



# Ohio Medical Marijuana Control Program Health Claims in Advertising and Marketing Guidelines



UPDATED 4/24/2019

**NOTE:** No advertisement related to the safety or efficacy of marijuana is authorized unless supported by substantial evidence or substantial clinical data. When a health claim is proposed, the Board may require a specific disclosure, make a recommendation or prohibit the use of the material.

1. All evidence purporting to support a definitive health claim must be advanced to the Board’s Advertising and Marketing Review Committee.
2. All surveys purporting to support summarized results must be advanced to the Board’s Advertising and Marketing Review Committee.
3. If a specific disclaimer is included it must be included immediately after the statement in question and not at the end of the advertisement.
4. Disclaimers cannot be in small print but must be in the same size and font as the statement itself.

This FAQ has been organized into 6 categories of health claims – 1) Clear definitive health claims; 2) Slightly attenuated health claims; 3) Personal accounts; 4) General statements related to the endocannabinoid system; 5) General statements related to a type of strain; and 6) Statements about a specific method of administration. A series of examples are presented for each category with the appropriate response to the use of the proposed language.

No.	Proposed Language	Appropriate Responses
<b>Clear Definitive Health Claims</b>		
1	β-Myrcene - Can be used to treat insomnia, pain, and muscle spasms.	Statement may not be made without substantial evidence or clinical data. Statement may be modified as follows: Talk to your recommending physicians about whether β-Myrcene can be used to treat symptoms of your qualifying condition including insomnia, pain, and muscle spasms.
2	Linalool - It is an age-old remedy for sleep disorders and can be used in treating psychosis, depression, and anxiety.	Statement may not be made in reference to conditions that are not qualifying conditions. Statement may not be made without substantial evidence or clinical data. Statement may be modified as follows: Talk to your recommending physicians about whether Linalool can be used to treat symptoms of your qualifying condition.
3	Pinene – It has anti-inflammatory effects and is most commonly used as a bronchodilator.	Statement may not be made in reference to conditions that are not qualifying conditions. Statement may not be made without substantial evidence or clinical data. Statement may be modified as follows: Talk to your recommending physicians about whether Pinene can be used to treat symptoms of your qualifying condition.



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4	Humulene – It has antibacterial, anti-inflammatory and antitumor properties.	Statement may not be made in reference to conditions that are not qualifying conditions.  Statement may not be made without substantial evidence or clinical data. Statement may be modified as follows: Talk to your recommending physicians about whether Humulene can be used to treat symptoms of your qualifying condition.
<b>Slightly Attenuated Definitive Health Claims</b>		
5	CBD has shown potential as a possible cancer treatment	Statement may not be made without substantial evidence or clinical data. Statement may be modified as follows: Talk to your recommending physicians about whether CBD can be used to treat symptoms of your qualifying condition.  Disclaimer at the end of an advertisement cannot substitute for supporting evidence or clinical data.
6	CBG may help treat symptoms of many qualifying medical conditions	Statement may not be made without substantial evidence or clinical data. Statement may be modified as follows: Talk to your recommending physicians about whether CBG can help treat symptoms of your qualifying condition.
7	Like natural cannabis, dronabinol interacts with the CB1 receptor, causing it to release hunger-inducing hormones	Statements comparing the efficacy of medical marijuana to traditional pharmaceuticals cannot be made without substantial supporting evidence or clinical data.
8	Though research is limited, some studies suggest that THC can even reduce the level of brain cancer cells	Statement may not be made without substantial evidence or clinical data. Statement may be modified as follows: Talk to your recommending physicians about whether THC can be used to treat symptoms of your qualifying condition.
<b>Personal Accounts</b>		
9	Reports of survey findings including: Patients with psychiatric or mood disorders and patients with diseases of or injuries to the CNS favor CBD-dominant cannabis medicines	Survey must accompany submissions containing statements purporting to summarize survey results. If survey was conducted and summary statements are supported by survey results statement may be made.



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No.	Proposed Language	Appropriate Responses
10	Reports of survey findings including: Patients with pain and inflammation favor CBD-rich cannabis medicines with more equal levels of THC and CBD	Survey must accompany submissions containing statements purporting to summarize survey results. If survey was conducted and summary statements are supported by survey results statement may be made.
11	Invitation to an event where patients will be present; Description includes following patient accounts: Effectiveness of certain terpene oils at reducing nausea associated with cancer treatment	Discussion of patient experience may be included in events and event may be advertised as such. Patients may not offer medical advice regarding how to treat any qualifying condition with medical marijuana.
12	Invitation to an event where patients will be present; Description includes following patient accounts: How medical marijuana has changed lives for the better	Discussion of patient experience may be included in events and event may be advertised as such. Patients may not offer medical advice regarding how to treat any qualifying condition with medical marijuana.
13	Invitation to an event where patients will be present; Description includes following patient accounts: How medical marijuana relieved symptoms	Discussion of patient experience may be included in events and event may be advertised as such. Patients may not offer medical advice regarding how to treat any qualifying condition with medical marijuana.
<b>Statements Related to the Endocannabinoid System</b>		
14	Alternations in memory, movement, mood, perception, and condition all result from the binding of THC to CB1 receptors	Statement may not be made without substantial evidence or clinical data establishing accuracy.
15	The endocannabinoid system is the network of cell receptors in humans that interact with cannabinoids. CB1 receptors are in our brain, eyes, and reproductive systems, while the greatest concentration of CB2 receptors exist in the spleen.	Technically accurate statement that may be made.



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16	Research suggests that CB2 receptors are responsible for the significant anti-inflammatory properties of cannabis and may also have many other medicinal and therapeutic effects.	Statement may not be made without substantial evidence or clinical data establishing accuracy.
<b>General Statements Related to a Specific Strain</b>		
17	Sativa: Typically produces a cerebral (head) sensation	General non-health claims may be made. The terms "euphoric" and "happy" should be replaced with "uplifting." "Sleepy" may be used.
18	Sativa: Typically used for daytime medicating	General non-health claims may be made. The terms "euphoric" and "happy" should be replaced with "uplifting." "Sleepy" may be used.
19	Indica: Typically produces a full body sensation	General non-health claims may be made. The terms "euphoric" and "happy" should be replaced with "uplifting." "Sleepy" may be used.
20	Indica: Typically used for nighttime medicating	General non-health claims may be made. The terms "euphoric" and "happy" should be replaced with "uplifting." "Sleepy" may be used.
<b>General Statements About a Specific Method of Administration</b>		
21	Topicals are often chosen by patients who want therapeutic benefits without cerebral effects	General non-health claims may be made. Statement may not claim enhanced safety over other methods of administration.
22	Vaporizers – allow patients to inhale active ingredients as a vapor and spares them the irritating effects of smoking. Effects can be felt within minutes and wear off within 90 minutes	General non-health claims may be made. Statement may not claim enhanced safety over other methods of administration.
23	Edibles usually take longer to take effect, so wait and start slow	General non-health claims may be made. Statement may not claim enhanced safety over other methods of administration.