



Advertising Guidance

The Division of Cannabis Control (DCC or Division) has issued the following guidance to all licensees regarding advertising, pursuant to Ohio Administrative Code (OAC) [1301:18-4-22](#), effective January 15, 2026.

The Division reviews advertising applications submitted through the [DCC eLicense](#) portal to ensure compliance with the rules. Any advertisement used by a licensee which violates the rules will subject the licensee to civil penalties, suspension, or any other enforcement action deemed necessary, to ensure compliance.

Additionally, the Division reviews proposals in totality; an application containing multiple elements cannot be approved if any portion of the submission violates the rules.

As a reminder, how a particular element of an advertisement is placed matters to the final determination. The use of a word or phrase may be permissible in isolation, but when combined with imagery or other elements, it may change the context to make the whole of the advertisement non-compliant.

- For example, a description of an edible as “oven baked” is permissible; however, making the word “baked” appear in a larger size or different font changes the meaning and would not be permissible as it emphasizes intoxication.

Advertising Prohibitions

No licensee shall create, use, or disseminate, or cause to be created, used, or disseminated, an advertisement that is any of the following:

- (1) False or misleading;
 - For example, a licensee may not advertise that a product is “certified fresh” unless that facility has received the proper third-party certification for the claim.
 - For example, a product named “brownies” when the actual product is a gummy would be impermissible as it mis-identifies the product category.
- (2) Obscene or indecent;
 - A licensee is prohibited from using any profanity, nudity, or other obscene images or language when advertising a product.
- (3) Attractive to children;
 - A licensee is prohibited from using advertising that looks similar to commercially available candy, depicts bright colors or images that would be attractive to minors.
- (4) Includes any image or text referencing or resembling a cartoon character, fictional character, or pop culture icon whose target audience is children or youth;
- (5) Encourages the consumption of cannabis in a manner that leads to excessive use, intoxication, overconsumption, or in combination or conjunction with other intoxicants,



illegal substances, or in a method not otherwise authorized by Division [1301:18](#) of the Administrative Code;

- For example, an image depicting someone with glassy, red, or x'd out eyes is impermissible.
 - An advertisement which encourages the combination of cannabis with alcohol, tobacco, or other drugs is not permitted.
- (6) Contains a depiction of cannabis consumption or administration;
 - Images of devices themselves is permitted, but an image depicting them in use is not.
- (7) A departure from the cannabis registered name, including, slang terms, and similar references;
 - A licensee may not use slang terms or similar references for the product, form, or method of consumption, unless approved by the Division.
- (8) Disparaging to a competitor's products.
- (9) Contains a health-related statement.
 - No advertising, whether on a package, menu, website, or other medium, may contain a health-related statement.
 - Pursuant to [OAC 1301:18-1-01](#), "Health-related statement" means any statement, term, reference, or claim related to health and includes statements of a curative or therapeutic nature that, expressly or by implication, suggest a relationship between the consumption or administration of cannabis, or any compound, ingredient, additive, or any combination thereof, found within a cannabis product, and health benefits or effects on health. This includes both specific health claims and general references to alleged health benefits or effects on health associated with the consumption of cannabis. This also includes anything that implies a physical, physiological, or psychological sensation or effect resulting from the consumption or administration of cannabis. Health-related statement also includes statements, symbols, vignettes, or other forms of communication that suggest, within the context in which they are presented, that a relationship exists between the consumption or administration of cannabis and any alleged health benefit.
 - Some examples of health-related statements:
 - Sleep or sleepy
 - Relaxing
 - Sedating
 - Stimulating
 - Boost



- Helpful for people who have trouble sleeping
 - Decreases appetite
 - Regulate weight loss
 - Boost your mood
 - Energy or energized
 - Uplifted
 - References to specific onset times or effects durations
 - Pain relief
 - Anti-stress
 - Anti-anxiety
 - Anti-inflammatory
 - Calming
- (10) Suggests, or otherwise indicates, that the advertisement has been approved or endorsed by the Division of Cannabis Control, the state of Ohio, or any person or entity associated with the state of Ohio, or any other person without their consent, unless as required by these rules with regards to the DCC seal.
 - This includes imagery, words, or other references that indicate such approval or endorsement. For example, an advertisement may not include an image of the state flag, other state symbols, or make any reference to endorsement by the state.
 - Imagery depicting or referencing landmarks or roadways are generally not prohibited as they alone do not suggest approval or endorsement by any particular person or entity. For example, a silhouette of the Dayton skyline or an image of a highway 75 sign is permissible if it otherwise complies with the rest of the advertising rules.
- (11) Violates state of Ohio or federal trademark or copyright law.
 - A licensee that wishes to utilize any trademark or copyright protected material must have the appropriate agreements in place with the owners of such material.
 - If a licensee does maintain such an agreement, the material must be in compliance with all advertising rules in order to be used.
- (12) Otherwise violates any provision of chapters 3780 and 3796 of the Revised Code or the rules promulgated pursuant to chapters 3780 and 3796 of the Revised Code.

