

April 6, 2018

INDUSTRY-WIDE BULLETIN: 18-05

RE: LICENSEE PARTICIPATION IN MARIJUANA EVENTS

Dear Marijuana Industry Stakeholders:

With marijuana-related events often scheduled around April 20th each year, the Marijuana Enforcement Division (“Division”) issues an Industry Bulletin to Licensees. In keeping with the Division’s priorities to keep marijuana out of the hands of children and criminal enterprises, to protect public safety and reduce risks to public harm, and to prevent diversion to the illicit market, the Division investigates Licensee participation in marijuana-related events. Licensees engaging in such events have an opportunity to display the effectiveness of the commercial regulated system by strictly complying with applicable statutes and rule requirements, including but not limited to, the following:

Unlawful Acts

- The following acts are unlawful:
 - Buying, selling, transferring, or acquiring medical or retail marijuana in a manner not permitted by the Colorado Medical Marijuana Code and Colorado Retail Marijuana Code;
 - Offering for sale or soliciting an order for medical or retail marijuana except within the Licensed Premises of the Medical Marijuana Business or Retail Marijuana Establishment specifically designated for such sales;
 - Consuming or allowing the consumption of medical or retail marijuana on a Licensed Premises;
 - Providing public premises for the purpose of consumption of medical or retail marijuana;
 - Displaying any signs that are inconsistent with local laws or regulations or using advertising material that is misleading, deceptive, or false, or that is designed to appeal to minors; and
 - Having on the licensed premises any medical or retail marijuana or marijuana paraphernalia evidencing the consumption or use of the marijuana.

Visitor Access

- Licensees may not receive consideration or compensation for permitting a visitor to enter a Limited Access Area.

The information contained in this Industry Bulletin does not represent legal advice and does not replace a licensee’s responsibility to read, understand, and maintain full compliance with all relevant statutes and rules.



COLORADO

Department of Revenue

Enforcement Division - Marijuana
1707 Cole Blvd., Suite 300
Lakewood, CO 80401

- Prior to access to a Limited Access Area, visitors must provide an acceptable form of identification pursuant to rule that verifies the visitor is at least 21 years of age, and obtain a visitor identification badge, which shall remain visible while in Limited Access Areas. Licensees shall maintain a log documenting all visitor activities that occur within the Limited Access Area.

Storage and Display of Medical and Retail Marijuana

- Licensees shall not store or display medical or retail marijuana outside of a designated Limited Access Area or Restricted Access Area, or in a manner in which the medical or retail marijuana can be seen from outside the Licensed Premises.

Sale of Medical and Retail Marijuana

- Medical Marijuana Centers shall refuse the sale of medical marijuana to a person unless such person is a medical marijuana patient or caregiver who is permitted to deliver medical marijuana to a homebound patient and the person can produce a valid registry card and identification.
 - The Restricted Access Area must be supervised by a Licensee at all times when patients are present to ensure that only persons with a valid patient registry card and valid identification or caregiver permitted to delivery medical marijuana to homebound patients are permitted to enter.
 - Licensees may not give away medical marijuana to a patient, except it may sell below cost or donate medical marijuana to a patient who has been designated indigent by the state health agency or who is in hospice care.
- Retail Marijuana Stores shall refuse the sale of retail marijuana to a person unless such person can produce a form of valid identification showing the person is 21 years of age or older.
 - The Restricted Access Area must be supervised by a Licensee at all times when customers are present to ensure that only persons who are 21 years of age or older are permitted to enter.
 - Licensees are prohibited from selling retail marijuana to a person under 21 years of age. Further, Licensees may not give away retail marijuana to a consumer for any reason.

Advertising Restrictions

- Licensees shall not engage in advertising that targets persons located outside of Colorado or advertising that specifically targets individuals under the age of 21, including but not limited to the use of cartoon characters or similar images.

The information contained in this Industry Bulletin does not represent legal advice and does not replace a licensee's responsibility to read, understand, and maintain full compliance with all relevant statutes and rules.



COLORADO

Department of Revenue

Enforcement Division - Marijuana
1707 Cole Blvd., Suite 300
Lakewood, CO 80401

- Licensees shall not engage in television, radio, print media, or internet advertising unless it can produce reliable evidence that no more than 30 percent of the audience for the program, publication, or website is reasonably expected to be under the age of 21.
- Except as otherwise provided in Rules M and R 1111, 1 CCR 212-1 and 1 CCR 212-2, Licensees shall not engage in advertising that is visible to members of the public from any street, sidewalk, park or other public place, including advertising that utilizes any of the following: (a) Billboards or other outdoor general advertising devices; (b) Signs mounted to a vehicle; (c) Signs posted upon any public or private property without the consent of the property owner.

The Division will investigate activity that evidences attempts to circumvent statutory and rule requirements. Further, Licensees may be subject to administrative action for violations committed by their agents or employees. Ranges of penalties imposed by the State Licensing Authority for violations of statute and rule requirements include, but are not limited to, license suspension, restriction, and revocation, as well as a monetary penalty per individual violation.

We truly appreciate your continued commitment to exercise the privileges of your license as responsible members of the licensed community through strict compliance with statutes and regulations. The Medical and Retail Code, Medical Marijuana Rules, 1 CCR 212-1, and Retail Marijuana Rules, 1 CCR 212-1 are accessible at the Division's [website](#).

Sincerely,

James Burack
Director
Marijuana Enforcement Division

The information contained in this Industry Bulletin does not represent legal advice and does not replace a licensee's responsibility to read, understand, and maintain full compliance with all relevant statutes and rules.