



**Finance Committee Briefing:
Ongoing Illicit THC Enforcement**

January 27, 2026



Maryland Cannabis Administration (MCA)

Issues cannabis business licenses and sets statewide standards for packaging, labeling, and lab testing.

Police Departments: Public Safety & Street-Level Enforcement

Address street-level illegal sales, distribution, and impaired driving (DUI).

THC IN MARYLAND OVERVIEW

MCA
ATCC
Police



Alcohol, Tobacco, and Cannabis Commission (ATCC)

Enforces laws targeting illicit and unlicensed businesses selling unauthorized intoxicating THC products.

ATCC THC Enforcement

ATCC Enforcement Priorities

Given the Washington County Court injunction issued in October 2023, which prevented the State from enforcing certain restrictions within the Cannabis Reform Act against businesses selling intoxicating THC product **BEFORE July 1, 2023**, the ATCC initially focused its efforts related to HB12/SB214 – THC Offenses on the following businesses:

- ▶ **Businesses that Opened** or began Selling THC Product after 7/1/2023
- ▶ **Wholesalers** of Intoxicating THC Product
- ▶ **Large Retailers** (ATCC will recheck retailers once they have been cited to determine if they reoffend while cases pending)

Evolution of Enforcement

From Jan 1 to July 1, 2025 18 THC cases were made by the ATCC

- ▶ Initially, the ATCC did not have access to a lab capable of testing right away after legalization.
- ▶ Once a lab was obtained outside of Philadelphia, there was a 45 day turnaround time for testing.

After July 1, 2025 111 THC cases were made.

- ▶ HB12/SB214 allowed enforcement of all retail locations, no lab testing needed, with priority given to stores that started doing business **AFTER July 1, 2023**.
- ▶ Once injunction was lifted, half a dozen stores that were a constant source of complaints were targeted.

ATCC is now able to effectively take enforcement action against ANY retail location that is selling illicit THC intoxicating products.

SB0214/HB0012

CANNABIS- SALE AND DISTRIBUTION – TETRAHYDROCANNABINOL OFFENSES

Signing Date: April 8, 2025

Effective Date: July 1, 2025

Immediate Action Permitted

Agents no longer need chemical testing before enforcement.

Faster Case Processing

No lab wait time—charges can be issued immediately.

Expanded Seizure Authority

Entire non-compliant product stock can be confiscated based on packaging/labeling violations alone.

Expedited Investigative Process

Streamlines enforcement and allows for proactive field intervention.

Cannabis-Sales

& DISTRIBUTION-TETRAHYDROCANNABINOL OFFENSES

(SB0214/HB0012)

THC Packaging & Labeling Standards



Mandates that all intoxicating THC products intended for human consumption comply with the **same packaging and labeling requirements as legal cannabis products**, as outlined in Alcoholic Beverages and Cannabis Article §36-203.1 and COMAR 14.17.18.

FED Authority to Seize or Destroy



Authorizes the Office of the Executive Director (OED) to seize, destroy, or confiscate non-compliant products.

- Establishes that violations committed by non-cannabis licensees may result in a citation and are classified as misdemeanors, punishable upon conviction by a fine of up to \$5,000.