Placement of Advertisements

No licensee shall place or maintain, or cause to be placed or maintained, an advertisement for cannabis, whether medical or adult-use, cannabis products, or cannabis-related paraphernalia, in any form or through any of the following medium:



- (1) On a medium with a high likelihood of reaching persons under the age of 18.
 - Licensees are prohibited from placing advertisements in areas such as sports facilities, putt-putt courses, bounce houses, trampoline parks, and other areas that are not age-gated or have a likelihood of being viewed by someone under the age of 18.
- (2) Within 500 feet of the end boundaries of a parcel of real estate having situated on it a prohibited facility, a community addiction services provider as defined under section 5119.01 of the Revised Code, a game arcade admission to which is not restricted to persons aged 21 years or older, or any other location where the placement of the advertisement targets or is attractive to children, as determined by the Division.
 - As a reminder, licensees should review the definition of prohibited facilities, as outlined in OAC [1301:18-3-01](#).
- (3) On a billboard.
 - A licensee is prohibited from placing an advertisement on a digital billboard or any other billboard.
- (4) On a radio or television broadcast or internet programming.
 - A licensee is prohibited from placing an advertisement on the radio, including AM/FM radio and satellite, or any other similar media. This includes streaming or other internet broadcast services.
- (5) Left upon any private property without the consent of the property owner.
 - A licensee is prohibited from placing advertisements at a person's home, motor vehicle, or a business, without their permission. This includes leaving items on their porch, in their door, in their mailbox, or anywhere else that constitutes private property.
 - Consent of a property owner does not override any rule requirements. Licensees must ensure that any advertisement is in compliance with this guidance.
- (6) On or in a public transit vehicle or public transit shelter.
 - A licensee is prohibited from placing an advertisement – digital or physical – in a public bus, train, bus station, bus shelter, or on/in any other means of public transportation.
- (7) On or in a stadium or arena.
 - A licensee is prohibited from placing an advertisement in a public stadium or arena, such as a sports or concert venue, as it may be viewed by someone under the age of 18.



- (8) On or in a publicly owned or operated property.
 - This includes public parks, fairgrounds, and state, local, or federal government buildings.
- (9) At any scheduled event, which includes conferences, trade shows, or similar events, which a licensee plans to attend, participate, or sponsor, whether it be educational or otherwise, unless the licensee provides written notification to the Division of its intent to attend at least **10** business days prior to the event. All event requests must continue to be submitted through [DCC eLicense](#).
 - Licensees are permitted to sponsor or support events that are not age-gated; however, they are not permitted to establish a booth or “swag” giveaways at such event. For example, a licensee may be listed as a corporate sponsor of a community festival, and attend wearing branded t-shirts, but if there is no age restriction on attendance, the licensee cannot hand out flyers, wearables or gift bags.
 - Licensees attending age-gated events are permitted to distribute “swag” or other advertising materials.
 - If a licensee is sponsoring an event, the licensee must be mindful that they cannot license, encourage, or otherwise authorize any affiliated or third party to violate advertising rules.
 - As a reminder, cannabis may not be given away for free and cannabis sales are only permitted on the dispensary premises.

Merchandise

Licensees are prohibited from marketing, distributing, offering, selling, or licensing any cannabis merchandise or paraphernalia to those under 21 years of age. Licensees may market, distribute, offer, sell, or license cannabis merchandise or paraphernalia to individuals 21 years of age and over.

- Merchandise includes items such as “wearables.”
 - Merchandise that contains the exact depictions, representations, or branding which has been previously approved by the Division does not need to be resubmitted for separate approval. This includes things like an approved logo, signage, or packaging.
 - 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.



