

# Quick Reference Guide for Kentucky Cannabis Business Advertising

This quick reference guide provides a summary of the rules and restrictions for advertising and maintaining a website as a licensed medical cannabis business in Kentucky as established in 915 KAR 1:090.

## Advertising activities

Licensed medical cannabis businesses may engage in advertising activities but must follow the requirements provided by the Cabinet in 915 KAR 1:090. Below is an overview of the approved and prohibited advertising activities for licensed medical cannabis businesses.

### Allowable activities and informational media overview:



Business directories



Informational websites



Sponsoring health or not-for-profit charity or advocacy events



Trade or medical publications



Social media pages



B2B promotion

### Approved activities

- ▶ Providing listings in business directories
- ▶ Providing listings in trade or medical publications
- ▶ Sponsoring health, not-for-profit charity, advocacy events
- ▶ Maintaining an informational website and social media
- ▶ Directly promoting to other cannabis businesses
- ▶ **Dispensaries** can place appropriate signage on property to identify the business

### Prohibited activities

- ▶ Advertising medical cannabis sales in print, broadcast, or online media
- ▶ In-person, paid solicitation of customers
- ▶ Deceptive, false, or misleading assertions, claims, or statements
- ▶ **Cultivators, processors, and producers** may not display any signage, logos, products, or other identifying characteristics indicating that medical cannabis is being grown, processed, produced or stored on facility property

## Website requirements and activities

Licensed medical cannabis businesses can maintain an online website for the business that may include:

- ✓ A description of the business and services offered
- ✓ Listings of medicinal cannabis products cultivated, processed, produced, or sold
- ✓ Product pricing and inducements allowed by 915 KAR 1:070 Section 5(5)
- ✓ Educational materials and product information
- ✓ Certificates of analysis provided by safety compliance facilities
- ✓ Contact information for cannabis business and a list of dispensaries where its products are sold

All licensed medical cannabis businesses must adhere to the following requirements and restrictions:

### Website and Social Media requirements:

- ▶ Statements prominently displayed on the website with the disclaimers below:
  - ↳ “Medicinal cannabis is for use by cardholders only”
  - ↳ “Keep out of reach of children”
- ▶ Utilizing appropriate measures to ensure individuals accessing the website are 18 years or older
- ▶ A list of web sites and social media accounts maintained by cannabis business, including links to respective pages, provided to the Cabinet
- ▶ Notification to the Cabinet provided within two business days of the activation or deactivation of any web site or social media account

### Website and Social Media restrictions:

- ▶ No false, deceptive, or misleading statements
- ▶ No content that may target or appeal to individuals under the age or 18, including cartoons, toys, products or similar images and items typically associated with minors
- ▶ No encouraging transportation of medical cannabis products across state lines or other illegal activities
- ▶ No displaying consumption of medicinal cannabis products in a manner that does not provide educational benefit

## Removal of objectionable and non-conforming advertising

Cannabis businesses shall remove any content that the Cabinet determines is in violation of this regulation. The Cabinet will provide written notification of a violation and a reasonable time period for removal.