

TESTIMONY ON BEHALF OF ILOVECOMPLIANCE

Senate Bill 594—Cannabis—Advertising--Alterations

SUPPORT with AMENDMENT

Senate Finance Committee

February 26, 2026

I Love Compliance.biz (ILC) was established in December 2015 and offers managed compliance services to cannabis operations and has been operating as the compliance team for multiple dispensary licenses in Maryland since 2017. ILC is currently the compliance team for fifteen different operators in the state, and we are writing on their behalf.

We appreciate the opportunity so provide comments on Senate Bill 594—Cannabis—Advertising—Alterations.

When the Maryland General Assembly legalized cannabis for adult use, it also enacted comprehensive advertising restrictions, some of the strictest in the nation. While unlicensed sellers aggressively promote intoxicating products online and in person without any regulatory oversight, licensed dispensaries must operate within strict rules. Allowing responsible advertising helps guide consumers toward regulated, lab-tested products that feature accurate labeling and clear safety disclosures. It also enables licensees to directly counter misinformation and unsafe claims that proliferate in the illicit market.

Licensed dispensaries and their trained staff play a vital educational role for the public, customers, patients, and caregivers. Four years after legalization, many Marylanders still do not realize that cannabis is legally available for adult use. Others remain unaware of its potential medical benefits. Regulated advertising gives licensees the ability to shape accurate consumer understanding and reduce the risk of misuse.

Over the past year, however, licensees have faced a sharp increase in advertising-related citations and fines for activities previously permitted. This has generated widespread confusion about what is and is not allowed under Maryland's advertising laws and regulations. Even when no fine is ultimately issued, the uncertainty has left many businesses increasingly reluctant to advertise at all.

1. Medical and Therapeutic Claims / Product Descriptions

We support the statutory intent (Alc. Bev. § 36-902) to prevent unsupported medical or therapeutic claims that products “cure” specific ailments or diseases. Advertisements making such claims must be supported by competent and reliable scientific evidence (e.g., two or more blinded, well-controlled clinical trials) and include information on significant side effects or risks.

However, product descriptions should be permitted to include specific product effects, cannabinoid or ingredient properties, and experiential/sensory language. This is essential for patient and consumer education, safety, and informed decision-making aligned with physician recommendations or desired experiences.

Examples of product descriptions that have been inappropriately flagged include:

- “guides you to a night of peaceful rest, helps ease muscle and joint pain”
- “fast-acting effects...a refreshingly natural mood enhancer”
- “delivers a wave of soothing relaxation, easing to a peaceful night sleep, replaces stress and worry with blissful tranquility”
- “cerebral stimulation with gentle body relaxation; sweet berry aroma jolts creativity.”

These are conditions recognized by the General Assembly in Md. Code, Alcoholic Bevs. & Cannabis §36-301(c) as being appropriate for treatment by cannabis. The MCA's regulations mirror that language. The law has already determined those conditions are treated by cannabis.



Recommended change:

Before the period on line 10 page 2 of SB 549, insert “except for those conditions recognized by this Article or the Administration’s regulations as conditions appropriate for treatment by medical cannabis.”

2. Signage

Current statutory language (§ 36-903(a)(1)(v) & (a)(2)) and MCA guidance limits dispensaries to only being able to put the name of the business on exterior signage. This is overly restrictive, and SB 549 has some reasonable restrictions included.

Recommended change: Expand allowable on-premises exterior signage to include limited additional professional information, such as:

- Ownership/diversity statements (woman-owned, Black-owned, veteran-owned, etc.)
- Hours of operation, phone number, and website URL or a QR Code to scan.
- Wayfinding/directional information

3. General Comments

Update the definition of Advertising in the regulation, here is a recommendation:

“ADVERTISEMENT” means the publication, dissemination, or circulation of any auditory, visual, digital, oral, or written matter paid for, expressly authorized in writing, or directed by a licensee or the licensee’s agent, that is calculated to induce the direct sale of cannabis or any cannabis-related product or service. “ADVERTISEMENT” does not include a trade name, logo, or branding on employee uniforms or on merchandise, whether sold or provided without charge.

If licensees choose to complete the MCA Maryland Cannabis Administration Advertising Audience Composition Data Submission, the MCA must provide a reasonable service-level agreement for how long it will take to review the information. In multiple cases, licenses have submitted information along with requested follow-up, and responses remain open for several months, in some cases over five months. No licensee can plan a marketing campaign and have a decision made several months later, as the event or opportunity has passed. Also, the MCA has stated in this process that they will not meet via call or web meeting, and communication must be done through email.

If the packaging that dispensaries received from licensed cultivators and processors is out of compliance, the dispensary should not be held liable, and the MCA should enforce the issues with those who produced it. In an active MCA case, a licensee was told they are liable for the product names that is on a package provided by a licensed cultivator, one product name was "Pain Killer" which was the strain name of the product, and the MCA cited that it was making health and therapeutic claims, stating that it was the responsibility of the dispensary and there was a potential for the dispensary to get fined because of the name. Although this product was approved for the state's seed-to-sale tracking system, the MCA does not go back to the product's manufacturers. Currently, the MCA only performs packaging approval on edible products, when in reality, they should be approving all packaging for all products before they go to market. This is how it is done in other states that offer cannabis products, such as Missouri, Florida, and Ohio.



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