- Paraphernalia includes items such as vaporization devices (without cannabis) and batteries, rolling papers, grinders, bongs, pipes, dab rigs, rolling trays, clips, and lighters.
 - Medical cannabis patients over the age of 18 may purchase paraphernalia; however, in order to ensure compliance with this requirement, dispensaries should keep the purchase of paraphernalia separate from the purchase of medical cannabis.
 - Any portable, hand-held device used to administer cannabis that would cause a reasonable person to believe the device does not contain cannabis must have the THC symbol clearly visible and conspicuously placed on the device.
 - All devices must be submitted for review and approval via the Device Request form in [DCC eLicense](#) prior to being offered at the dispensary.
 - As a reminder, the marketing of merchandise or devices which encourage over consumption, intoxication, or other excessive use is not permitted.

Websites and Online Presence

A licensee may develop a website or otherwise establish a web presence advertising the name, business address, contact information, and services provided by the licensee. A website or other web presence includes, but is not limited to, the licensee's business website, social media accounts, and online menus.

A licensee's website and any other web presence must require the visitor to affirm they are at least 18 years old if they are a medical cannabis patient, and at least 21 years old if they are not a medical cannabis patient, before gaining access to the website.

A licensee's website must prominently and conspicuously display the Division of Cannabis Control seal (this is the circular seal that states "Licensed by the Division of Cannabis Control").

- The DCC seal must be displayed on the licensee's Ohio website. For example, if a licensee is affiliated with operations in other states and shares a common website, the seal must be placed on the page that is intended for, and to which, Ohio customers are directed.

A licensee operating a website shall not do any of the following:

- Provide a medium for website users to transmit website content to individuals under the age of 18 for medical cannabis patients or under the age of 21 for individuals that are not a medical cannabis patient.
- Link to a website that is not compliant with these rules.
- Display or otherwise post content that violates chapter 3780 or 3796 of the Revised Code or these rules.



Signage

For the purposes of identifying the location of a licensee, a licensee may utilize a sign that is located within the external boundaries of the parcel of real estate or may utilize a monument sign or other trade fixture associated with the leased or owned premises.

- A licensee may only use signage that identifies where the dispensary is located, also known as wayfinding signage.
- Must be on the licensee's licensed premises.
- Billboards are prohibited.
- Exterior menu signs are prohibited.
- Illuminated signs are permitted.
 - A licensee may affix a sign to the side of the building with the business name of the dispensary illuminated.
- Signage must comply with all other Division rules.

Photographing Licensed Premises

A licensee may photograph, record, or create other media depicting the licensed premises, or allow others to photograph, record, or create other media depicting the licensed premises, so long as the licensee ensures:

- The confidentiality of all patients, caregivers, and adult-use consumers.
 - Confidentiality may be achieved by avoiding photographing or recording customers within the dispensary, obtaining consent by customers within the dispensary, blurring images and/or names, or by other means that ensure confidentiality.
- No media compromises the safety and security of the licensed premises.
- Unless authorized by the Division, photographs, recordings, and other media may not depict any secure limited access area.
 - For cultivators, processors, and testing laboratories only, secure, limited access areas may be depicted as long as they do not include areas where final packaged products are being stored (e.g., vault) or otherwise compromise the safety and security of the licensed premises. If images of cannabis plants or final products are being depicted, the licensee must ensure those depictions are compliant with all other rules.

Third Parties

No licensee shall license, encourage, or otherwise authorize any affiliated or third party to use or advertise in a manner prohibited by [1301:18](#) of the Administrative Code.

- Licensees are prohibited from allowing or encouraging an outside vendor to promote their dispensary and/or products on their behalf that otherwise fails to adhere to any Division rule.



- For example, licensees may not enter into a contract with a third party to advertise the consumption of a licensee's cannabis in conjunction with other intoxicants, including alcohol, or other illegal substances.
- For example, licensees cannot enter into a licensing agreement with a third-party company with branding that resembles or references a commercially available candy.
- For example, licensees cannot direct or encourage a third party to advertise an event on the licensee's behalf that they would otherwise not be permitted to under these rules.

DCC Seal and THC Symbol

The Division requires certain advertisements to contain the DCC seal and THC symbol. The following requirements will be enforced as they relate to the seal and symbol.

