1. Working group name:

*Retail Establishments*

1. Individual sponsor(s):

*Riana Durrett, Executive Director, Nevada Dispensary Association*

*Andrew Jolley, Dispensary Owner, The Source*

*With input from members of the Consumer Safety, Education, and Health Working Group*

1. Describe the recommendation:

*The Retail Establishments working group recommends that the Department of Taxation impose the following restrictions on advertising by marijuana establishments. These restrictions are based mainly on the goal of preventing youth marijuana usage. All advertisements relating to marijuana establishments should be approved by the Department of Taxation. Once the Department has approved an advertisement, the advertisement may be used as often and within any medium recreational marijuana is allowed.*

*(1)****General.****Recreational marijuana advertising must not contain any statement, or illustration that:*

1. *Is false or misleading;*
2. *Promotes over consumption;*
3. *Depicts actual use or consumption of marijuana.*
4. *Depicts a child or other person under legal age to consuming marijuana, or includes:*
	1. *Objects, such as toys, characters, or cartoon characters suggesting the presence of a child, or any other depiction designed in any manner to be especially appealing to children or other persons under legal age to consume marijuana; or*
	2. *Is designed in any manner that would target children or other persons under twenty-one years of age.*
5. *In publications, radio, television or other media whose audience is reasonably expected to be composed of more than 30% youth.*

*(2)* ***Location****. No licensed marijuana advertising should be allowed:*

1. *Within one thousand feet of school grounds, playground, public park, library, unless the advertisement existed before the above-mentioned facilities opened;*
2. *On or in a public transit vehicle or public transit shelter;*
3. *At sports and entertainment events that are not restricted to persons 21 or older;*

*(3)* ***Free Products.*** *Retail licensees may not advertise "free" or "donated" product, without a purchase.*

*(4)* ***Messaging.*** *All advertising must contain warning messages required by the Department:*

*(a) Keep out of the reach of children*

*(b) For use only by adults 21 years of age and older*

1. Which guiding principle(s) does this recommendation support?

*Guiding Principle 1 – Promote the health, safety, and wellbeing of Nevada’s communities*

*Guiding Principle 2 – Be responsive to the needs and issues of consumers, non-consumers, local governments, and the industry*

1. What provision(s) of Question 2 does this recommendation apply to?

*This recommendation applies to Section 5 of Question Two, which requires the Department of Taxation to promulgate reasonable restrictions on signage, marketing, display, and advertising.*

1. What issue(s) does the recommendation resolve?

*This recommendation resolves issues around advertising, especially focusing on prohibition of advertising that would appeal to minors.*

1. Was there dissent in the group regarding this recommendation? If yes, please provide a summary of the dissenting opinion regarding the recommendation.

*To be determined*

1. What action(s) will be necessary to adopt the recommendation? Will statute, policy, regulations, etc. need to be addressed?

*The Department will need to promulgate regulations pertaining to the retail marijuana program, as mandated by IP1.*

1. Additional information (cost of implementation, priority according to the recommendations,

etc).

 *Not known.*