

Cannabis Advertising Guidelines

# STATE BY STATE



**TRAFFIC** ROOTS

## Alaska

Final advertising regulations for retail cannabis are to be determined. For more information, please refer to [the Alaska Department of Health and Social Services Division of Public Health](#).

## Arizona

There are currently no advertising regulations for medical marijuana dispensaries in Arizona. For more information, please refer to the [Rules & Statutes for the Arizona Medical Marijuana Program](#).

## California

Refer to section 2525.5. of the [Medical Marijuana Regulation and Safety Act](#):

(a) A person shall not distribute any form of advertising for physician recommendations for medical cannabis in California unless the advertisement bears the following notice to consumers:

NOTICE TO CONSUMERS: The Compassionate Use Act of 1996 ensures that seriously ill Californians have the right to obtain and use cannabis for medical purposes where medical use is deemed appropriate and has been recommended by a physician who has determined that the person's health would benefit from the use of medical cannabis. Recommendations must come from an attending physician as defined in Section 11362.7 of the Health and Safety Code. Cannabis is a Schedule I drug according to the federal Controlled Substances Act. Activity related to cannabis use is subject to federal prosecution, regardless of the protections provided by state law.

(b) Advertising for attending physician recommendations for medical cannabis shall meet all of the requirements in Section 651. Price advertising shall not be fraudulent, deceitful, or misleading, including statements or advertisements of bait, discounts, premiums, gifts, or statements of a similar nature.

# Colorado

Refer to [the Colorado Retail Marijuana Regulations](#):

## **R 1102 – Advertising General Requirement: No Deceptive, False or Misleading Statements**

A Retail Marijuana Establishment shall not engage in Advertising that is deceptive, false, or misleading. A Retail Marijuana Establishment shall not make any deceptive, false, or misleading assertions or statements on any product, any sign, or any document provided to a consumer.

## **R 1104 –Advertising: Television**

A. Television Defined. As used in this rule, the term “television” means a system for transmitting visual images and sound that are reproduced on screens, and includes broadcast, cable, on-demand, satellite, or internet programming. Television includes any video programming downloaded or streamed via the internet.

B. Television Advertising. A Retail Marijuana Establishment shall not utilize television Advertising unless the Retail Marijuana Establishment has reliable evidence that no more than 30 percent of the audience for the program on which the Advertising is to air is reasonably expected to be under the age of 21.

## **R 1105 –Advertising: Radio**

A. Radio Defined. As used in this rule, the term “radio” means a system for transmitting sound without visual images, and includes broadcast, cable, on-demand, satellite, or internet programming. Radio includes any audio programming downloaded or streamed via the internet.

B. Radio Advertising. A Retail Marijuana Establishment shall not engage in radio Advertising unless the Retail Marijuana Establishment has reliable evidence that no more than 30 percent of the audience for the program on which the Advertising is to air is reasonably expected to be under the age of 21.

## **R 1106 –Advertising: Print Media**

A Retail Marijuana Establishment shall not engage in Advertising in a print publication unless the Retail Marijuana Establishment has reliable evidence that no more than 30 percent of the publication's readership is reasonably expected to be under the age of 21.

### **R 1107 –Advertising: Internet**

A Retail Marijuana Establishment shall not engage in Advertising via the internet unless the Retail Marijuana Establishment has reliable evidence that no more than 30 percent of the audience for the internet web site is reasonably expected to be under the age of 21. See also Rule R 1114 – Pop-Up Advertising.

### **R 1108 – Advertising: Targeting Out-of-State Persons Prohibited.**

A Retail Marijuana Establishment shall not engage in Advertising that specifically targets Persons located outside the state of Colorado.

### **R 1109 – Signage and Advertising: No Safety Claims Because Regulated by State Licensing Authority**

No Retail Marijuana Establishment may engage in Advertising or utilize signage that asserts its products are safe because they are regulated by the State Licensing Authority.

