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JOHN HUDAK
DIRECTOR

February 16, 2024

Via Electronic Mail and USPS First Class Mail

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Email: 

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

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 Cannabis Program (MMCP). Protection for authorized conduct requires compliance with the Maine Medical Use of Cannabis Act and program rules. Pursuant to its authority under 22 M.R.S., Chapter 558-C, §2430-F, (changed to § 2430-I on October 25, 2023), the Department revokes the following Registry Identification Card Number(s): **RIC19672**.

I. Justification for revocation:

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

- On June 28, 2023, you informed FI Maddox that you and others were planning to develop a large outdoor medical cannabis grow at  (Dixmont Farm), a property owned by Tuongvi Nguyen. On June 28, 2023, OCP FIs Wade Maddox and Christopher Carr visited Tuongvi Nhu Nguyen at the Dixmont farm and found 660 small cannabis plants which were not secured or fenced in any way. Also on that day, OCP Field Investigators found that the majority of the cannabis plants had been purchased in Dorchester, MA, on 6/23/23, and transported to Maine. Other cannabis plants had been purchased from a Maine caregiver, however, there were no business records, or wholesale transactions available to review. The cannabis plants, which were over two-feet tall and nonflowering, were destroyed by you and Ms. Nguyen on July 7, 2023.
- On, July 6, 2023, you applied for a registry ID Card. You listed the Dixmont Farm as your residence. Your card was issued on July 12, 2023. Until July 12, 2023, you had no authority to participate in the medical cannabis program. Yet prior to that time you worked closely with Ms. Nguyen who described you as her business partner, procuring and transporting hundreds of cannabis plants for the six caregivers/applicants at Dixmont Farms.
- On September 28, 2023, OCP FIs Maddox, Carr, and James York visited the Dixmont farm. You were present at that time, and were working on behalf of the other caregivers. You were advised the OCP planned to conduct inspections on all six (6) caregivers. It was obvious that all of the grow areas were too large. As part of that process, each grow location was observed and

measured. The caregiver grow sites were found to contain cannabis plants that exceeded the 500 square foot canopy maximum. One of the canopies was over a thousand square feet and five of them were over 1500 square feet. Further, the fencing was not obscured from public view, and had some large gaps at the bottom ends of some fencing areas. The excessive cannabis plants, which were all flowering, were destroyed on 9/29/23. Also destroyed on that day were an additional 450 plants that were found in a barn on the property. You said these plants were for “genetics” and did not belong to anyone.

- On August 8, Field Investigators were at the Dixmont Farm to inspect the fencing that you were installing. There were compliance issues with the lack of privacy screening around the fencing; lack of locked gates, and large gaps at the bottom of the fence in places. You were instructed about correcting these issues and told to send pictures of you progress to the Field Investigators. No pictures were sent to the Field Investigators.

For these reasons, your eligibility to participate in the MMCP has been revoked.

- **18-691 CMR Ch. 2, § 3 (B)(1)** Fence/Failure to fence or inadequate fencing of outdoor cultivation
- **18-691 CMR Ch. 2, § 3 (B)(2)** Locks/Failure to maintain adequate door/window locks
- **18-891 CMR Ch. 2 § 10 (I)(4)** Illegal practices or unauthorized conduct
- **22 M.R.S.A. § 2430-G** Records/Failure to maintain records of plant/harvested marijuana transfer
- **22 M.R.S.A. § 2430-G (1)(A)(2)** Records/Failure to retain records for four years
- **22 M.R.S.A. § 2423-A (2)(B)** Plant Canopy/Exceeding 500 square feet

II. Registration Revocation and Right to Request an Administrative Hearing:

Pursuant to 22 M.R.S. § 2430-F (now Section 2430-I) 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, suspended, or has been penalized due to failure to comply with Chapter 558-C and rules adopted by the Department may request an administrative hearing. If you would like to request an administrative hearing, please notify the Department in writing within thirty (30) calendar days of the date of this letter at the address information provided here. A request for an administrative 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 this letter, the administrative actions taken in this letter become final.

Sincerely,

Michael W. Field

Michael W. Field
Director of Compliance
Office of Cannabis Policy