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GOVERNOR

STATE OF MAINE
OFFICE OF CANNABIS POLICY
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ADMINISTRATIVE & FINANCIAL SERVICES

KIRSTEN LC FIGUEROA
COMMISSIONER

OFFICE OF CANNABIS POLICY

JOHN HUDAK
DIRECTOR

November 6, 2023

Via Electronic Mail and USPS First Class Mail

Yen Hsien Wu

[REDACTED]

[REDACTED]

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 Chapter 558-C, 22 M.R.S., §2430-I. (Formerly 22 M.R.S. §2430-F), the Department revokes the following Registry Identification Card(s): **Yen Hsien Wu CGR28333**.

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 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:

1. On January 4, 2023, Field Investigator Carr conducted a caregiver inspection at your residence, [REDACTED] in [REDACTED]. At the time of this inspection, you were authorized for (6) flowering plants and (12) non-flowering plants. You had 232 flowering plants and 288 non-flowering plants at the time of this inspection. You were also the only OCP registered person at this residence. Your operating agreement, Johnny Wu Organic LLC is a one person LLC. agreement with any outside party or member.
2. During this inspection with FI Carr, you told him that you had just received the 288 veg plants the previous day from a person you didn't know, and they were delivered by a friend. You later called FI Carr to tell him that this was not true and you had grown the plants from the beginning.
3. Also, at the time of the inspection, you had two males living at your residence that had access to your cannabis and were not registered with OCP. These two males were Jun Ming Li and Yefeng Wen. You were told that they could not help or have access to the cannabis until they received their Caregiver card to grow their own cannabis and/or an RIC card to so they could assist you with your operation.
4. You were allowed to increase your plant count with OCP to a canopy, which brought you into compliance. You were placed on a plan of correction, dated January 17, 2023, which was delivered to you by FI Carr on January 25, 2023, and signed by you.

5. On June 20, 2023, Supervisor Desjardin, FI Brown and FI Carr met with you at your residence. They spoke to you about your invoices and the cannabis you had sold since the last time FI Carr was there. You showed invoices for sales totaling 220 pounds of flower. You admitted that some of this product was from your cultivation and the remainder was from Jun Ming Li and Yefeng Wen. I had checked before this meeting and knew that neither of them had received their caregiver cards yet. Also, on June 13, Wen had told me he had not received his caregiver card.
6. During this inspection, it was learned that both Li and Wen had rooms growing cannabis. At the completion of the inspection, you were instructed to destroy 192 flowering plants within a 250-foot canopy. You were instructed to notify FI Carr and send pictures of the destruction.
7. On June 21, 2023, FI Brown went to your residence and met with you. There were bags out by the trash. FI Brown checked the bags and noticed that the only thing in the bags were stems and stalks. When confronted with this, you admitted that the plants had all been stripped of their buds (flower) before the stalks and stems were placed in trash bags to make it look like they had been destroyed. FI Brown located all these hanging in the drying room. You admitted that you had made a mistake and was just trying to save some money. This product was then pulled out of the drying room and rendered useless with the use of bleach.

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

- Cultivating over 500 feet plant canopy in violation of **Title 22 MRS §2423-A (2)(B)**
- Failing to maintain adequate business records, as outlined in **Title 22 MRS §2430-G**, including a record of all transfers of marijuana plants and harvested marijuana. (Now § 2430-J).
- Wholesale purchase of cannabis from non-caregiver in violation of **Title 22 §2423-A (2) (K-1)**
- Failure to follow plan of correction from OCP in violation of **18-691 CMR Ch.2 Sect. 10(D)**
- Access/allowing unauthorized access to cultivation location in violation of **Title 22 §2423-A(3)(B)(2)**
- Selling Illicitly produced cannabis, illegal practices and unauthorized conduct, a violation of **18-691 CMR Ch. 2 § 10(I)(4)**.
- Permitting unregistered persons to grow cannabis on property, you were renting/leasing, which is illegal practices and unauthorized conduct, a violation of **18-691, CMR Ch. 2 §10(I)(4)**.

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

Pursuant to 22 M.R.S. § 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

Cc: file