



Advertising

The Division of Cannabis Control (“DCC” or “Division”) is providing the following advertising guidance to licensees. As a reminder, all advertising must comply with Ohio Administrative Code (O.A.C.) [3796:5-7-01](#) and [3796:6-3-24](#) and guidance issued by the Division.

Wearables

The Division is issuing the following guidance to permit licensees to market, distribute, offer, or sell merchandise, such as “wearables,” to individuals 21 years of age and older. Such activity and merchandise must comply with this guidance.

Merchandise that contains depictions, representations, or branding exactly as previously approved by the Division does not need to be resubmitted for approval. This includes things like your approved logo, signage, or packaging.

If you wish to use depictions, representations, or branding that are not **exactly** what has been previously approved by the Division, you must submit those as an advertising request within the [DCC eLicense](#) portal for review and approval prior to use pursuant to O.A.C. [3796:5-7-01](#) and [3796:6-3-24](#).

Please note, the Division will conduct audits of wearables, and you must be prepared to provide the application number for the advertising application that contains an approval for any depictions, representations, or branding used on the wearables.

Merchandise cannot be paired with or used as a method of consumption or device for consumption.

No merchandise may be marketed, distributed, offered, or sold to any individual under the age of 21

This guidance is in line with the Division’s proposed rule O.A.C. [1301:18-4-22](#).

A violation of this guidance may result in enforcement action by the Division, including but not limited to, a monetary penalty up to \$50,000 per violation.

Health Claims

The Division is reminding licensees that making any health claims in advertisements is prohibited, and an advertising submission containing a health claim will be denied.

Pursuant to O.A.C. [3796:5-7-01](#) and [3796:6-3-24](#), advertisements cannot create any impression that recreational cannabis use has any potential health or therapeutic benefit. Additionally, no advertisement can contain any statement, design, representation, picture, or illustration that is false or misleading, or related to the safety or efficacy of cannabis.

Physicians with a Certificate to Recommend (CTR) are the only persons equipped to suggest a particular benefit to the use cannabis via an individual recommendation to a medical patient who has one of the qualifying conditions maintained by the State of Ohio Medical Board. These are potential health benefits discussed on an individual level between a patient and their physician, and cannot be made into widespread or generalized health claims.



Frequently Asked Questions

Below are some items the Division has received questions about and is therefore providing the following answers:

1. Question: Can I have a holiday advertisement?

Answer: An advertisement that directly celebrates a holiday is generally considered by the Division to be recreational in nature, which is prohibited under the current advertising rules (O.A.C. [3796:5-7-01](#) and [3796:6-3-24](#)). If the advertisement doesn't directly celebrate the holiday or have recreational impressions, it may be acceptable if it otherwise complies with all rule requirements. For example:

- An advertisement that says "Happy New Year! Celebrate with your favorite flower!" is not acceptable.
- An advertisement that says "In 2025, visit us for 25% off your purchase" would be acceptable if the entire advertisement otherwise complies with all rule requirements.

The holiday you want to reference matters too. Some holidays, such as Halloween, Christmas, and Easter, are inherently attractive to children, making it difficult to use those holidays in advertisements without the advertisement also being attractive to children.

As a reminder, all advertisements must be submitted to the Division for review and approval prior to use under current rules, until new rules become effective.

2. Question: Can I include sports references in an advertisement?

Answer: No. All advertisements must comply with O.A.C. 3796:5-7-01 and 3796:6-3-24 until new rules become effective. Current rules prohibit advertisements that are recreational in nature. Pursuant to those rules, all advertisements must be submitted to the Division for review and approval prior to use.

3. Question: In the past, I've only been allowed to use the term "discount" or "deal;" is it permissible to use "sale?"

Answer: Yes, the term "sale" may be used as long as the advertisement complies with rule requirements ensuring that no advertisements are false or misleading.

4. Question: Can I refer to "cannabis" or "marijuana" only without "medical?"

Answer: Yes, it is acceptable to refer to "cannabis" or "marijuana" without the use of "medical." This includes use of those terms on tradenames, signage, logos, packaging, websites, and any other advertisements.

5. Question: Can I use the DCC seal on my advertisements?

Answer: Yes, you are permitted to use the DCC seal on advertisements and may use either [this one](#) or [this one](#). Please note, the Division's [proposed advertising rule](#) (O.A.C. 1301:18-4-22) requires licensees to place the DCC seal on all advertising and to prominently and conspicuously display the seal on the licensee's website. The colors used on both seals can be found under question 8 in the document found [here](#).

6. Question: Can I refer to my dispensary as "Ohio Licensed Dispensary?"

Answer: No. "Division of Cannabis Control Licensed Dispensary" or "Licensed by Division of Cannabis Control" are acceptable, however.