



State of Rhode Island and Providence Plantations
DEPARTMENT OF BUSINESS REGULATION
Office of Cannabis Regulation
1511 Pontiac Avenue, Bldg. 68-1
Cranston, Rhode Island 02920

Office of Cannabis Regulation – Advertising Guide

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“Advertising” means

“The act or practice of calling public attention to one’s product or service.”

The Advertising provisions can be found in § 1.10 of 230-RICR-80-05-1, Rules and Regulations Related to the Medical Marijuana Program Administered by the Office of Cannabis Regulation at the Department of Business Regulation (“Regulations”). <https://rules.sos.ri.gov/regulations/part/230-80-05-1>

Part 1 - No licensee or agent of a licensee may advertise in a manner which is observed by or targets the general public.

Observed by or targets the general public may include but is not limited to:

- Distributing handbills in public areas or on publicly owned property.
- Advertising within the prohibited distance of one thousand (1,000) feet (or such greater distance if prescribed by the municipality in which the advertising is located) of the property line of an existing public or private school.
- Advertising on television, radio, or print media.
- Advertising in any manner that is viewable or can otherwise be perceived in a public space, including but not limited to:
 - Billboards;
 - Bus wraps, Benches;
 - Adopt a highway sign; or
 - Any format that may be viewable from roads or walkways.
- Engaging in any form of advertising which promotes application or enrollment into the program or the services of the practitioner or any other party which facilitates patient registration.

Part 2 - All advertising must be restricted to a registered patient audience.

When advertising to a restricted patient audience, a licensee must not:

- Contain statements that are deceptive, false or misleading.
- Display images or representations of marijuana plants, marijuana or marijuana products.
- Display the consumption, use or transfer of marijuana or marijuana products.
- Include claims related to potency (beyond listing of cannabinoid content).
- Include any prices or the term “sale,” “discount,” “coupon,” “special” or similar terms.
 - A company website may include prices of product and reference to services offered for discounted product.
 - Product Menus available to patients once in the Compassion Center may show prices as well.
- Depict activities or persons in conditions under the influence of marijuana, including but not limited to:
 - Operating a motorized vehicle, boat or machinery; and
 - Persons who are pregnant or breastfeeding.

- Contain any content that can reasonably be considered to target individuals under the age of twenty-one (21), including but not limited to:
 - Images of cartoons, toys or similar images;
 - Images of persons under twenty-one (21) years of age;
 - Items typically marketed towards persons under twenty-one (21) years of age;
 - References to products that are commonly associated with persons under twenty-one (21) years of age or marketed to persons under twenty-one (21) years of age
 - Any imitation of candy advertising
 - Include the term “candy” or “candies”
- Encourage the transportation of marijuana or marijuana products across state lines or otherwise encourage illegal activity.
- Assert that marijuana or marijuana products are safe because they are regulated by DBR or have been tested by a testing facility or otherwise make claims that any government agency endorses or supports marijuana.
- Make claims that marijuana has curative or therapeutic effects.
- Contain any health or physical benefit claims, including but not limited to health or physical benefit claims on labels or packaging.
- Contain material that encourages excessive or rapid consumption.
- Make any deceptive, false or misleading assertions or statements on any informational material, any sign or any document provided to a patient, registered caregiver or authorized purchaser.

Part 3 - All Digital, Electronic and Web-based Advertising must be directed at a registered patient audience.

When using Digital, Electronic and Web-based platforms, a licensee must:

- Comply with the rules and requirements of Part 2.
- Utilize appropriate measures to ensure that individuals visiting the platform are over twenty-one (21) years of age and are authorized to use and/or purchase listed products. If appropriate measures to ensure that individuals visiting the platform are over twenty-one (21) years of age are not available, the licensee shall not advertise on such a platform.
- Not utilize unsolicited pop-up or banner advertising on the platform other than on age-restricted websites for people twenty-one (21) years of age and over who consent to view marijuana-related material.
- Not engage in advertising via marketing directed towards location-based devices or electronic devices, including but not limited to cellular phones, unless the marketing is:
 - A mobile device application targeted to a registered patient audience and not a public audience;
 - Is installed on the device by the owner of the device who is a registered patient; and
 - Includes a permanent and easy opt-out feature.

Part 4 - Use of the licensee’s trademarks, brands, names, locations or other distinguishing characteristics by a third-party.

- The use of the licensee’s trademarks, brands, names, locations or other distinguishing characteristics for third-party use on advertising in a manner that does not comply with § 1.10 of the Regulations, or any other statute, rule or regulation is prohibited.
- In the event a third party has used a licensee’s brand, trademark, brand name, location or other distinguishing characteristics in an advertisement that does not comply with § 1.10 of this Regulations or any other statute, rule or regulation, the licensee must immediately notify DBR and issue a cease and-desist notice to such third party.