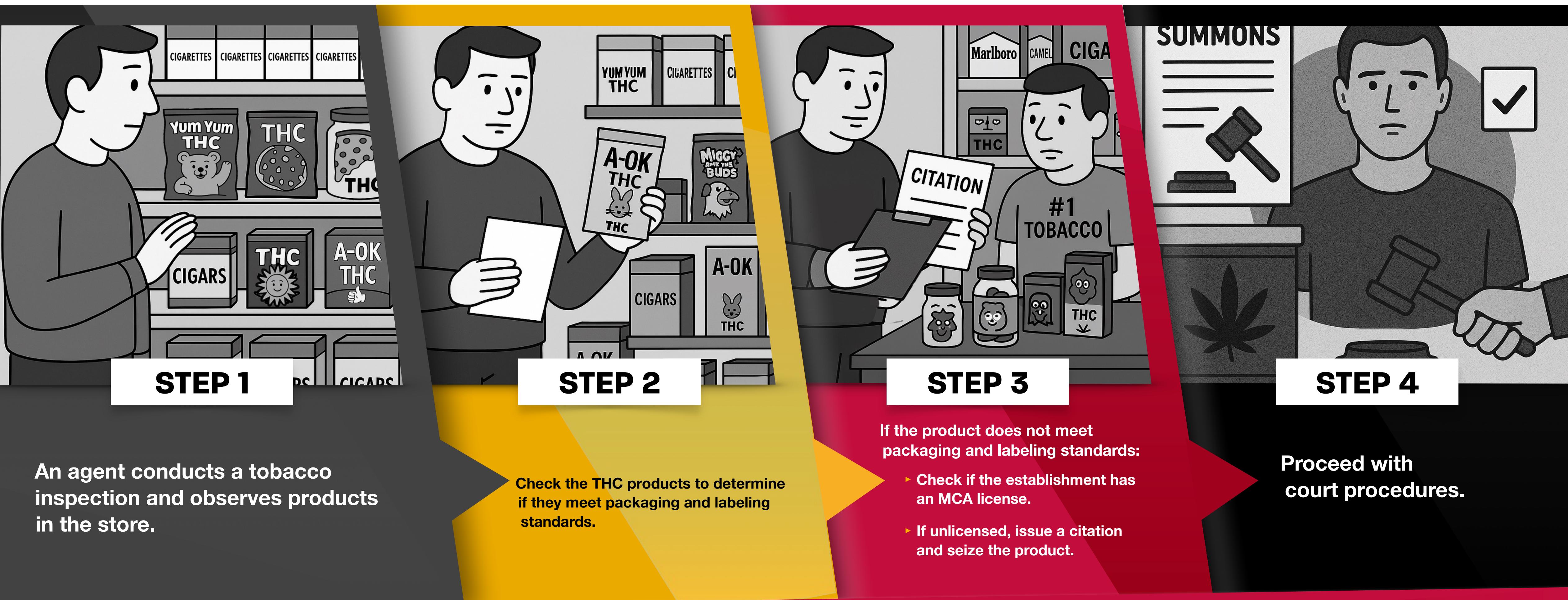
Citations for Delta-8/10 Sales to Minors



Permits the OED to issue citations for the sale of Delta-8-THC and Delta-10-THC

HB12/SB214 – THC Offenses

ATCC ENFORCEMENT PROCESS FOR CANNABIS CASES



HB12/SB214 – THC Offenses

NEW CHARGING LANGUAGE EFFECTIVE JULY 1, 2025

Alc. Bev. Can 36-1104 has two primary sections that address the new misdemeanor offenses concerning the packaging and labeling of intoxicating THC products (>.5 mg per serving or >2.5 mg per package):

1-0317 Distribute THC Product – Package Violation

AB 36-1104(b) - \$5000.00 fine

Unlawful to sell or distribute any THC-containing product that fails to meet the state's potency, packaging, or labeling standards set under § 36-203.

1-0318 Distribute THC Product – Advertise Unlawful Amount

AB 36-1104(c)(1) - \$5000.00 fine

Prohibits selling or distributing a cannabis product that is advertised as containing an amount of THC that violates the THC limits set in § 36-1102.



ATCC

Enforcement Requests for SAOs for HB12/SB214 - THC Offenses

SAO Outreach

After the passage of HB 12/SB 214, the ATCC proactively reached out to SAOs to explain the new law and associated charges and presented at a meeting with the Maryland State's Attorneys' Association in the Fall of 2025.

Prosecutor Training

The ATCC continues to conduct outreach to train individual SAOs on best practices for prosecuting these cases, including responding to prosecutors' requests for assistance.

Public Health Protection

The goal of the ATCC is to reduce access to illicit intoxicating THC products to the Maryland consumer to protect public health and prevent sales to underage persons, while driving consumers to the regulated and licensed cannabis holders. Seizing and destroying untested and unregulated THC products protects the public and deters the commercial businesses.

