

# HOUSE BILL 1243

A3

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By: **Delegate Miller**

Introduced and read first time: February 8, 2024

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Cannabis – Packaging Requirements – Prohibition on Purchase of Empty**  
3 **Packaging**

4 FOR the purpose of prohibiting the holder of a cannabis license from buying empty  
5 packaging that, if used to package cannabis, would violate a certain law; and  
6 generally relating to cannabis packaging requirements.

7 BY repealing and reenacting, with amendments,  
8 Article – Alcoholic Beverages and Cannabis  
9 Section 36–203.1  
10 Annotated Code of Maryland  
11 (2016 Volume and 2023 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
13 That the Laws of Maryland read as follows:

14 **Article – Alcoholic Beverages and Cannabis**

15 36–203.1.

16 (a) The Administration shall adopt regulations establishing limits on the  
17 maximum potency of cannabis products sold in the State, including limits on the maximum  
18 amount of THC in individual cannabis products and limits on the maximum aggregate THC  
19 amount for multiple edible cannabis products packaged together.

20 (b) A package of cannabis for distribution to a consumer or qualifying patient  
21 shall:

22 (1) conform to:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(i) child-resistant packaging requirements established under 16  
C.F.R. § 1700.15(b)(1); and

(ii) tamper-evident packaging;

(2) provide that packaging and labeling shall include:

(i) a finished product lot number and expiration date if applicable;

(ii) a statement:

1. that consumption of cannabis may impair your ability to  
drive a car or operate machinery, use extreme caution;

2. of potential risks associated with cannabis use, especially  
during pregnancy or breast feeding; and

3. that this package contains cannabis, keep out of the reach  
of children and animals;

(iii) the name, address, and phone number of the dispensary that sold  
the product to report an adverse event;

(iv) any allergen warning required by law;

(v) a listing of noncannabis ingredients; and

(vi) an itemization, including weight:

1. of all cannabinoid and terpene ingredients specified for the  
product; and

2. concentrations of any cannabinoid of less than 1% printed  
with a leading zero before the decimal point.

(c) Cannabis labeling and packaging may not include:

(1) subject to subsection [(d)] (E) of this section, any image that may appeal  
to children including:

(i) images of food, candy, baked goods, cereal, fruit, and beverages;  
and

(ii) a resemblance to the trademarked characteristic  
product-specialized packaging of any commercially available candy, snack, baked good,  
cereal, or beverage;

1           (2)     any image that is designed or likely to appeal to minors, including  
2     cartoons, toys, animals, children, or any likeness to images, characters, or phrases that are  
3     popularly used to advertise to children;

4           (3)     a statement, artwork, or design that could reasonably mislead any  
5     individual to believe that the packaging contains anything other than a finished cannabis  
6     product; and

7           (4)     any image of a seal, flag, crest, coat of arms, or other insignia that could  
8     reasonably mislead any individual to believe that the product has been endorsed,  
9     manufactured, or used by any agency of a state or political subdivision.

10          **(D)     THE HOLDER OF A CANNABIS LICENSE ISSUED UNDER THIS TITLE MAY**  
11     **NOT PURCHASE ANY EMPTY PACKAGING THAT, IF USED TO PACKAGE CANNABIS,**  
12     **WOULD VIOLATE A PROVISION OF THIS TITLE.**

13          **[(d)] (E)**     The Administration may adopt regulations to allow the sale, on or  
14     before July 1, 2024, of cannabis or cannabis products that are labeled or packaged using  
15     images described under subsection (c)(1) of this section.

16          SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17     October 1, 2024.