



The following guidance is provided by the Maryland Cannabis Administration (MCA) to assist cannabis licensees comply with State laws and regulations governing the cannabis industry. This document is not legal advice. It is meant to highlight regulatory changes for licensees. Please consult an attorney if you have any questions regarding the legal requirements that apply.

The Maryland Cannabis Administration (MCA) adopted amendments to 14.17.01.01 *Definitions* effective September 14, 2026. These amendments codify the definition of Medical and Therapeutic claims. The purpose of this subregulatory guidance is to assist MCA licensees in complying with regulations related to medical and therapeutic claims.

What is a medical or therapeutic claim?

A medical or therapeutic claim is any representation that indicates cannabis will improve, relieve, treat, diagnose, or prevent health conditions or any other ailment.

Examples are emphasized to show distinctive elements of medical and therapeutic claims:

- "This product will relieve symptoms associated with depression, fibromyalgia, migraines, and chronic pain."
- "This strain will alleviate joint pain and medicate muscle tension."
- "Treat insomnia with this product."
- "This product has a pleasant body buzz that helps with inflammation and anxiety."

What is a health condition or ailment?

The MCA defines a health condition as "an impairment, disease, or disorder as well as its observable signs, symptoms, or diagnostic markers." Examples of health conditions include but are not limited to: cachexia, anorexia, wasting syndrome, severe or chronic pain, severe nausea, seizures, severe or persistent muscle spasms, glaucoma, post-traumatic stress disorder, generalized anxiety disorder, and their associated symptoms.

When are medical or therapeutic claims allowed?

A licensee may include a medical or therapeutic claim in an advertisement when: (1) The claim is supported by competent and reliable scientific evidence; and (2) Information included in the advertisement explains the most serious and most common side effects or risks associated with the use of cannabis. See Md. Code Ann., Alc. Bev. § 36-902.

Medical and therapeutic claims are prohibited on packaging and labeling of cannabis products.

What is a characteristic anticipated effect?

A characteristic anticipated effect is any temporary physiological, emotional, or behavioral effect related to the consumption of cannabis that is common to or expected from the particular cannabis strain, excluding any medical or therapeutic claims. Characteristic anticipated effects generally do not include any reference to a health condition or its symptoms.



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Examples of characteristic anticipated effects are emphasized to show distinctive elements:

- "This strain has effects that may enhance your relaxation, relieve tension, and improve rest to help ease you into bedtime."
- "This product was formulated to encourage creativity, and you may feel giggly, tingly, and talkative."
- "This product is an uplifting, euphoric daytime strain that may energize and arouse."
- "Users report that this strain is characterized by a body buzz that may relieve tension and anxiety."

Licensees can make statements related to characteristic anticipated effects on packaging, labeling, and advertisements when the licensee has a reasonable and substantiated belief that it is truthful and not misleading. MCA strongly encourages licensees to include a disclaimer with all statements related to characteristic anticipated effects. Suggested disclaimer language is:

"This statement has not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease."

All statements related to characteristic anticipated effects must have accessible documentation substantiating a reasonable belief that the statement is true and not misleading. MCA may require production of such substantiation during inspection and upon request. MCA approval is not required before making statements related to characteristic anticipated effects.

In all circumstances, licensees are prohibited from making any false or misleading statements.

Are cannabis agents permitted to discuss terpenes, strains, and potency with customers? What about educating consumers?

Yes. Cannabis agents are permitted to discuss terpenes, strains, potency, formulation, route of administration, rapidity of onset, manufacturer directions, and the variability of individual experiences with customers. Cannabis agents may also educate consumers and describe characteristic anticipated effects of products, including the product name, label, and description.

Cannabis agents are not permitted to make medical or therapeutic claims. This guidance does not limit interactions between Clinical Directors and consumers.



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Are product names or strain names considered a medical or therapeutic claim? For example, a product named "Sleep," "Relax," or "Painkiller."

MCA does not automatically consider product or strain names to be medical or therapeutic claims. Product names may convey a characteristic anticipated effect. Examples of names that may convey characteristic anticipated effects include: "Sleep," "Relax," "Pain," "Painkiller," "Sex," "Achy," and "Bedtime."

Medical and therapeutic claims are prohibited from product packaging and labeling. A product name may not convey a medical or therapeutic claim. Hypothetical examples of product names that would constitute a medical or therapeutic claim include, "Cancer Curer," "Migraine Stopper," or "Anxiety Relief."

What if a licensee partners with a third party platform, which then aggregates data to make a medical or therapeutic claim?

Licensees are responsible for all information, content, and data available through their websites and ordering platforms, regardless of whether a third party hosts, maintains, or supports the platform. If a third party platform is utilized, licensees must ensure that product names, product descriptions, product tags, and comments comply with all advertising requirements, including restrictions on medical and therapeutic claims.