Depictions of Packaging & Labeling: The DCC seal is NOT required to appear on every advertisement or every menu tile; however, if an advertisement depicts any cannabis packaging or labeling, the depiction must also show the DCC seal and THC symbol as it would appear on the package/label.

- The DCC seal must be exactly as provided by the Division; a licensee may not alter the design or colors.
- The THC symbol must be in contrasting color than the surface or background upon which it is placed.
- If you have questions about the requirements for the DCC seal on packaging, please see previous communication from the Division:
 - July 18, 2024: [DCC Dual-Use Packaging, Labeling, Advertising Guidance](#)
 - July 25, 2024: [DCC eLicense Update - Packaging FAQ](#)
 - September 24, 2024: [DCC Seal Packaging & Labeling Extended - Licensing Reminders](#)

Containers and Storage: If an advertisement is on, or is a depiction of, a container or other medium capable of storing cannabis, it must contain the THC symbol in a contrasting color than the surface or background upon which it is placed.

- This does include containers that hold cannabis within a separate exterior packaging. For example, if a small jar of concentrate is placed within a bag which serves as the exterior packaging for compliance with packaging and labeling requirements, the small jar within must still include the THC symbol (because it is the container that holds the cannabis).
 - Containers and storage do not include cannabis devices, which will have separate requirements for the THC symbol under proposed rules for portable, hand-held cannabis devices used to administer cannabis that would cause a reasonable person to believe the device does not contain cannabis.



- The Division understands that cultivators and processors purchase and prepare packaging weeks to months in advance of distribution; therefore, the Division will communicate a timeline by which compliance with this standard will be required in coordination with updated packaging and labeling rules forthcoming.
- Depictions of containers and storage: If an advertisement depicts any cannabis containers or other medium capable of storing cannabis, the depiction must also show the THC symbol as it would appear on the container or storage medium.

Websites: As described in the website portion of this guidance, the DCC seal must be prominently and conspicuously displayed on the licensee's website(s).

Advertising Violations

Should the Division determine that a licensee's advertisement violates any of the regulations outlined under this chapter or in this guidance, the Division may:

- (1) Require a specific disclosure be made in the advertisement in a clear and conspicuous manner if the advertisement would be false or misleading without such a disclosure;
- (2) Make recommendations with respect to changes that are necessary to protect the public health, safety, and welfare;
- (3) Prohibit the use of the advertisement; or
- (4) Investigate and proceed with any action as permitted by chapter [1301:18-9](#) of the Administrative Code.



APPENDIX A

Related advertising resources for licensees can be found below: -

- [Advertising Rule](#)
- [Discount and Loyalty Programs Guidance](#)
- [Accepting Telephone and Online Orders](#)
- [Sales to Patients and Caregivers Outside of the Dispensary](#)
- [DCC Strain Names and Characterizing Flavors](#)
- [DCC Dual-Use Packaging, Labeling, Advertising Guidance - July 18, 2024](#)
- [DCC eLicense Update Packaging FAQ](#)
- [DCC Seal Packaging & Labeling Extended - Licensing Reminders](#)



APPENDIX B

OAC 1301:18-4-22 Advertising

- The state of Ohio has a compelling state interest to ensure that any advertisement, or marketing campaign related to cannabis, does not encourage or promote excessive use, intoxication, overconsumption, or use of cannabis in a manner not authorized by this chapter and chapter 3780 of the Revised Code, and is not attractive to children.
- **(A)** No licensee shall create, use, or disseminate, or cause to be created, used, or disseminated, an advertisement that is any of the following:
 - **(1)** False or misleading;
 - **(2)** Obscene or indecent;
 - **(3)** Attractive to children;
 - **(4)** Includes any image or text referencing or resembling a cartoon character, fictional character, or pop culture icon whose target audience is children or youth;
 - **(5)** Encourages the consumption of cannabis in a manner that leads to excessive use, intoxication, overconsumption, or in combination or conjunction with other intoxicants, illegal substances, or in a method not otherwise authorized by division 1301:18 of the Administrative Code;
 - **(6)** Contains a depiction of cannabis consumption or administration;
 - **(7)** A departure from the cannabis registered name, including, slang terms, and similar references;
 - **(8)** Disparaging to a competitor's products;
 - **(9)** Contains a health-related statement;
 - **(10)** Suggests, or otherwise indicates, that the advertisement has been approved or endorsed by the division of cannabis control, the state of Ohio or any person or entity associated with the state of Ohio, or any other person without their consent;
 - **(11)** Violates state of Ohio or federal trademark or copyright law; or
 - **(12)** Otherwise violates any provision of chapters 3780 and 3796 of the Revised Code or the rules promulgated pursuant to chapters 3780 and 3796 of the Revised Code.
- **(B)** No licensee shall place or maintain, or cause to be placed or maintained, an advertisement for cannabis, whether medical or adult-use, cannabis products, or cannabis-related paraphernalia, in any form or through any of the following medium:
 - **(1)** On a medium with a high likelihood of reaching persons under the age of eighteen;
 - **(2)** Within five hundred feet of the end boundaries of a parcel of real estate having situated on it a prohibited facility, a community addiction services provider as defined under section 5119.01 of the Revised Code, a game arcade admission to



