



be at least 21 years old as determined by reliable and current audience composition data; or

(v) engage in advertising by means of placing an advertisement on the side of a building or another publicly visible location of any form, including a sign, a poster, a placard, a device, a graphic display, an outdoor billboard, or a freestanding sign board.

The pertinent provisions of COMAR are as follows:

#### **14.17.14.06 Advertising**

A. All advertisements for cannabis products, businesses, licensees, or other cannabis-related services shall comply with the requirements of Alcoholic Beverages and Cannabis Article §§ 36-901–36-903, Annotated Code of Maryland.

B. A standard licensee, registrant, agent, or employee who violates §A of this regulation:

(1) Is subject to a fine not exceeding:

(a) \$1,000 for the first violation;

(b) \$5,000 for the second violation occurring within 24 months after the first violation; and

(c) \$10,000 for each subsequent violation occurring within 24 months after the preceding violation; and

(2) May elect to:

(a) Pay the imposed fine; or

(b) Request a hearing not later than 30 days from the receipt of the fine.

C. In accordance with the hearing provisions in Regulation .05 of the chapter, the Administration may deny, suspend, or revoke the license or registration of a licensee, registrant, agent, or employee who violates §A of this regulation.

### **FINDINGS OF FACT**

The parties agree to the following statement of facts:

1. Respondent Curio Cultivation, LLC holds a standard cannabis grower license number GA-23-00010.

2. Respondent Curio Manufacturing, LLC holds a standard cannabis process license number PA-23-00012.
3. Together, Curio Cultivation, LLC and Curio Manufacturing, LLC grow, manufacture, package and distribute cannabis flower and cannabis products under the Curio brand.

**Case No. 23-00316**

4. On August 19, 2023, Respondents displayed a canopy/tent with Respondents' logo and name at The Hot August Music Festival (the "Music Festival") at the Oregon Ridge Park located at 13401 Beaver Dam Road, Cockeysville, Md 20130.
5. The Music Festival was not restricted to adults 21 and older. The Music Festival advertised activities specifically for children and families to be offered at the Music Festival.
6. Respondents did not provide reliable and current audience composition data showing that at least 85% of the audience at the Music Festival is reasonably expected to be at least 21 years old.

**Case No. 23-00418**

7. In 2023, Respondents sponsored the Baltimore Running Festival (the "Running Festival").
8. The Running Festival was not an age-restricted event and allowed individuals of all ages to register to participate. In addition, the Running Festival advertised a "Kids Fun Zone" with activities and inflatable games.
9. The Running Festival promoted its 2023 5K event as the "2023 Curio Wellness 5K" and the Curio name and brand were featured prominently in print materials such as the Running Festival's 2023 Runner Handbook.<sup>1</sup>

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<sup>1</sup> Baltimore Running Festival's 2023 Runner Handbook, available at: [https://www.thebaltimoremaraathon.com/wp-content/uploads/2023/10/runner\\_handbook-balt23final.pdf](https://www.thebaltimoremaraathon.com/wp-content/uploads/2023/10/runner_handbook-balt23final.pdf) (last accessed July 24, 2024).

10. On October 14, 2023, while approximately 10,600 participants of all ages (some of whom were virtual runners) took part in the Running Festival, Respondents' name and logo were displayed on the event website and on the lanyards upon which medals were distributed to running participants.
11. Respondents did not provide reliable and current audience composition data showing that at least 85% of the audience is reasonably expected to be at least 21 years old.
12. Respondents have fully cooperated with the MCA's investigation in this matter, and Respondents otherwise remain in good standing with the MCA.

### **CONCLUSIONS OF LAW**

Respondents violated Alc. Bev. §§ 36-901 through 36-903 in Cases No. 23-00316 and 23-00418 by advertising at functions where minors were directly or indirectly invited to attend, without providing reliable and current audience composition data showing that at least 85% of the audience is reasonably expected to be at least 21 years old, and by means of placing an advertisement on the side of a building or another publicly visible location of any form, including a sign, a poster, a placard, a device, a graphic display, an outdoor billboard, or a freestanding sign board. This conduct in turn violated COMAR 14.14.06 by failing to comply with the requirements of Alcoholic Beverages and Cannabis Article §§ 36-901–36-903, Annotated Code of Maryland. These reflect the only violations found arising from the underlying Amended Charges.

### **ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby

ORDERED that within 10 days of this Order, Respondents shall pay a fine in the amount of \$8,000 for the aforementioned advertising violations, which represents a fine of \$500 for each

Respondents' violation relating to Case No. 23-00316 and a fine of \$3,500 for each Respondents' violation relating to Case No. 23-00418; and it is further

ORDERED that this Consent Order is a PUBLIC DOCUMENT pursuant to Md. Code Ann., Gen. Prov. §§ 4-401 et seq. (2014).

8/5/2024  
Date



~~William Tibbitts, Director  
Maryland Cannabis Administration~~

**CONSENT**

I, David Bronfein, am the General Counsel of Curio Cultivation, LLC and Curio Manufacturing, LLC and I have legal authority to enter into this agreement on behalf of Curio Cultivation, LLC and Curio Manufacturing, LLC (hereinafter "Respondent"). Respondents acknowledge that they have had the opportunity to seek advice of counsel in this matter. By this Consent, Respondents agree and accept to be bound by this Consent Order and its conditions and restrictions. Respondents waive any rights they may have had to contest the Findings of Fact and Conclusions of Law.

Respondents acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which the Respondents would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on their own behalf, and to all other substantive and procedural protections as provided by law. Respondents acknowledge the legal authority and the jurisdiction of the Administration to initiate these proceedings and to issue and enforce this Consent Order. Respondents also affirm that they are waiving their right to appeal any adverse ruling of the Administration that might have followed any such hearing.

I sign this Consent Order with authority on behalf of Respondents after having had the opportunity to consult counsel, without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order. I voluntarily sign this Consent Order and understand its meaning and effect.

July 30, 2024

Date

*David Bronfein*

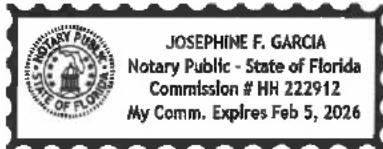
Respondent

**NOTARY**

STATE OF FLORIDA

COUNTY OF PALM BEACH

Sworn to and subscribed before me by means of online notarization, this 30<sup>th</sup> day of July, 2024, by David Bronfein, on behalf of Curio Cultivation, LLC and Curio Manufacturing, LLC, and gave oath in due form of law that the foregoing Consent Order was his voluntary act and deed. He has produced a Driver's license as identification.



A handwritten signature in cursive script, appearing to read 'Josephine F. Garcia'.

\_\_\_\_\_  
Notary Public

Josephine F. Garcia

My Commission Expires: February 5, 2026

STATE OF TEXAS

COUNTY OF DALLAS

Know all men by these presents, that \_\_\_\_\_ of the County of \_\_\_\_\_ State of Texas, for and in consideration of the sum of \_\_\_\_\_ Dollars, to \_\_\_\_\_ in hand paid by \_\_\_\_\_ the receipt of which is hereby acknowledged, have granted, sold and conveyed, and by these presents do grant, sell and convey unto the said \_\_\_\_\_ of the County of \_\_\_\_\_ State of Texas, all that certain \_\_\_\_\_

WITNESSETH that the above and foregoing contents of these presents are the true and correct contents of the same as the same were read in the presence of \_\_\_\_\_ Notary Public in and for the State of Texas, at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

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