ATCC Requested the Presence of an Assistant State's Attorney

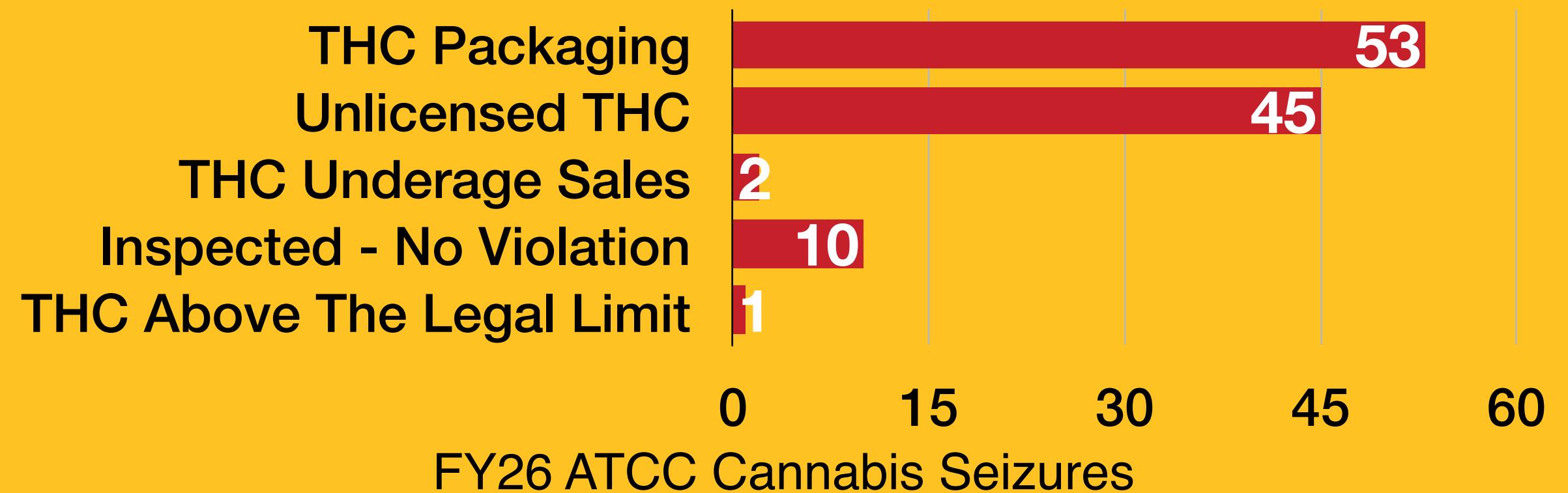
Although these cases are non-incarcerable misdemeanors, advocacy from an ASA will be critical to present the CDS adjacent cases to the Court.

ATCC Requested Disposition

Guilty plea, PBJ, or Stet which includes conditions – 1. Consent to Forfeiture of products, and 2. Agreement to cease unlicensed sale of THC.

Cannabis Enforcement

Through 12/31/2025



Enforcement Since Law Took Effect

ATCC launched 111 THC investigations following 1,213 inspections from July 1 - December 31, 2025.

Cases Brought to Court: 99 cases charged

17 docketed (with multiple defendants), 53 pending, 11 guilty, 10 stet conditions, 7 Noelle Pro, and 1 adjudicated in Baltimore City.