### **R 1110– Signage and Advertising: No Safety Claims Because Tested by a Retail Marijuana Testing Facility**

A Retail Marijuana Establishment may advertise that its products have been tested by a Retail Marijuana Testing Facility, but shall not engage in Advertising or utilize signage that asserts its products are safe because they are tested by a Retail Marijuana Testing Facility

### **R 1111– Signage and Advertising: Outdoor Advertising**

A. Local Ordinances. In addition to any requirements within these rules, a Retail Marijuana Establishment shall comply with any applicable local ordinances regulating signs and Advertising.

B. Outdoor Advertising Generally Prohibited. Except as otherwise provided in this rule, it shall be unlawful for any Retail Marijuana Establishment to engage in Advertising that is visible to members of

the public from any street, sidewalk, park or other public place, including Advertising utilizing any of the following media: any billboard or other outdoor general Advertising device; any sign mounted on a vehicle, any hand-held or other portable sign; or any handbill, leaflet or flier directly handed to any person in a public place, left upon a motor vehicle, or posted upon any public or private property without the consent of the property owner.

C. Exception. The prohibitions set forth in this rule shall not apply to any fixed sign that is located on the same zone lot as a Retail Marijuana Establishment and that exists solely for the purpose of identifying the location of the Retail Marijuana Establishment and otherwise complies with any applicable local ordinances

### **R 1112– Signage and Advertising: No Content That Targets Minors**

A Retail Marijuana Establishment shall not include in any form of Advertising or signage any content that specifically targets individuals under the age of 21, including but not limited to cartoon characters or similar images.

### **R 1113 – Advertising: Advertising via Marketing Directed Toward Location-Based Devices**

A Retail Marijuana Establishment shall not engage in Advertising via marketing directed towards location-based devices, including but not limited to cellular phones, unless the marketing is a mobile device application installed on the device by the owner of the device who is 21 year of age or older and includes a permanent and easy opt-out feature.

### **R 1114 – Pop-Up Advertising**

A Retail Marijuana Establishment shall not utilize unsolicited pop-up Advertising on the internet.

### **R 1115 – Advertising: Event Sponsorship**

A Retail Marijuana Establishment may sponsor a charitable, sports, or similar event, but a Retail Marijuana Establishment shall not engage in Advertising at, or in connection with, such an event unless the Retail



Marijuana Establishment has reliable evidence that no more than 30 percent of the audience at the event and/or viewing Advertising in connection with the event is reasonably expected to be under the age of 21.

## Connecticut

Refer to the [State of Connecticut Regulation of the Department of Consumer Protection Concerning the Palliative Use of Medical Marijuana](#):

### **Sec. 21a-408-66. Marketing: prohibited conduct, statements and illustrations; commissioner review of advertisements**

(a) There shall be no direct or indirect cooperative advertising between or among two or more of the following: a producer, dispensary facility personnel, or physician where such advertising has the purpose or effect of steering or influencing patient or caregiver choice with regard to their selection of a physician, dispensary or marijuana product.

(b) An advertisement for marijuana or any marijuana product shall not contain:

(1) Any statement that is false or misleading in any material particular or is otherwise in violation of the Connecticut Unfair Trade Practices Act, section 42-110b et seq., of the Connecticut General Statutes;

(2) any statement that falsely disparages a competitor's products;

(3) any statement, design, or representation, picture or illustration that is obscene or indecent;

(4) any statement, design, representation, picture or illustration that encourages or represents the use of marijuana for a condition other than a debilitating medical condition;

(5) any statement, design, representation, picture or illustration that encourages or represents the recreational use of marijuana;





(6) any statement, design, representation, picture or illustration related to the safety or efficacy of marijuana unless supported by substantial evidence or substantial clinical data;

(7) any statement, design, representation, picture or illustration portraying anyone under the age of 18, objects suggestive of the presence of anyone under the age of 18, or contains the use of a figure, symbol or language that is customarily associated with anyone under the age of 18;

(8) any offer of a prize or award to a qualifying patient, primary caregiver or physician related to the purchase of marijuana or a certification for the use of marijuana; or

(9) any statement that indicates or implies that the product or entity in the advertisement has been approved or endorsed by the commissioner, department, the State of Connecticut or any person or entity associated with the State of Connecticut.

