1. Working group name:

*Retail Establishments*

1. Individual sponsor(s):

*Riana Durrett, Executive Director, Nevada Dispensary Association*

*Andrew Jolley, Dispensary Owner, The Source*

*Jennifer Delett-Snyder, Join Together Nevada*

1. Describe the recommendation:

*The Retail Establishments working group recommends that the Department of Taxation impose the following restrictions on advertising by marijuana establishments.*

*All advertisements relating to marijuana establishments, marijuana, hemp, or CBD or marijuana paraphernalia must be approved by the Department of Taxation. This should apply to marijuana establishments and ancillary businesses. This does not apply to medical marijuana and medical marijuana establishments. Once the Department has approved an advertisement, the advertisement may be used as often and within any medium recreational marijuana is allowed.*

*(1)****General.****All recreational marijuana advertising and labels of usable marijuana, marijuana concentrates, and marijuana-infused products sold in the state of Nevada must not contain any statement, or illustration that:*

*(a) Is false or misleading;*

*(b) Promotes over consumption;*

*(c) Represents the use of marijuana has curative or therapeutic effects;*

*(d) Depicts actual use or consumption of marijuana, CBD, or hemp, or actual marijuana, CBD, or hemp, or paraphernalia.*

*(e) Depicts a child or other person under legal age to consume marijuana, or includes:*

*(i) 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*

*(ii) Is designed in any manner that would be especially appealing to children or other persons under twenty-one years of age.*

*(2)* ***Location****. No licensed marijuana producer, processor, or retailer shall place or maintain, or cause to be placed or maintained, an advertisement of marijuana, marijuana concentrates, usable marijuana, or a marijuana-infused product in any form or through any medium whatsoever:*

*(a) Within one thousand feet of the perimeter of a school grounds, playground, public park, library, or unless the advertisement existed before the above-mentioned facilities opened;*

*(b) On or in a public transit vehicle or public transit shelter; or*

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

*(4) All advertising must contain the following warning: "For use only by adults twenty-one and older. Keep out of the reach of children."*

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

*This recommendation promotes the guiding principle to 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.

*Not known*

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.*

\*Submit to[**kelly@quantummark.com**](mailto:kelly@quantummark.com)and[**mkretch@quantummark.com**](mailto:mkretch@quantummark.com)when completed and ready for presentation to the Task Force