



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.

All licensed and registered cannabis businesses and cannabis-related advertising must comply with the statutory requirements of Title 36, Subtitle 9, Alcoholic Beverages and Cannabis Article, Annotated Code of Maryland. In Spring 2026, the Maryland General Assembly passed amendments to the advertising-related statutory requirements. The purpose of this bulletin is to clarify the amended requirements.

Definition

Advertisement means any publication, dissemination, or circulation of any auditory, visual, digital, oral, or written matter, which is directly or indirectly calculated to induce the sale of cannabis or any cannabis-related product or service. See Md. Code Ann., Alc. Bev. § 36-901.

Advertisements subject to MD. Code., Ann, Alc. Bev. § 36-903 include, but are not limited to:

- Event sponsorship;
- Tabling at an event;
- Sponsored social media posts;
- Email blasts;
- Direct mail campaigns;
- Radio, TV, or internet ads;
- Any promotional items; and
- Branded merchandise

Prohibited advertisements

An advertisement for a cannabis licensee, product, or service shall not:

- Directly target individuals under the age of 21 years old;
- Contain a design, illustration, picture, or representation that targets or is attractive to individuals under the age of 21 years;
- Display the use of cannabis, including the consumption, smoking, or vaping of cannabis products;
- Encourage or promote the use of cannabis as an intoxicant; or
- Be obscene.

Aspects that targets or are attractive to individuals under the age of 21 include, but are not limited to:

- Resemblance to the trademarked, characteristic, or product-specialized packaging of any commercially available candy, snack, baked good or beverage, such as "Zkittles" or "Girl Scout Cookies,";
- Images of food, candy, baked goods, cereal, fruit, beverages, or the words "candy" or "candies";

- Images, graphics, font styles, features, or likeness to images, graphics, font styles, or features that are popularly used to advertise to children, such as cartoons, animals, neon colors, celebrities, mascots, or phrases;
- Graphics that include the attribution of:
 - Human characteristics to animals, plants, or other objects, or the similar use of anthropomorphic technique, such as wearing human clothing;
 - Animal, plant, or other object characteristics to humans; or
 - Unnatural or extra-human abilities or characteristics to humans, plants, animals, or other objects, such as superheroes or magic;
- Sensory effects, including but not limited to texture, scent, or sound, such as “scratch-n-sniff” effects or motion-activated sound effects.

Penalties

As adopted effective July 22, 2024, maximum fines for advertising violations are as follows:

- \$1,000 for a first violation;
- \$10,000 for the second violation occurring within 24 months after the first violation;
- \$25,000 for the third violation occurring within 24 months after the second violation; and
- \$50,000 for each subsequent violation occurring within 24 months after the preceding violation.

Any advertising violation that occurred between May 23, 2023 and July 22, 2024 counts for the purpose of calculating the appropriate fine.

See Md. Code Ann., Alc. Bev. § 36-903(c); COMAR 14.17.14.06.

Updated! Audience Composition

A cannabis advertisement may not be placed on television, radio, internet, mobile application, social media, or other electronic communication or print publication unless at least 85% of the audience is reasonably expected to be at least 21 years old. Blogs, websites, and third-party platforms may not be used to avoid audience composition requirements in Md. Code Ann., Alc. Bev. § 36-903(a)(1)(iv).

Licensees are required to demonstrate that at least 85% of the audience is reasonably expected to be at least 21 years old with recent and readily available data. The MCA may require a licensee advertising on television, radio, internet, mobile application, social media, or other electronic communication or print publication to submit audience composition data to confirm compliance with this statutory requirement.

Licensees may submit audience composition data through the [Audience Data Submission Form](#). MCA will review the data and inform the licensee whether the data presented is sufficient to determine audience composition under Alcoholic Beverages and Cannabis Article, 36-903(a)(1)(iv). The use of this form *does not* certify that the advertisement or its content complies with any other advertising restrictions. An advertisement that meets audience composition requirements must still comply with all other advertising restrictions.

Updated! Event Sponsorship

Event sponsorship is a permitted form of advertisement, subject to the advertising restrictions in Md. Code Ann., Alc. Bev. § 36-903 related to audience composition requirements, prohibitions, and branded merchandise.

In order to satisfy audience composition requirements, event sponsors may submit an attestation via email to reporting.mca@maryland.gov. At a minimum, the attestation must be completed by a person with firsthand knowledge of the information they are attesting to, and must include:

- Licensee Name;
- Licensee Number;
- Name, date, and duration of event;
- Name of event host;
- Estimated number of attendees under 21 years of age;
- Description of the attestor's qualification for firsthand knowledge;
- Description of how the event is being promoted; and
- Explanation of rationale that at least 85% of the audience is reasonably expected to be at least 21 years old.