Types of THC Violations Charged

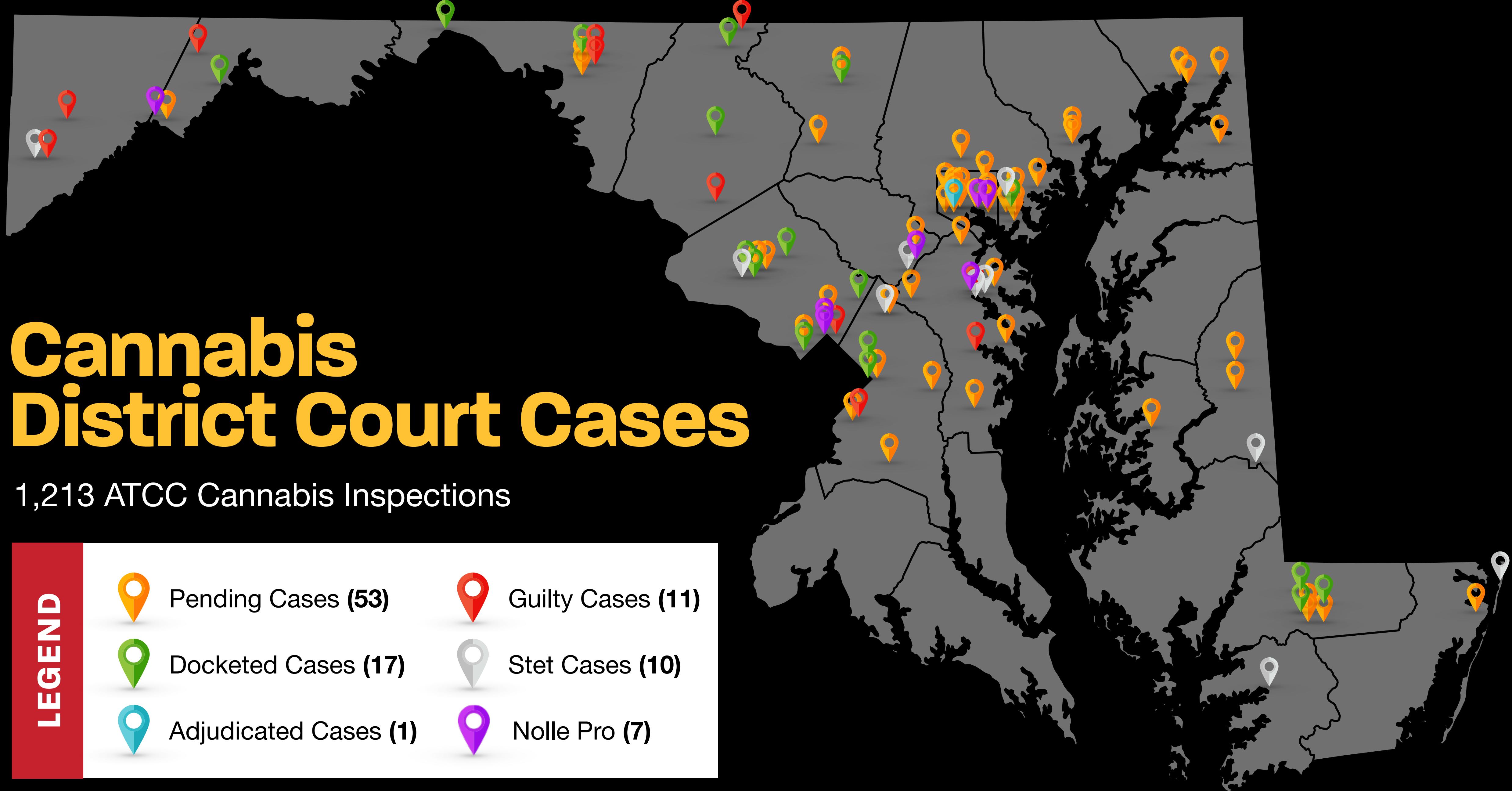
Docketed cases include illegal packaging, underage THC sales, unlicensed THC sales, and THC above legal limits.

