

NOTICE REGARDING ADVERTISING OR PROMOTING COMMERCIAL CANNABIS



Any licensee, and any person acting on behalf of a licensee, must comply with the statutes and regulations governing commercial cannabis advertising or promoting. Failure to do so may result in significant penalties. Any advertising or promoting of commercial cannabis must identify the licensee responsible for the advertising content, including the responsible licensee's state license number. In addition, all advertising and promoting of commercial cannabis must **not**:

- Be published or disseminated while a licensee's license is suspended.
 - Be located within 1,000 feet of a day care center, school, playground, or youth center.
 - Be published or disseminated without first obtaining reliable up-to-date audience composition data demonstrating that at least 71.6 percent of the audience viewing the advertising or promotion is reasonably expected to be 21 years of age or older.
 - Use any depictions or images of minors or anyone under 21 years of age.
 - Use objects, such as toys, inflatables, movie characters, cartoon characters, or include any other display, depiction, or image designed in any manner likely to be appealing to minors or anyone under 21 years of age.
 - Advertise free cannabis goods or giveaways of any type of products.
 - Advertise or promote in a manner that is false, untrue, or tends to create a misleading impression as to the effects on health of cannabis consumption.
 - Include any statement concerning a brand or product that is inconsistent with any statement on the labeling thereof.
- Create the impression that the cannabis originated in a particular place or region, unless the label of the advertised product bears an appellation of origin, and such appellation of origin appears in the advertisement.

Moreover, all outdoor signs and billboards used for commercial cannabis advertising must:

- Be affixed to a building or permanent structure.
- Comply with the provisions of the Outdoor Advertising Act, commencing with section 5200 of the Business and Professions Code, if applicable.
- Not be located within a 15-mile radius of the California border on an interstate highway or on a state highway that crosses the California border.

Failure to comply with the requirements above, or any other requirements in law, may result in the issuance of a citation or disciplinary action. Each day of violation is considered a separate violation subject to separate fines. Violations by licensed persons may result in citations with fines up to \$5,000. Violations may also result in suspension or revocation of the license.

The full text of the advertising and marketing provisions of MAUCRSA may be viewed at the following link: https://leginfo.legislature.ca.gov/faces/codes_displayTextxhtml?lawCode=BPC&division=10.&title=&part=&chapter=15.&article=.

The full text of the Bureau's regulations related to advertising and marketing may be viewed at the following link: [https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=ICD31ABEBD99A483DA69CBC595DF75252&originContext=documenttoc&transitionType=Default&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=ICD31ABEBD99A483DA69CBC595DF75252&originContext=documenttoc&transitionType=Default&contextData=(sc.Default)).



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