(c) Any advertisement for marijuana or a marijuana product shall be submitted to the commissioner at the same time as, or prior to, the dissemination of the advertisement.

(d) The submitter of the advertisement shall provide the following information in addition to the advertisement itself:

(1) A cover letter that:

(A) Provides the following subject line: Medical marijuana advertisement review Package for a proposed advertisement for [Brand Name];

(B) Provides a brief description of the format and expected distribution of the proposed advertisement; and

(C) Provides the submitter's name, title, address, telephone number, fax number, and email address;

(2) An annotated summary of the proposed advertisement showing every claim being made in the advertisement and which references support each claim;



(3) Verification that a person identified in an advertisement as an actual patient or health care practitioner is an actual patient or health care practitioner and not a model or actor;

(4) Verification that a spokesperson who is represented as a real patient is indeed an actual patient;

(5) Verification that an official translation of a foreign language advertisement is accurate;

(6) Annotated references to support disease or epidemiology information, cross-referenced to the advertisement summary; and

(7) A final copy of the advertisement, including a video where applicable, in an acceptable format.

(e) Advertising packages that are missing any of the elements in subsection (g) of this section, or that fail to follow the specific details for submissions, shall be considered incomplete. If the department receives an incomplete package, it shall so notify the submitter.

(f) The commissioner may:

(1) Require a specific disclosure be made in the advertisement in a clear and conspicuous manner if the commissioner determines that the advertisement would be false or misleading without such a disclosure; or

(2) Make recommendations with respect to changes that are:

(A) Necessary to protect the public health, safety and welfare; or

(B) Consistent with dispensing information for the product under review.

(3) If appropriate and if information exists, recommend statements for inclusion in the advertisement to address the specific efficacy of the drug as it relates to specific disease states, disease symptoms and population groups.



## **Sec. 21a-408-67. Marijuana advertising; requirements for true statements and fair balance**

(a) All advertisements for marijuana or marijuana products that make a statement relating to side effects, contraindications and effectiveness shall present a true statement of such information. When applicable, advertisements broadcast through media such as radio, television, or other electronic media shall include such information in the audio or audio and visual parts of the presentation.

(b) False or misleading information in any part of the advertisement will not be corrected by the inclusion of a true statement in another distinct part of the advertisement.

(c) An advertisement does not satisfy the requirement that it present a “true statement” of information relating to side effects, consequences, contraindications, and effectiveness if it fails to present a fair balance between information relating to side effects, consequences, contraindications and effectiveness in that the information relating to effectiveness is presented in greater scope, depth, or detail than is the information relating to side effects, consequences and contraindications, taking into account all implementing factors such as typography, layout, contrast, headlines, paragraphing, white space, and any other techniques apt to achieve emphasis.

(d) An advertisement is false, lacking in fair balance, or otherwise misleading if it:

(1) Contains a representation or suggestion that a marijuana strain, brand or product is better, more effective, useful in a broader range of conditions or patients or safer than other drugs or treatments including other marijuana strains or products, unless such a claim has been demonstrated by substantial evidence or substantial clinical experience;

(2) Contains favorable information or opinions about a marijuana product previously regarded as valid but which have been rendered invalid by contrary and more credible recent information;



(3) Uses a quote or paraphrase out of context or without citing conflicting information from the same source, to convey a false or misleading idea;

(4) Uses a study on individuals without a debilitating medical condition without disclosing that the subjects were not suffering from a debilitating medical condition;

(5) Uses data favorable to a marijuana product derived from patients treated with a different product or dosages different from those approved in Connecticut;

(6) Contains favorable information or conclusions from a study that is inadequate in design, scope, or conduct to furnish significant support for such information or conclusions; or

(7) Fails to provide adequate emphasis for the fact that two or more facing pages are part of the same advertisement when only one page contains information relating to side effects, consequences and contraindications.

