



NOTICE: Update on Intoxicating THC Products

Linthicum, MD (September 18, 2025) - On September 9, 2025, the Appellate Court of Maryland issued its opinion in Governor Wes Moore, et. al. v. Maryland Hemp Coalition et. al., No. 1590, September Term, 2023 (Md. App. Ct. Sept. 9, 2025), in which it reversed the lower court's granting of a preliminary injunction restricting the State's ability to enforce § 36-1102 of the Alcoholic Beverages and Cannabis Article against those who sell or distribute products intended for human consumption containing more than 0.5mg of THC per serving or more than 2.5mg of THC per package ("hemp-derived psychoactive products"). The Appellate Court of Maryland found that the right to sell hemp-derived psychoactive products in Maryland was first established in the Cannabis Reform Act and has never existed otherwise, now or in the past: "Hemp-derived psychoactive products, so-called delta-8 and delta-10 THC, are now and have always been illegal in Maryland."

The Maryland Cannabis Administration is following the outcome of this litigation and will provide updates as they occur. We continue to work with our partners at the Maryland Alcohol, Tobacco and Cannabis Commission ("ATCC") on enforcement actions against unlicensed retailers. For more information on reporting violations or filing a complaint with ATCC, please visit <https://atcc.maryland.gov/tips/>.