



Dispensary Licensee Newsletter - July 2022

IMPORTANT UPDATES

Medical Marijuana Product Advertising

Pursuant to Ohio Adm Code 3796:6-3-24(F)(3), an advertisement, regardless of the medium, shall not contain any statement, design, representation, picture or illustration that is false or misleading. Any advertisement that a medical marijuana product contains a THC percentage different than the THC percentage contained on the product label is a false or misleading advertisement. Continued violations of MMCP regulations may result in disciplinary action against the dispensary.

REMINDERS – Advertising, Packaging, Strain Names & Product Item IDs

The Board has a compelling interest in ensuring that advertisements and marketing materials do not create any impression that marijuana use is legal or acceptable except as specifically authorized by Chapter 3796 of the Revised Code and Administrative Code (3796:6-3-24(B)).

Advertising Prohibitions

The MMCP is reminding licensees of advertising restrictions pursuant to [Ohio Administrative Code 3796:6-3-24](#). Rules specifically prohibit advertisements that include, but are not limited to, any of the following:

1. Any image bearing a resemblance to a cartoon character, fictional character whose target audience is children or youth, or pop culture icon;
2. Advertising in a manner that is inconsistent with the medicinal and approved use of medical marijuana;
3. Encouraging the use of medical marijuana for a condition other than a qualifying medical condition; or
4. Any statement, design, representation, picture, or illustration that is:
 - False or misleading;
 - A departure from the medical marijuana registered name, including marijuana leaves, slang terms, and similar references;
 - Related to the safety or efficacy of medical marijuana, unless supported by substantial evidence or substantial clinical data.

Packaging and Advertising Submissions

To assist the MMCP with an efficient and streamlined review of product packaging and advertising submissions, licensees are responsible for reviewing the materials carefully to ensure they are compliant with rules prior to submitting them for approval.

All advertisements must comply with Ohio advertising rules, including advertisements and packaging for national brand partnerships. Advertising submissions submitted pursuant to O.A.C. 3796:6-3-24 should not contain prohibited images or language.

Strain Names and Product Item IDs

The MMCP works to ensure that all advertisements, including packaging with strain names utilized as product names or that are prominently displayed on the package, remain compliant with the rules.

Strain names must be compliant with the rules and will be reviewed accordingly. The Board of Pharmacy **will not approve** Product Item IDs containing strain names that are not compliant with the rules.