(e) No advertisement may be disseminated if the submitter of the advertisement has received information that has not been widely publicized in medical literature that the use of the marijuana product or strain may cause fatalities or serious damage.

### **Sec. 21a-408-68. Marijuana marketing; advertising at a dispensary facility; advertising prices**

(a) A dispensary facility shall:

(1) Restrict external signage to a single sign no larger than 16 X 18 inches;

(2) Not illuminate a dispensary facility sign advertising a marijuana product at any time;

(3) Not advertise marijuana brand names or utilize graphics related to marijuana or paraphernalia on the exterior of the dispensary facility or the building in which the dispensary facility is located; and



(4) Not display marijuana and paraphernalia so as to be clearly visible from the exterior of a dispensary facility.

(b) A producer shall not advertise the price of its marijuana except that it may make a price list available to a dispensary facility.

## Delaware

Refer to [the Delaware Medical Marijuana Act](#):

(k) No person may advertise medical marijuana sales in print, broadcast, or by paid in-person solicitation of customers. This shall not prevent appropriate signs on the property of the registered compassion center, listings in business directories including phone books, listings in trade or medical publications, or the sponsorship of health or not-for-profit charity or advocacy events.

(l) A registered compassion center shall not share office space with nor refer patients to a physician.

(m) A physician shall not refer patients to a registered compassion center or registered designated caregiver, advertise in a registered compassion center, or, if the physician issues written certifications, hold any financial interest in a registered compassion center.

## District of Columbia

Refer to the [District of Columbia Municipal Regulations for the Medical Marijuana Program](#):

5105.2 A medical marijuana certification provider shall include the following subjects in its education training program; which shall be submitted to the Department for approval:

(f) Advertising, promotion, and marketing of medical marijuana;

CHAPTER 58 ADVERTISING

5800 SIGN ADVERTISING





5800.1 Advertisements relating to the prices of medical marijuana shall not be displayed in the window of a registered establishment.

5800.2 Advertisements relating to medical marijuana shall not be displayed on the exterior of any window or on the exterior or interior of any door.

5800.3 No sign advertising medical marijuana on the exterior or visible from the exterior of any registered establishment or elsewhere in the District shall be illuminated at any time.

## Florida

Advertising regulations for Florida authorized distribution centers are to be determined. For more information, please refer to the [Compassionate Medical Cannabis Act of 2014](#).

## Georgia

Georgia's medical marijuana advertising regulations are to be determined. For more information, please refer to [House Bill 1](#).

## Hawaii

Please refer to [the State of Hawaii Department of Health Medical Marijuana Registry Program](#).

A dispensary shall not:

- (1) Display marijuana or manufactured marijuana products in windows in public view; or
- (2) Post any signage other than a single sign no greater than one thousand six hundred square inches bearing only the business or trade name in text without any pictures or illustrations; provided that if any applicable law or ordinance restricting outdoor signage is more restrictive, that law or ordinance shall govern.



# Illinois

Refer to the [Rules for the Administration of the Compassionate Use of Medical Cannabis Pilot Program](#):

**TITLE 68: PROFESSIONS AND OCCUPATIONS  
CHAPTER VII: DEPARTMENT OF FINANCIAL AND PROFESSIONAL  
REGULATION  
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS  
PART 1290 RULES FOR ADMINISTRATION OF THE COMPASSIONATE  
USE OF MEDICAL CANNABIS PILOT PROGRAM  
SECTION 1290.455 DISPENSARY ADVERTISEMENTS**

## Section 1290.455 Dispensary Advertisements

a) No registered dispensing organization shall place or maintain, or cause to be placed or maintained, an advertisement of cannabis or a cannabis-infused product in any form or through any medium:

1) Within 1,000 feet of the perimeter of a school grounds, playground, recreation center or facility, child care center, public park or library, or any game arcade admission to which is not restricted to persons age 21 years or older;

2) On or in a public transit vehicle or public transit shelter; or

3) On or in a publicly-owned or-operated property.

b) This Section does not apply to a noncommercial message.

