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§13–3313.1.

(a) All advertisements for medical cannabis, medical cannabis products, edible cannabis products, or medical cannabis–related services that make therapeutic or medical claims shall:

(1) Be supported by substantial clinical evidence or substantial clinical data; and

(2) Include information on the most significant side effects or risks associated with the use of cannabis.

(b) An advertisement for a grower, a processor, a dispensary, an independent testing laboratory, a certifying provider, or a third–party vendor may not:

(1) Make any statement that is false or misleading in any material way or is otherwise a violation of §§ 13–301 through 13–320 of the Commercial Law Article; or

(2) Contain a design, an illustration, a picture, or a representation that:

(i) Encourages or represents the recreational use of cannabis;

(ii) Targets or is attractive to minors, including a cartoon character, a mascot, or any other depiction that is commonly used to market products to minors;

(iii) Displays the use of cannabis, including the consumption, smoking, or vaping of cannabis;

(iv) Encourages or promotes cannabis for use as an intoxicant; or

(v) Are obscene.

(c) All advertising for medical cannabis, medical cannabis products, or edible cannabis products shall include a statement that the product is for use only by a qualifying patient.

(d) (1) Any website owned, managed, or operated by a certifying provider, dispensary, grower, or processor shall employ a neutral age–screening mechanism that verifies that the user is at least 18 years of age, including by using an age–gate, age–screen, or age verification mechanism.

(2) An advertisement placed on social media or a mobile application shall include a notification that:

(i) A person must be at least 18 years old to view the content; and

(ii) Medical cannabis is for use by certified patients only.

(e) (1) This subsection does not apply to an advertisement placed on property owned or leased by a dispensary, grower, or processor.

(2) Any advertisement for medical cannabis, medical cannabis products, edible cannabis products, or medical cannabis–related services may not be placed within 500 feet of:

(i) A substance abuse or treatment facility;

(ii) A primary or secondary school in the State or a child care center licensed or a family child care home registered under Title 9.5 of the Education Article; or

(iii) A playground, recreation center, library, or public park.

(f) The Commission shall adopt regulations to establish:

(1) Procedures for the enforcement of this section; and

(2) A process for an individual to voluntarily submit an advertisement to the Commission for an advisory opinion on whether the advertisement complies with the restrictions on advertisements for medical cannabis, medical cannabis products, edible cannabis products, and medical cannabis–related services.

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