



Marketing & Advertising Restrictions

Compliance Guide

A photograph of a building's exterior corner. A dark, rectangular sign is mounted on the wall. The sign features a large green cannabis leaf graphic and the words "CANNABIS SHOP" in green, bold, sans-serif capital letters. The building has white stucco walls and decorative architectural elements. A security camera is mounted on the wall above the sign.

CANNABIS SHOP

MMCP Regulations - Subpart 9

9.1.1

*Medical cannabis establishments licensed by the Department pursuant to this Part, and/or entities acting on their behalf, are **PROHIBITED** from advertising and marketing in any media, including but not limited to:*

- ***Broadcast or electronic media:***
 - *Radio*
 - *Television*
 - *Unsolicited internet pop-up advertising*
 - *Social media*
- ***Print media***
 - *Newspapers*
- ***Other forms:***
 - *Mass text/messaging communications.*
 - *Mass email communications.*
 - *Medical cannabis or medical cannabis products shall not be displayed in windows or public view.*
 - *Advertisement in any manner that can be viewable or otherwise perceived as a public space, including, but not limited to:*
 - *adopt a highway signs*
 - *electronic interstate signs.*
- *Solicited/paid patient and/or caregiver reviews/testimonies/endorsements.*
- *Solicited/paid practitioner reviews/testimonies/endorsements.*

Rule 9.1.2

Licensees shall not engage in advertising that contains any statement or illustration that:

- A. Depicts the **actual consumption** of cannabis or cannabis products*
- B. **Promotes the overconsumption** of cannabis or cannabis products*
- C. Makes **any health, medicinal, or therapeutic claims** about cannabis or cannabis products*
- D. Makes **safety claims of any type***
- E. Includes the **image of a cannabis leaf or bud***
- F. Includes **any image designed or likely to appeal to minors**, including cartoons, toys, animals, or children or any other likeness, images, characters, or phrases that are designed in any manner to be appealing to children and/or youth.*

Branding Requirements

9.2.1

Medical cannabis establishments licensed by the Department pursuant to this Part are permitted to participate in branding activities as described in Rules 9.2.2 and 9.2.3 in order to publicize their businesses. Additionally, the business name and contact information of all licensed medical cannabis establishments will be made available by the Department through a public website.

9.2.2 - Permissible branding activities:

- 1. Establishment of a **website and/or social media presence** that provides general information on the licensed entity's contact information, retail dispensing locations, and a list of products available.*
- 2. Listings in **business directories** (inclusive of phone books, cannabis-related or medical publications)*
- 3. **Display of cannabis in company logos** and other branding activities*
- 4. **Sponsorships of health or not-for-profit charity or advocacy events.***

9.2.3

*Branding shall not target **minors, pregnant women, breastfeeding women,** or **promote non-medical use of cannabis.***

9.2.4

*Branding, in the form of **business signage**, for all licensed medical cannabis establishments is subject to **local zoning and permitting** requirements.*

Inducements

9.3.1

Licensees may utilize inducements to assist qualified patients. Inducements shall not persuade or influence the use of medical cannabis outside of practitioner recommendations and/or limitations or the amounts allowed by the Mississippi Medical Cannabis Act. Examples of inducements include, but are not limited to:

- 1. The use of discount cards.*
- 2. The use of coupons.*
- 3. The use of “punch cards” to offer discounts/free products.*
- 4. Promotion of sales/discounts on medical cannabis of any type.*
- 5. The use of “buy one, get one” discount approaches*
- 6. The use of any type of “daily deal”, “weekly deal”, “monthly deal”, etc.*

9.3.2

Any medical cannabis and medical cannabis products that are part of an inducement program as defined in Rule 9.3.1, remain subject to seed-to-sale tracking requirements, any practitioner limitation included on the qualified patient’s written certification, and MMCEU allotment limitations set forth in the Mississippi Medical Cannabis Act.

Education Regarding the Risks & Benefits of Medical Cannabis

9.4.1

Education on the risks and benefits of the use of medical cannabis between a registered practitioner and/or medical cannabis establishment and a qualified patient, caregiver, parent, or legal guardian is permissible. This education is NOT considered advertising or marketing.

9.4.2

Education on the risks and benefits of the use of medical cannabis between a registered practitioner and/or medical cannabis establishment and a qualified patient, caregiver, parent, or legal guardian can also include written or video educational materials that are inclusive of the medical cannabis establishment's brand.

9.4.3

Education provided to a qualified patient, caregiver, parent, or legal guardian by a registered practitioner and/or medical cannabis establishment that includes instruction/direction on the safe use of medical cannabis and/or medical cannabis products is permissible.

9.4.4

Except as otherwise provided in this Part the use of pictures and/or images of cannabis and/or cannabis products shall be limited to patient education materials.

Rule 9.4.5

A registered practitioner or medical cannabis establishment may provide educational materials about cannabis to qualifying patients and/or their designated caregivers, parents and/or legal guardians. Educational materials shall adhere to the following:

*A. Information about the potential **risks and side effects** of medical cannabis use, including the risk of poisoning and the number for the closest poison control center SHALL be included.*

*B. Information to **assist in the selection of cannabis**, describing the potential differing effects of various strains of cannabis, as well as various forms and routes of administration, purported effectiveness of various methods, and the differences in the anticipated time frames for the forms to take affect MAY be included.*

*C. Materials offered to registered qualifying patients and their personal caregivers to enable them **to track the strains** used and their associated effects MAY be included.*

*D. Information on **tolerance, dependence, and withdrawal** MAY be included.*

*E. Information regarding **substance abuse signs and symptoms**, as well as referral information for substance abuse treatment programs*

*F. Other **warnings, instructions, and/or directions** on the safe use of medical cannabis and/or medical cannabis products which the registered practitioner and/or medical cannabis establishment deems appropriate.*