which is not restricted to persons aged twenty-one years or older, or any other location where the placement of the advertisement targets or is attractive to children, as determined by the division of cannabis control;

- (3) On a billboard;
 - (4) On a radio or television broadcast or internet programming;
 - (5) Left upon any private property without the consent of the property owner;
 - (6) On or in a public transit vehicle or public transit shelter;
 - (7) On or in a stadium or arena;
 - (8) On or in a publicly owned or operated property; or
 - (9) At any scheduled event, which includes conferences, trade shows, or similar events, which a licensee plans to attend, participate, or sponsor, whether it be educational or otherwise, unless the licensee provides written notification to the division of its intent to attend at least ten business days prior to the event.
- (C) No licensee shall market, distribute, offer, sell, license, or cause to be marketed, distributed, offered, sold, or licensed any merchandise related to any entity licensed under this chapter, cannabis, or cannabis paraphernalia, to an individual under twenty-one years of age.
- (D) A licensee may develop a website or otherwise establish a web presence advertising the name, business address, contact information, and services provided by the licensee which prominently and conspicuously displays the division of cannabis control seal and requires age affirmation of at least eighteen years of age by registered patients and at least twenty-one years of age by adult-use consumers, before gaining access to licensee's website.
 - A licensee operating a website shall not do any of the following:
 - (1) Provide a medium for website users to transmit website content to individuals under the age of eighteen to registered patients or under the age of twenty-one for consumers; and
 - (2) Display or otherwise post content that violates chapter 3780 or 3796 of the Revised Code. or these rules.
- (E) For the purposes of identifying the location of a licensee, a licensee may utilize a sign that is located within the external boundaries of the parcel of real estate or may utilize a monument sign or other trade fixture associated with the leased or owned premises.
- (F) A licensee may photograph, record, or create other media depicting the licensed premises so long as the licensee ensures:
 - (1) The confidentiality of all patients, caregivers, and adult-use consumers;
 - (2) No media compromises the safety and security of the licensed premises; and
 - (3) Unless authorized by the division, the media will not depict any secure, limited access area.



- **(G)** No licensee shall license, encourage, or otherwise authorize any affiliated or third party to use or advertise in a manner prohibited by 1301:18 of the Administrative Code.
- **(H)** Each licensee is to ensure all advertising contains the following as prescribed by the division:
 - **(1)** Unless otherwise provided in section (I) of this rule, the universal THC symbol, outlined in a contrasting color than the surface or background upon which it is placed to ensure it is clearly visible; and
 - **(2)** Unless otherwise provided in section (J) of this rule, The division of cannabis control seal.
 - **(3)** If an advertisement depicts any cannabis packaging or labeling, it must depict the THC and division seal accurately, and in the precise location displayed on the respective packaging and labeling presented in the advertisement.
- **(I)** The THC symbol is not required to be depicted unless the advertisement is on, or is a depiction of, a container, package, device or other medium which is capable of storing Cannabis.
- **(J)** The division of cannabis control seal is not required to be placed on wearable merchandise.
- **(K)** Should the division determine that a licensee's advertisement violates any of the regulations outlined under this chapter the division may:
 - **(1)** Require a specific disclosure be made in the advertisement in a clear and conspicuous manner if the advertisement would be false or misleading without such a disclosure;
 - **(2)** Make recommendations with respect to changes that are necessary to protect the public health, safety, and welfare;
 - **(3)** Prohibit the use of the advertisement; or
 - **(4)** Investigate and proceed with any action as permitted by chapter 1301:18-9 of the Administrative Code.