCP Incident Number- 2025-MCP-162

Dear Mr. Thomas,

This Notice of Administrative Action is issued pursuant to the *Maine Administrative Procedures Act* (Maine APA), Title 5, Ch. 375, subch. 4, to **The Cheese House DSP116**, Medical Use Cannabis Program (MUCP) 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 February 14th and 15th, 2025, the Office of Cannabis Policy received two complaints in regard to sales to non-patients at the Cheese House located at 5 Pike Rd. in Fairfield. One of the complaints was very specific about the date and time and listed it as February 12, 2025, between 6:44 PM and 6:47 PM. These complaints were assigned to Compliance Inspector Chris Carr for investigation on February 18, 2025. After reviewing the two on-line complaints, CI Carr determined that both complaints were for the same incident. One complainant had first-hand knowledge of the alleged violation, and the second complaint appeared to be based on information that the person making the complaint received from another person.
2. Brad Thomas is the sole shareholder of The Cheese House, Inc., holding the title of President/CEO, and is the sole contact for the license.
3. On February 19, 2025, Compliance Inspectors Carr and Brunette met with the owner of The Cheese House, Brad Thomas RIC17624 and Amber Michaud RIC15502. They were advised of the complaint, and CI Carr requested to view their video for February 12,

2025, starting at approximately 6:30 PM. There were two employees who were working during this time, one of them was identified as Saphyre Hanington RIC21913.

4. The video showed numerous transactions, with each person going to the point-of-sale area and showing identification prior to the sale. Amber Michaud was able to identify each of the customers. At approximately 6:40 PM, a female came into the store and was viewing product. She chose an item and went to the point of sale, check out area. A known female employee was tending to her. There was a conversation between the two of them, the customer did not produce any identification, and the known female employee walked away from the register. Saphyre Hanington then came over and completed the transaction without any identification being produced. The female then left the store with the purchased product. Amber Michaud stated she did not know who the female was.
5. Brad Thomas and Amber Michaud agreed that the female did not produce an identification before making the purchase. Saphyre Hanington then spoke with CI Carr. She said she didn't recall the transaction, but it was obvious to her the girl didn't produce any identification. She too was unable to identify the female. When asked to check the point-of-sale system to get a name on the female, she stated that she did not enter any information for this sale.
6. CI Carr later interviewed the known female employee who was present for the sale but did not conduct the transaction, on the phone regarding this investigation. She stated that she remembered this transaction. She informed CI Carr that she doesn't know the identity of the customer. She said she asked the customer for her identification so she could verify she was a patient, and the female customer told her she didn't have a medical card or any identification with her. The female employee then said this is when she refused the sale, and Saphyre came over and completed the sale. She went on to tell CI Carr that several times she has refused a sale only to have Amber or Saphyre come make the sale without any identification being required.

II. Summary conclusions of facts and violations:

The Department finds, based upon its investigation and interviews:

1. The Cheese House DSP116, a registered dispensary, more specifically employee Saphyre Hanington RIC21913, transferred a cannabis product to a person who is not a registered cannabis patient. This is a violation of:

Title 22 M.R.S., Chapter 558-C section 2430-I (4) (A) Administrative penalty for sale or transfer to nonpatient states:

The first time a covered entity or covered entity 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 covered entity or covered entity 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.

2. The Cheese House DSP116 failed to keep records of their transfers of a cannabis product to an individual on February 12, 2025. This is a violation of:

Title 22 M.R.S., Chapter 558-C section 2430-J

1. Required records. *A registered caregiver, a registered dispensary, a cannabis testing facility and a manufacturing facility shall:*

Keep a record of all transfers of cannabis plants and harvested cannabis

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 The Cheese House DSP116 stays in compliance with program requirements:

1. In response to The Cheese House DSP116 transferring a harvested cannabis product to a person who is not a medical cannabis patient in violation of the Maine Medical Use of Cannabis Act:
 - a. OCP imposes the following fine against The Cheese House DSP116: **\$1000 for a minor violation in accordance with section 2430-I (3) (B)(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.
- B. For a covered entity, except a registered caregiver who does not operate a retail store:
 - (1) Not more than \$1,000 for each minor registration violation
2. In response to you not keeping records for the cannabis product that was sold to a non-patient:
 - a. OCP has issued Technical Assistance

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 the Department executing the administrative action(s) listed in Part III above and 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
Anyia Trundy, Office of the Commissioner

Deanna White, Esq., Office of the Attorney General