# Maine

There are currently no advertising regulations for registered dispensaries or caregivers in Maine. For more information, please refer to the [Rules Governing the Maine Medical Use of Marijuana Program](#).

## Maryland

Final medical marijuana regulations are to be determined. For more information, please refer to the [Maryland Laws & Regulations FAQ](#).

## Massachusetts

Refer to the [Implementation of an Act for the Humanitarian Medical Use of Marijuana](#):

### (L) Marketing and Advertising Requirements

(1) A Registered Marijuana Dispensary (RMD) may develop a logo to be used in labeling, signage, and other materials. Use of medical symbols, images of marijuana, related paraphernalia, and colloquial references to cannabis and marijuana are prohibited from use in this logo.

(2) RMD external signage shall not be illuminated except for a period of 30 minutes before sundown until closing, and shall comply with local requirements regarding signage, provided however that the Department may further specify minimum signage requirements. Neon signage is prohibited at all times.

(3) A RMD shall not display on the exterior of the facility advertisements for marijuana or any brand name, and may only identify the building by the registered name.

(4) A RMD shall not utilize graphics related to marijuana or paraphernalia on the exterior of the RMD or the building in which the RMD is located.

(5) A RMD shall not advertise the price of marijuana, except that it shall provide a catalogue or a printed list of the prices and strains of marijuana available at the RMD to registered qualifying patients and personal caregivers upon request.

(6) Marijuana, Marijuana Infused Products (MIPs), and associated products shall not be displayed or clearly visible to a person from the exterior of a RMD.

(7) A RMD shall not produce any items for sale or promotional gifts, such as T-shirts or novelty items, bearing a symbol of or references to marijuana or MIPs, including the logo of the RMD.

(8) All advertising materials and materials produced by a RMD and disseminated pursuant to 105 CMR 725.105(K) or (L) are prohibited from including:

(a) Any statement, design, representation, picture, or illustration that encourages or represents the use of marijuana for any purpose other than to treat a debilitating medical condition or related symptoms;

(b) Any statement, design, representation, picture, or illustration that encourages or represents the recreational use of marijuana;

(c) Any statement, design, representation, picture, or illustration related to the safety or efficacy of marijuana unless supported by substantial evidence or substantial clinical data with reasonable scientific rigor, which shall be made available upon the request of a registrant or the Department; or

(d) Any statement, design, representation, picture, or illustration portraying anyone under 18 years of age.

(9) Inside the RMD, all marijuana shall be kept in a limited access area inaccessible to any persons other than dispensary agents, with the exception of displays allowable under 105 CMR 725.105(L)(10). Inside the RMD, all marijuana shall be stored in a locked, access controlled space in a limited access area during non-business hours.

(10) A RMD may display, in secure, locked cases, no more than one sample of each product offered for sale. These display cases may be transparent.

(11) The Department shall maintain and make available a list of all RMDs, their dispensing location, and their contact information.

## Michigan

There are currently no restrictions on advertising (although there are restrictions on medical marijuana dispensaries) in Michigan. For more

information, please refer to the [Michigan Medical Marijuana Program](#).

## Minnesota

There are currently no restrictions on advertising for medical marijuana manufacturers and distribution centers. For more information, please refer to [Minnesota Statutes 2012, Subdivision 22, Medical use of cannabis data](#).

## Montana

Refer to the [Montana Code Annotated 2015 - Montana Marijuana Act](#):

**50-46-341. Advertising prohibited.** Persons with valid registry identification cards may not advertise marijuana or marijuana-related products in any medium, including electronic media.

