

8.1 – Signage, Marketing, and Advertising

The Task Force recommends that the General Assembly enact legislation that **directs the Department of Revenue to establish** ~~allows both state and local governments to have a role in establishing~~ rules and regulations to govern the signage, marketing, and advertising of marijuana and associated products. The legislation should require **the Department of Revenue to establish** certain guidelines at the state level, and also allow for further limitations at the local level. **The Department of Revenue regulations may** ~~Guidelines at the state level for packaging, signage, and marketing should include~~ the following:

1. Prohibit all mass-market campaigns that have a high likelihood of reaching minors (billboards, television, radio, direct mail, etc.). Advertising in adult-oriented newspapers and magazines would be allowed.
2. Allow branding on product packaging and consumption accessories.
3. Allow only marijuana products and marijuana-related accessories to be offered in retail marijuana stores. Prohibit the sale of traditional (non-marijuana) food, beverage, personal care items (lotions, lip balms) so there is no confusion that all products sold in an adult-use marijuana retail establishment do include marijuana.
4. Prohibit health or physical benefit claims in advertising, merchandising, and packaging.
5. Allow edible product labels to list ingredients, cannabinoid content (including but not limited to THC), and compatibility with dietary practices (such as gluten-free, contains nuts, vegan, etc.).-
6. **Prohibit all marketing directed towards location-based devices, including but not limited to mobile phones.**
7. Allow opt-in marketing on the web ~~and location-based devices (mobile)~~ as long as there is an easy and permanent opt-out feature. No unsolicited pop-up advertising is allowed. Banner ads would only be allowed on adult-oriented sites like Westword ~~(not Facebook or mass-market sites)~~. Marijuana retailers will be allowed to host their own websites.
8. Allow opt-in marketing programs such as email clubs (as long as opt-out feature is provided).