Statewide Reach of Enforcement

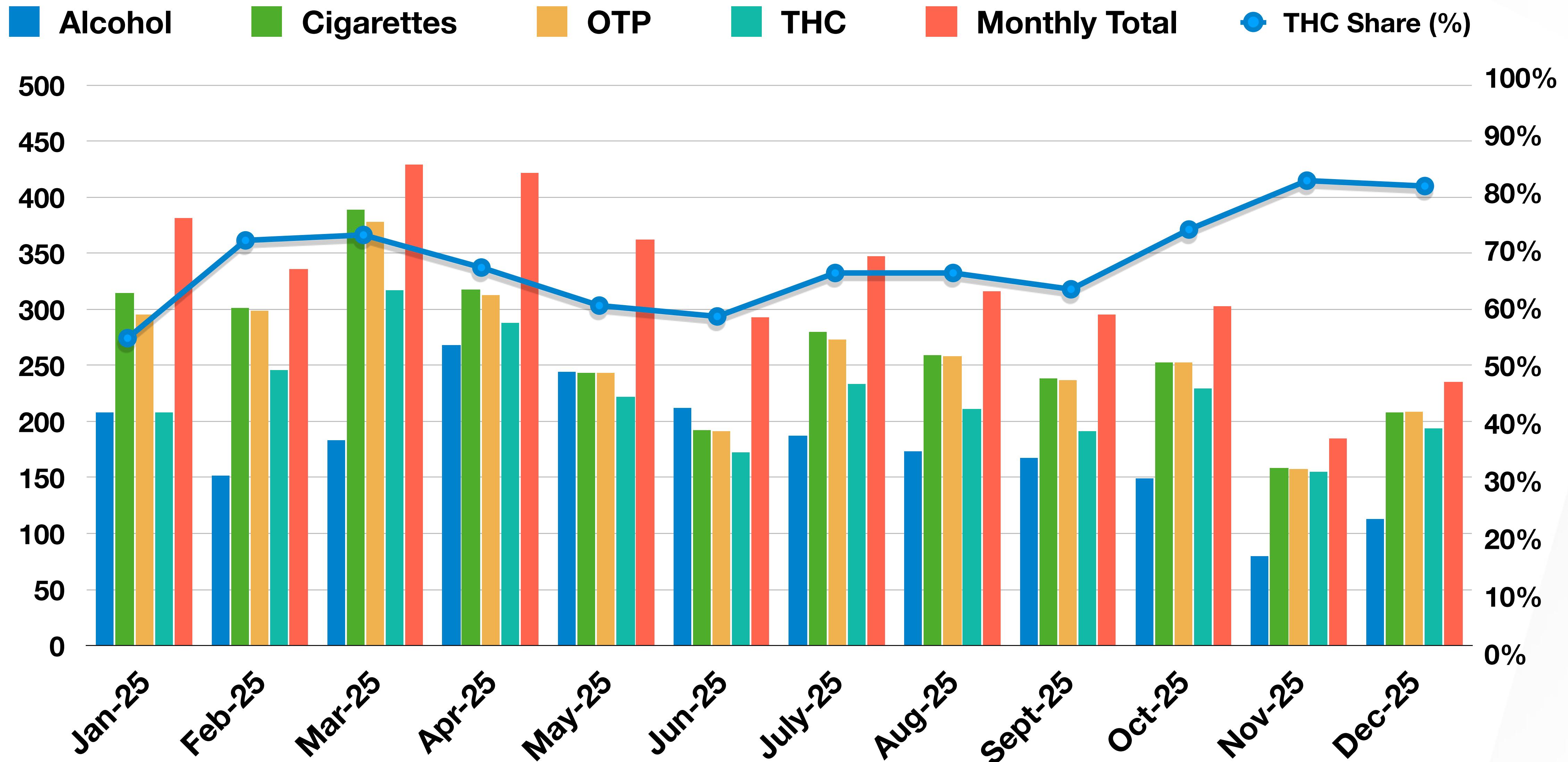
FED agents have conducted investigations in 19 jurisdictions.

Jurisdictions with the Highest Case Counts

Baltimore City (20), Montgomery (15), and Baltimore County (11).

