



## Compliance on 420

As a Cannabis Control Division Medical or Retail Marijuana Business Licensee you hold a *privileged* license that requires you to operate your facility and conduct business strictly within the parameters set forth in applicable [statute](#) and [rule](#).

The CCD and law enforcement agencies are responsible for ensuring our licensees fully comply with all statutes and regulations and make every effort to ensure public safety. With April 20th fast approaching, we want to reiterate some important compliance information. However, note that this communication is not intended to include all requirements which may be applicable to licensee conduct.

## 21 means 21

- Visitors on your licensed premises, **including production and manufacturing facilities**, must be 21 years of age. Qualified patients 18 years of age or older may purchase from a licensed retail facility. Tours are popular this time of year and it is the responsibility of the licensee to check IDs.
- During this busy time of year, business owners and staff must be hyper-vigilant and make sure that only individuals with legitimate proof that they are twenty-one years of age or a medical cannabis patient are sold cannabis and cannabis products **and that identification is prior to entering the licensed retail area.**

## Sales must occur in licensed retail premises

- Retail sales can only be conducted **within the licensed premises** of a cannabis retailer. Cannabis retailers are not permitted to display or sell cannabis products outside their licensed premises or anywhere off the licensed premises. Sales and consumption **may not take place in a mobile truck or pop-up event.**
- Attempts by cannabis licensees to avoid the intent of the statute and regulation prohibiting off-premises display and sale of cannabis by, for example, using personally purchased or grown cannabis or cannabis products to advertise your licensed establishment will be investigated by the Division.

## Advertising affects your license

- All marketing and advertising efforts for the business must abide by state laws and regulations, and may not use false or misleading information or images that appeal to minors. [16.8.3 NMAC](#)
- Additionally licensees should not participate in advertisement or marketing campaigns with a high likelihood of reaching minors (**anyone under the age of**

**twenty-one**). This guidance applies to a licensee regardless of whether or not the advertisement is located on the licensed premises or off-site.

- No giveaways. Marketing cannabis products by way of giving out free samples or free product with a purchase is not allowed.

## **Consumption**

- Consumption of cannabis on your premises is prohibited – unless you're licensed for a cannabis consumption area.
- It is illegal to serve alcohol at a licensed cannabis establishment.
- Failure to abide by statute and regulation may result in a range of sanctions, up to and including the suspension or revocation of a CCD issued license, in addition to criminal charges, penalties, and sanctions.

## **Some good reminders for your customers**

- Consumption of cannabis in any public space (streets, sidewalks, parks – anywhere other than a residence) is also not allowed.
- Driving high could result in a DWI.

**Thank you for your cooperation and have a safe and compliant 420 celebration!**