## Nevada

Refer to [Chapter 453A - Medical Use of Marijuana](#):

**NAC 453A.402 Approval required before use of name, logo, sign and advertisement. (NRS 453A.370)** A medical marijuana establishment shall not use:

1. A name or logo unless the name or logo has been approved by the Administrator of the Division; or
2. Any sign or advertisement unless the sign or advertisement has been approved by the Administrator of the Division.

(Added to NAC by Div. of Pub. & Behavioral Health by R004-14, 3-28-2014, eff. 4-1-2014)

# New Hampshire

Refer to [Title X – Public Health, Chapter 126-X, Use of Cannabis for Therapeutic Purposes](#):

The department shall adopt rules, pursuant to RSA 541-A, governing alternative treatment centers and the manner in which it shall consider applications for registration certificates for alternative treatment centers, including, but not limited to:

(12) Advertising restrictions, including a prohibition of misrepresentation and unfair practices.

# New Jersey

## **SUBCHAPTER 12. MARKETING AND ADVERTISING 8:64-12.1**

### Marketing and advertising

(a) Alternative treatment centers shall restrict signage to black text on a white background on external signage, labeling and brochures for the alternative treatment center.

(b) Alternative treatment center signage shall not be illuminated at any time.

(c) Alternative treatment centers shall not display on the exterior of the facility advertisements for medicinal marijuana or a brand name except for purposes of identifying the building by the permitted name.

d) Alternative treatment centers shall not advertise the price of marijuana, except that:

1. An ATC can provide a catalogue or a printed list of the prices and strains of medicinal marijuana available at the alternative treatment center to registered qualifying patients and primary caregivers.

(e) Marijuana and paraphernalia shall not be displayed or clearly visible to a person from the exterior of an alternative treatment center.

(f) Alternative treatment centers shall not produce any items for sale or promotional gifts, such as T-shirts or novelty items, bearing a symbol or references to marijuana. This prohibition shall not pertain to paraphernalia sold to registered qualifying patients or their primary caregivers.

For more information, please refer to the [Final Rules for the Medicinal Marijuana Program](#).

## New Mexico

New Mexico currently does not have advertising regulations for medical marijuana dispensaries. For more information, please see the [Licensing Requirements for Producers, Couriers, Manufacturers, and Laboratories](#).

## New York

Refer to the [Official Compilation of Codes, Rules and Regulations of the State of New York for Medical Marijuana](#).

§1004.16 Medical marijuana marketing and advertising by registered organizations. Restricts the marketing and advertising of medical marijuana.

(d) All advertisements, regardless of form, for approved medical marijuana products that make a statement relating to effectiveness, side effects, consequences, and contraindications shall present a true and accurate statement of such information.

(e) An advertisement does not satisfy the requirement that it presents a “true and accurate statement” of information relating to effectiveness, side effects, consequences, and contraindications if it fails to present a fair balance between information relating to effectiveness, side effects, consequences, and contraindications in that the information relating to effectiveness is presented in greater scope, depth, or detail than is the information relating to side effects, consequences and contraindications, taking into account all

implementing factors such as typography, layout, contrast, headlines, paragraphing, white space, and any other techniques apt to achieve emphasis.

(f) An advertisement is false, lacking in fair balance, or otherwise misleading if it:

(1) contains a representation or suggestion that one marijuana brand or form is better, more effective, useful in a broader range of conditions or patients or safer than other drugs or treatments including other marijuana brands or forms, unless such a claim has been demonstrated by substantial scientific or clinical experience;

(2) Contains favorable information or opinions about a marijuana product previously regarded as valid but which have been rendered invalid by contrary and more credible recent information;

(3) Uses a quote or paraphrase out of context or without citing conflicting information from the same source, to convey a false or misleading idea;

(4) Uses a study on persons without a debilitating medical condition without disclosing that the subjects were not suffering from a debilitating medical condition;

(5) Uses data favorable to a marijuana product derived from patients treated with a different product or dosages different from those recommended in New York State;

(6) Contains favorable information or conclusions from a study that is inadequate in design, scope, or conduct to furnish significant support for such information or conclusions; or

(7) Fails to provide adequate emphasis for the fact that two or more facing pages are part of the same advertisement when only one page contains information relating to side effects, consequences and contraindications.