Any signage, displays, or other materials displaying information about the cannabis business may not be visible to any individual not in attendance at the event. Any promotion, flyers, or other advertisement of an event sponsored by a licensed entity must also comply with all other advertising restrictions.

Third Party Advertisements

Licensees may not avoid these advertising requirements by employing third parties or otherwise outsourcing advertising. Licensees will be held responsible for third parties that use licensees' trademarks, brands, names, locations, or other distinguishing characteristics for advertisements that do not comply with these requirements. See Md. Code Ann., Alc. Bev. § 36-903(b)(3).

Updated! Interior Displays

An interior display is any signage or marketing asset located inside the store that is primarily oriented to the interior of the premise and situated to serve consumers inside the indoor premise. Advertisements that comply with restrictions in all other aspects may be displayed on the interior of a licensed premises. These advertisements are not subject to size or dimension restrictions.

Updated! Exterior Identification Signage

Licensees may place exterior identification signage for the sole, limited purpose of identifying the business to the public. Exterior identification signs may display the licensee name or registered tradename and logo. No other information may be displayed on the exterior identification sign.

There is no limit to the size of exterior identification signs.

As a reminder, the exterior identification signage must use the name or registered tradename of the licensee. The exterior identification signage may not solely use the name of an affiliated entity. See Md. Code Ann., Alc. Bev. § 36-903(a)(1)(i).

For example, if *Dispensary A* and *Dispensary B* have a formal partnership, the exterior identification sign may say "*Dispensary A*, a collaboration with *Dispensary B*," or similar. In these cases, exterior identification signage must not cause confusion regarding the identity of the cannabis business operator on the premises.

Updated! Exterior Operational Signage

An exterior operational sign is any signage or marketing asset located outside the premises or located inside but primarily oriented outward towards public traffic.

Licensees may place exterior operational signage, including posters, placards attached to the building, or freestanding signboards immediately adjacent to the entrance to the licensed premises for limited operational purposes. Exterior operational signage may not be larger than 900 sq inches (roughly 6.25 sq feet) per sign, or 1,200 sq inches (roughly 8.3 sq feet) total.

These signs are limited to:

1. Providing contact information for the dispensary, including a website address, phone number, email address, or QR code that may link to this contact information or an age-gated website;
2. Providing contact information for the MCA;
3. Providing information on what to do if an adverse event occurs, including:
 - a. An advisory to call 9-1-1 in an emergency;
 - b. Contact information for the Maryland Poison Center;
 - c. Contact information for the pet poison helpline; and
4. Identifying an ownership or licensure designation.

Any ownership or licensure designations claimed on exterior operational signage must be verifiable through the licensee's annual Organization, Ownership and Control Disclosure form. Additionally, ownership or licensure designation claims must represent at least 51% of the ownership. Licensees that applied as social equity applicants may identify themselves as a "Social Equity Licensee".

Signs that were painted on a licensee's permanent structure prior to January 1, 2026 are not subject to the above restrictions on exterior operational signage.

Updated! Websites

Any cannabis-related website must employ a neutral age-screening mechanism that verifies a user as at least 21 years old, including by using an age-gate, age-screen, or age-verification mechanism BEFORE the (1) user may access or view any content and (2) website may collect any personal information, including address, email, phone number, or contact information. A neutral age-screening mechanism is one that requires a person to enter their date of birth in order to gain access to the website.

A neutral age-screening mechanism is not one that:

- Prompts a person to click "yes" or "no" as to whether they are at least 21 years old;
- Retains browser cookies to bypass age verification on future visits; or
- Uses AI or other data sources for age verification without the user's entry of their date of birth.

Exception: If a website is appropriate for a qualifying patient who is under the age of 21 years, the website shall provide an alternative screening mechanism through which to provide the qualifying patient with access to those portions of the website appropriate for such a patient. For example, a dispensary may employ a two-option, age-gating mechanism that asks "are you over the age of 21?" and "are you a qualifying medical patient under the age of 21?" If a person selects that they are over the age of 21, they must provide their birthdate. If a person selects that they are a medical patient under the age of 21, the person must enter their medical patient number, which may then prompt the website to re-direct the person to the medical patient menu or other information appropriate for medical patients.

Other

- **Branded Merchandise** may be given or sold to individuals 21 years old or older, on the licensed premises or at an event sponsored by the licensee that otherwise complies with advertising restrictions.
- **Direct Mail** may be sent to homes only if addressed to individuals 21 years of age or older, in a sealed envelope, and any advertisement, promotion, or other branding may not be visible from the outside of the envelope.
- **Updated! Social Media** advertisements must include a notification that an individual must be at least 21 years old to view the content on each individual post. A pinned post or blanket statement on a social media profile does not meet this requirement.
- **Updated! Editorial content**, such as news articles, interviews, or documentaries, may use a licensee's trademark, brand, name, location, or other distinguishing characteristics provided that the licensee or a licensee's third party did not compensate the publisher in any way.