



# ATCC

Alcohol, Tobacco, and Cannabis Commission

Wes Moore  
Governor

Aruna K. Miller  
Lt. Governor

Jeffrey A. Kelly  
Executive Director

March 31, 2026

**BILL: SB0820 - Alcohol, Tobacco, and Cannabis Commission - Unauthorized Consumable Products - Enforcement and Seizure**  
**COMMITTEE: Health**  
**POSITION: Favorable**

**Re: Favorable - SB0820 - Alcohol, Tobacco, and Cannabis Commission - Unauthorized Consumable Products - Enforcement and Seizure**

Dear Chair Bagnall and Members of the Health Committee,

**The ATCC respectfully submits this letter of strong support to the Health Committee and requests a favorable report on SB0820 - Alcohol, Tobacco, and Cannabis Commission - Unauthorized Consumable Products - Enforcement and Seizure. This legislation represents an important and necessary step toward strengthening public health protections and ensuring greater accountability within the retail marketplace.**

SB0820 directly addresses the growing availability of **illicit** psychoactive substances - including kratom derivatives, phenibut, and tianeptine—that are increasingly sold in gas stations, convenience stores, and tobacco shops. These substances are often marketed under misleading labels such as dietary supplements, energy enhancers, or anxiety remedies, despite their significant psychoactive properties and associated health risks. Their accessibility, particularly to minors, poses a serious concern for families and communities across our state.

As amended by the Senate Finance Committee, this legislation establishes clear, enforceable guardrails to prevent the marketing, sale, and distribution of unapproved products to Maryland’s consumers. By prohibiting the sale of unauthorized products, banning the addition of synthetic compounds, restricting improper labeling and unsubstantiated therapeutic claims, and preventing marketing directed at minors, SB0820 ensures that retailers are held accountable for the products they place on their shelves. In doing so, the bill closes existing regulatory gaps that have allowed these substances to proliferate without meaningful oversight.

Importantly, the bill leverages the expertise of the Maryland Department of Health in identifying and regulating harmful products, including a new requirement obligating MDH to notify the ATCC within 30 days of any change in the regulatory or approval status of a covered substance, while channeling enforcement authority and resources directly to the ATCC. The proposed enforcement framework builds on established regulatory models, including prior efforts to address unlicensed and non-compliant packaged THC products, thereby providing a practical and effective mechanism for implementation.

**SB0820 is a proactive measure that prioritizes youth safety, strengthens consumer protections, and reinforces responsible retail practices. The ATCC strongly urges the Health Committee to issue a favorable report on SB0820 - Alcohol, Tobacco, and Cannabis Commission - Unauthorized Consumable Products - Enforcement and Seizure on this important piece of legislation.**

Thank you for your time and thoughtful consideration.

Sincerely,

A handwritten signature in black ink that reads "JA Kelly". The signature is written in a cursive, flowing style.

Jeffrey A. Kelly  
Executive Director  
Alcohol, Tobacco, and Cannabis Commission of Maryland