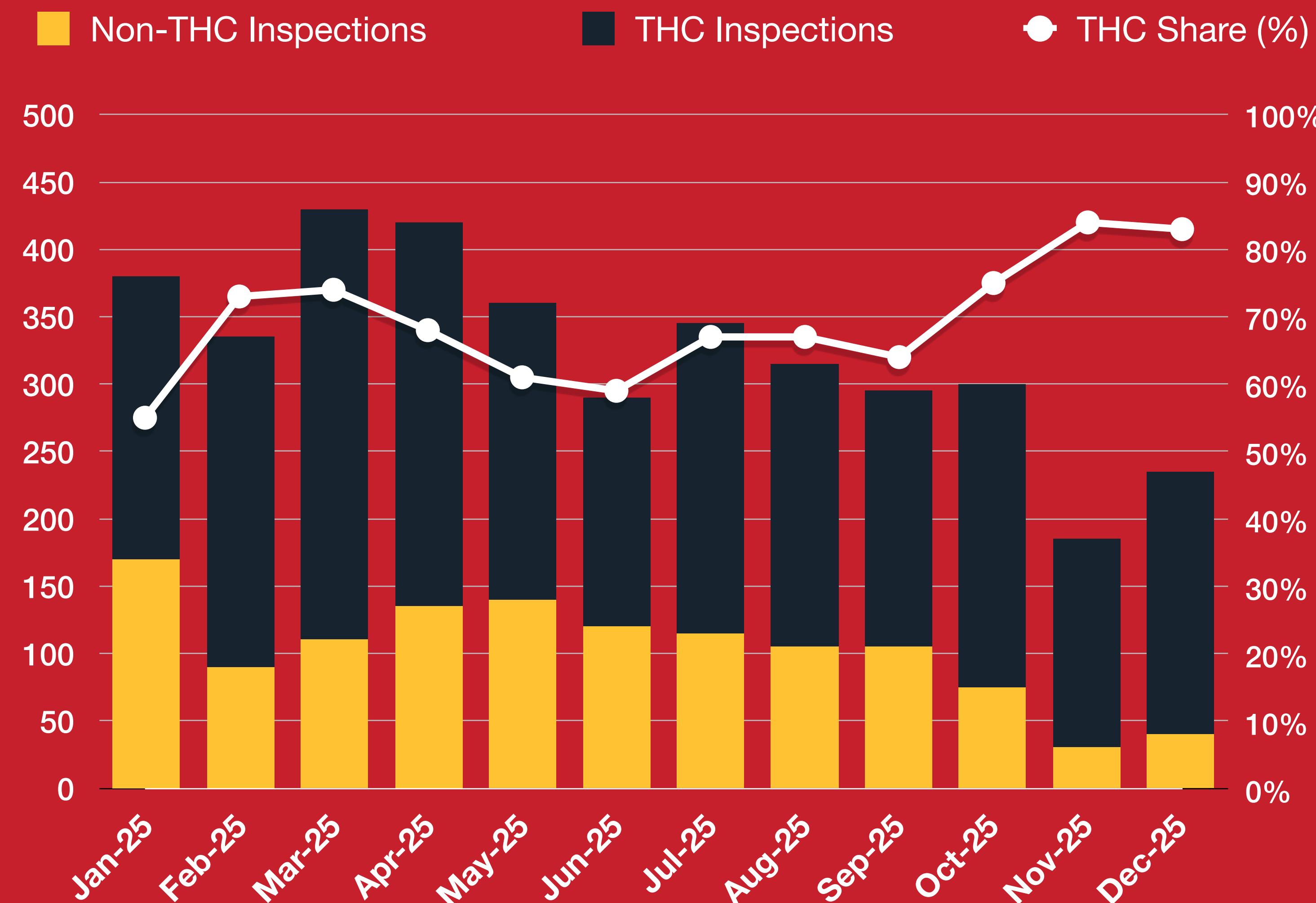


ATCC Inspections



ATCC THC Inspections

SHARE OF TOTAL MONTHLY ACTIVITY (2025)