(g) False or misleading information in any part of the advertisement shall not be corrected by the inclusion of a true statement in another distinct part of the advertisement.

(h) An advertisement for any approved medical marijuana product shall not contain:

- (1) any statement that is false or misleading;
  - (2) any statement that falsely disparages a competitor's products;
  - (3) any statement, design, or representation, picture or illustration that is obscene or indecent;
  - (4) any statement, design, representation, picture or illustration that encourages or represents the use of marijuana for a condition other than a serious condition as defined in subdivision seven of section thirty-three hundred sixty of the public health law;
  - (5) any statement, design, representation, picture or illustration that encourages or represents the recreational use of marijuana;
  - (6) any statement, design, representation, picture or illustration related to the safety or efficacy of marijuana, unless supported by substantial evidence or substantial clinical data;
  - (7) any statement, design, representation, picture or illustration portraying anyone under the age of 18, objects suggestive of the presence of anyone under the age of 18, or containing the use of a figure, symbol or language that is customarily associated with anyone under the age of 18;
  - (8) any offer of a prize, award or inducement to a certified patient, designated caregiver or practitioner related to the purchase of marijuana or a certification for the use of marijuana; or
  - (9) any statement that indicates or implies that the product or entity in the advertisement has been approved or endorsed by the commissioner, department, New York State or any person or entity associated with New York State provided that this shall not preclude a factual statement that an entity is a registered organization.
- (i) Any advertisement for an approved medical marijuana product shall be submitted to the department at least 30 business days prior to the public dissemination of the advertisement.



(j) The submitter of the advertisement shall provide the following information to the department in addition to the advertisement itself:

(1) A cover letter that:

(i) provides the following subject line: Medical marijuana advertisement review package for a proposed advertisement;

(ii) provides a brief description of the format and expected distribution of the proposed advertisement; and

(iii) provides the submitter's name, title, address, telephone number, fax number, and email address;

(2) an annotated summary of the proposed advertisement showing every claim being made in the advertisement and which references support for each claim;

(3) verification that a person identified in an advertisement as an actual patient or health care practitioner is an actual patient or health care practitioner and not a model or actor;

(4) verification that a spokesperson who is represented as an actual patient is indeed an actual patient;

(5) verification that an official translation of a foreign language advertisement is accurate;

(6) annotated references to support disease or epidemiology information, cross-referenced to the advertisement summary; and

(7) a final copy of the advertisement, including a video where applicable, in a format acceptable to the department.

(k) Advertising packages that are missing any of the elements in subdivision.

(j) of this section, or that fail to follow the specific instructions for submissions, shall be considered incomplete. If the department receives an incomplete package, it shall so notify the submitter.





(l) No advertisement may be disseminated if the submitter of the advertisement has received information that has not been widely publicized in medical literature that the use of any approved medical marijuana product may cause fatalities or serious damage to a patient.

(m) A registered organization, its officers, managers and employees shall not cooperate, directly or indirectly, in any advertising if such advertising has the purpose or effect of steering or influencing patient or caregiver choice with regard to the selection of a practitioner, or approved medical marijuana product.

(n) The department may:

(1) require a specific disclosure be made in the advertisement in a clear and conspicuous manner if the department determines that the advertisement would be false or misleading without such a disclosure; or

(2) require that changes be made to the advertisement that are:

(i) necessary to protect the public health, safety and welfare; or

(ii) consistent with dispensing information for the product under review.

## Oregon

Refer to [Oregon's Medical Marijuana Dispensary Program Forms and Signage](#):

(2) The function, duties, and powers of the commission in sections 3 to 70 of this Act include the following:

(g) To regulate and prohibit any advertising by manufacturers, processors, wholesalers or retailers of marijuana items by the medium of newspapers, letters, billboards, radio or otherwise.

