



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 Certified Mail and USPS First Class Mail

Shane Gallant
[REDACTED]

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

Dear Mr. Gallant,

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 Marijuana 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): CGR26860. 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 February 21, 2022 at approximately 12:10hrs., a Maine Sheriff's Association (MSA) field investigator, that has never been issued a patient card, purchased medical cannabis from your retail store, Valley Cannabis, located at 344 Main St. in Bingham, ME. He was not asked for a patient card or Maine ID. The cannabis was not labeled as harvested marijuana, had no child resistant or tamper evident packaging and was not opaque.
- On March 26, 2022 at approximately 12:30 hrs. the same investigator again purchased medical marijuana from your retail store. Again, no ID or patient card was requested. The cannabis was not labeled as harvested marijuana and was not tamper evident.
- On May 10, 2022 at approximately 15:30 hrs. the investigator again went and purchased medical cannabis from your store without anyone checking his ID or patient card.
- On May 16, 2022 Field Investigator Carr met with you at your store. During this visit, you were unable to provide accurate patient sale records to him and was unable to establish who was working on the date of the sales on February 21 or March 26. You told him that

Arnold Hughes CGE13706, was the one working on May 10. You were unable to provide employee records to Investigator Carr with information on Hughes or his phone number. Also, you did not have a retail store food license or kitchen license. Located during this visit were numerous edibles, including copyrighted products such as Dorito's, Cheeto's and Frito's. These packages all had the California THC symbol. There was no manufacturing information or kitchen information on the packaging. You told him that you had manufactured the products yourself and packaged them in the observed bags.

For the following reasons, your eligibility to participate in the MMMP has been revoked.

- Failure to Verify Qualified Patient/Failure to Observe Patient Card Prior to Cannabis Sale, a violation of 22 MRS §2423-A(2) and §2430-F(2).
- No Child Resistant Packaging or Tamper Evident 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).
- 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)
- 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.
- Sale and manufacture of edible products without valid retail food license, a violation of 22 MRSA §2423-A(2)(G).
- Advertising and selling products that are designed in a manner that would cause a reasonable consumer confusion as to whether the cannabis was a trademarked infringing product. This includes packaging or labeling that infringes on, imitates, or copies common, well-known images, trade names and marks, characters, and designs from Fritos, Doritos, and Cheetos, all of which are owned by PepsiCo. . A violation of 22 MRS § 2429-A(2)(A). In addition, this labeling/packaging and the website advertising for these products are specifically designed to appeal particularly to a person under 21 years of age. A violation of 22 MRS §§ 2429-A(2)(B) and 2429-B(1)(B)
- Manufacturing edibles by adding harvested marijuana to a trademarked food unless the product is not advertised or described for sale as containing the trademarked product, a violation of 22 MRS § 2429-C(5).

Please immediately return your Registry Identification Card to:

Department of Administrative & Financial Services
Office of Cannabis Policy
Maine Medical Use of Marijuana 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 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
Director of Compliance
Office of Cannabis Policy

Cc: file