Collaboration & Projects

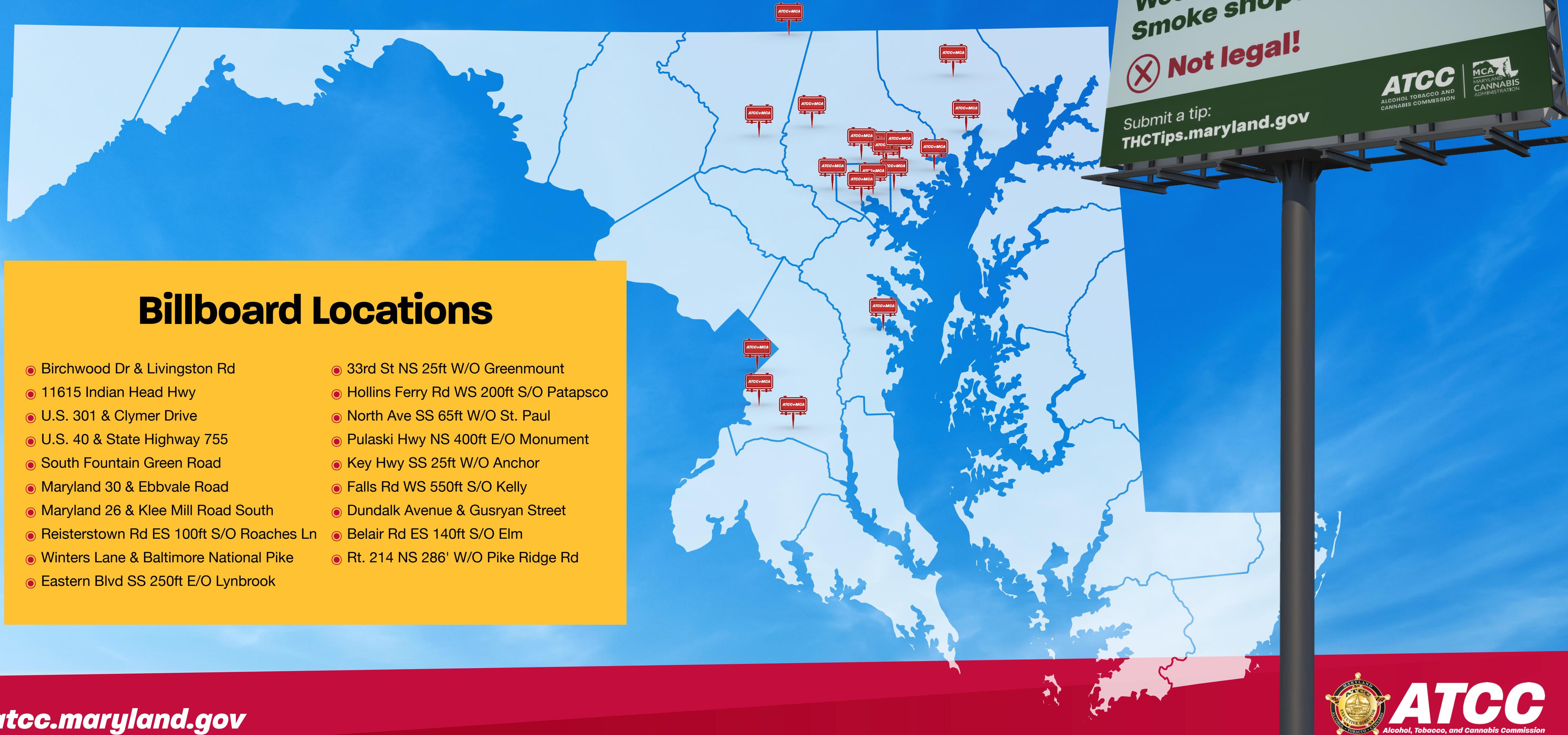
- ▶ **Cannabis Dashboard**
Summarizes monthly cannabis enforcement activity, including THC, loose flower seizures, and their estimated retail values, as well as the total retail value seized. It also maps associated District Court cases by business name, county, and case number.
- ▶ **Collaboration with Local Police Departments**
ATCC works with BPD on cannabis investigations
- ▶ **Local Jurisdiction Engagement**
Meetings to discuss the use of existing legal tools – primarily zoning authorities – to address concerns about tobacco retailers selling illicit THC products.

ATCC-MCA Collaboration

STATEWIDE BILLBOARD CAMPAIGN

Billboard Locations

- Birchwood Dr & Livingston Rd
- 11615 Indian Head Hwy
- U.S. 301 & Clymer Drive
- U.S. 40 & State Highway 755
- South Fountain Green Road
- Maryland 30 & Ebbvale Road
- Maryland 26 & Klee Mill Road South
- Reisterstown Rd ES 100ft S/O Roaches Ln
- Winters Lane & Baltimore National Pike
- Eastern Blvd SS 250ft E/O Lynbrook
- 33rd St NS 25ft W/O Greenmount
- Hollins Ferry Rd WS 200ft S/O Patapsco
- North Ave SS 65ft W/O St. Paul
- Pulaski Hwy NS 400ft E/O Monument
- Key Hwy SS 25ft W/O Anchor
- Falls Rd WS 550ft S/O Kelly
- Dundalk Avenue & Gusryan Street
- Belair Rd ES 140ft S/O Elm
- Rt. 214 NS 286' W/O Pike Ridge Rd



Questions?



ATCC

ALCOHOL TOBACCO AND
CANNABIS COMMISSION