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In a dramatic turn of events, an Albany County Supreme Court judge has delivered a blow to New York's cannabis regulatory framework, striking down marketing and advertising regulations as "arbitrary and capricious."

Judge Kevin Bryant's decision, issued on Wednesday, initially invalidated the Office of Cannabis Management's (OCM) entire suite of adult-use regulations. However, he later amended his ruling on Thursday, focusing solely on voiding rules pertaining to third-party advertising.

The legal battle stemmed from a lawsuit filed by Leafly Holdings, a cannabis-focused tech company, alongside Stage One Dispensary and a consumer who relies on Leafly for informed cannabis purchases.

Bryant's scathing opinion accused regulators of hasty decision-making, asserting that the OCM failed to provide adequate justification for the stringent advertising restrictions imposed on third-party platforms.

The lawsuit, filed in September, contended that these regulations would effectively hinder Leafly's ability to conduct business in New York. Leafly argued that the rules imposed unreasonable constraints, including prohibitions on paying for marketing or promotion through third-party platforms listing cannabis products for sale.

Judge Bryant underscored the inadequacy of evidence presented by OCM attorneys defending these regulations. He criticized the lack of foundational support for the regulations and questioned the relevance of articles cited by the OCM to justify their actions.

Moreover, Bryant highlighted the absence of transparency in the regulatory process, noting the failure to disclose how the rules were formulated, which staff members were involved, and how concerns raised by stakeholders were addressed.

Describing the regulations as "impermissible restrictions" on free speech and "unconstitutionally vague," Bryant's ruling echoes previous frustrations expressed by the court towards the OCM's regulatory practices.

This is not the first time Judge Bryant has clashed with cannabis regulators. In a previous lawsuit, he issued an injunction preventing the approval of new dispensaries, citing regulatory shortcomings and inaccuracies in court filings.

As the legal battle continues, the fate of New York's cannabis advertising regulations remains uncertain. The court's decision underscores the importance of transparent and evidence-based policymaking in the evolving landscape of cannabis legalization.