**Q. What signage must dispensaries display at their sites?**



NOTE: All required signage is available on the [Forms and Signage](#) page.

## Entry Signage

A registered dispensary must post the applicable entry sign on the exterior of the dispensary in a conspicuous location that can be easily seen by the public from outside the dispensary at any point of public entry, in bold, 80 point Times New Roman font.

- If a dispensary is only transferring marijuana and immature plants to OMMP patients and caregivers, the dispensary must post a sign that reads: “Medical Marijuana Patients Only.”
- If a dispensary has properly notified the Authority that it intends to sell limited marijuana retail products, the dispensary must post signs that read: “Medical Marijuana Patients and Persons 21 and Older Permitted” and “NO PERSON UNDER 21 PERMITTED ON THE PREMISES WITHOUT AN OMMP CARD.”

## Point of Sale Signage

A registered dispensary that has notified the Oregon Health Authority that it is conducting retail sales must also post the following signs at the point of sale:

- Pregnancy Warning Poster
- Poisoning Prevention Poster
- A color copy of the “Educate Before You Recreate” poster (Source: [whatslegaloregon.com](http://whatslegaloregon.com)).

## Marijuana Information Card

Distribute to each individual at the time of sale a Marijuana Information Card, prescribed by the Authority, measuring 3.5 inches high by 5 inches.

## Rhode Island

There are currently no advertising regulations for medical marijuana dispensaries in Rhode Island. For more information, please refer to the [Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act](#).

## Texas

The advertising regulations for Texas' [CBD](#) distribution centers is to be determined. For more information, please refer to the [Texas Compassionate-Use Act](#).

## Vermont

There are currently no advertising regulations for dispensaries in Vermont. For more information, please refer to the [Vermont Marijuana Registry](#).

## Washington

Refer to the [Washington State Legislature section on cannabis advertising](#):

WAC 314-55-155

### Advertising.

(1) **Advertising by retail licensees.** The board limits each retail licensed premises to one sign identifying the retail outlet by the licensee's business name or trade name that is affixed or hanging in the windows or on the outside of the premises that is visible to the general public from the public right of way. The size of the sign is limited to sixteen hundred square inches.

(2) **General.** All marijuana advertising and labels of useable marijuana and marijuana-infused products sold in the state of Washington may not contain any statement, or illustration that:

- (a) Is false or misleading;
- (b) Promotes over consumption;
- (c) Represents the use of marijuana has curative or therapeutic effects;
- (d) Depicts a child or other person under legal age to consume marijuana, or includes:
  - (i) Objects, such as toys, characters, or cartoon characters suggesting the presence of a child, or any other depiction designed in any manner to be especially appealing to children or other persons under legal age to consume marijuana; or
  - (ii) Is designed in any manner that would be especially appealing to children or other persons under twenty-one years of age.

(3) No licensed marijuana producer, processor, or retailer shall place or maintain, or cause to be placed or maintained, an advertisement of marijuana, usable marijuana, or a marijuana-infused product in any form or through any medium whatsoever:

(a) Within one thousand feet of the perimeter of a school grounds, playground, recreation center or facility, child care center, public park, library, or a game arcade admission to which it is not restricted to persons aged twenty-one years or older;

(b) On or in a public transit vehicle or public transit shelter; or

(c) On or in a publicly owned or operated property.

(4) Giveaways, coupons, and distribution of branded merchandise are banned.

(5) All advertising must contain the following warnings:

(a) “This product has intoxicating effects and may be habit forming.”;



(b) “Marijuana can impair concentration, coordination, and judgment. Do not operate a vehicle or machinery under the influence of this drug.”;

(c) “There may be health risks associated with consumption of this product.”; and

(d) “For use only by adults twenty-one and older. Keep out of the reach of children.”

[Statutory Authority:

RCW [69.50.325](#), [69.50.331](#), [69.50.342](#), [69.50.345](#). WSR 13-21-104, § 314-55-155, filed 10/21/13, effective 11/21/13.]

