



JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
OFFICE OF MARIJUANA POLICY  
162 STATE HOUSE STATION  
19 UNION STREET  
FIRST FLOOR  
AUGUSTA, MAINE 04333-0162

ADMINISTRATIVE & FINANCIAL SERVICES

KIRSTEN LC FIGUEROA  
COMMISSIONER

OFFICE OF MARIJUANA POLICY

ERIK GUNDERSEN  
DIRECTOR

March 1, 2022

**Via USPS First Class Mail and Electronic Mail**

Mr. James Lindsey



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

Dear Mr. Lindsey

The Maine Department of Administrative & Financial Services, Office of Marijuana 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): CGR27787. 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 violations 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 December 21<sup>st</sup>, 2021, Field Investigator Dean Goodale received information that your company, 207 Hydro was advertising edible marijuana products on the 207 Hydro Website and on Weedmaps, that were in violation of trademark laws in addition to possibly originating from outside the state of Maine. Field Investigator Dean Goodale conducted an investigation into this inquiry and as a result of this investigation several violations were noted including but not limited to:
  1. You have been advertising and selling products that are designed in a manner that would cause a reasonable consumer confusion as to whether the marijuana was a trademarked product. This includes packaging or labeling that imitates or copies common, well-known images, trade names and marks, characters, and designs from M&Ms, Skittles, Reese's Peanut Butter Cups, Fruity Pebbles, Kit Kat, Snickers, Twix, Butterfingers and Wonka products. These are all generally known trademarks owned by companies such as Mars, Incorporated; the Wrigley Company; the Hershey Company and Nestle. This is a violation of 22 MRS § 2429-A(2)(A). In addition, this labeling/package and the website advertising for these products are specifically

designed to appeal particularly to a person under 21 years of age. This is a violation of 22 MRS §§ 2429-A(2)(B) and 2429-B(1)(B)

2. You were selling Wonka Gummy Worms and Wonka Gummy Sour Patch Kids, which is a violation of 22 MRS §2429 C (3) , edible marijuana product manufactured and sold in shape of human, animal, and fruit.
3. You have been selling edible marijuana products without a retail food license, which is a violation of 22 MRS § 2152(7) (A) and 22 MRS § 2167 and 18 CMR Chapter 2, Maine Medical Use of Marijuana Program Rule, Section 10(I)(4).
4. You have been selling vape cartridges without a tobacco retail license, which is a violation of; 22 MRS § 1551-A(1), and 18 CMR Chapter 2, Maine Medical Use of Marijuana Program Rule, Section 10(I)(4).
5. Attorney Matthew Dubois provided to Field Investigator Goodale in an email, a transaction log listing that you obtained the trademarked edibles on 12/21/2021 from caregiver Jamison Nay. There was no invoice(s) provided for transfer of the marijuana that you reported you traded for the edibles. This is a violation of 22 MRS §2430-G (1)(A)(1), Failure to Maintain record of all transfers of plants and harvested marijuana.
6. In an email provided by Attorney Matthew Dubois to Field Investigator Goodale it was reported that you received these edible products from Sean Tichey on 12/21/2021 and you believed him to be a caregiver assistant to caregiver Jamison Nay. There was no caregiver assistant ID card for Mr. Tichey. There was no explanation about why Mr. Tichey would have a registered caregiver ID card that did not belong to him. You provided a picture of a caregiver registry card for Jamison Nay which expired 10/21/2021 that you reported you received approximately five months ago. Sean Tichey has never been a registered caregiver assistant to Jamison Nay and is not a Maine resident. This is in violation of 22 MRS §2423-A(2)(K-1),purchase from a person who is not a registered caregiver/dispensary or a registered assistant of a caregiver/dispensary making a wholesale transaction.

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 Marijuana 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](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,

A handwritten signature in cursive script that reads "Michael W. Field". The signature is written in black ink on a white background.

Michael W. Field  
Director of Compliance  
Office of Marijuana Policy

Cc: file