



STATE OF
OHIO
BOARD OF PHARMACY



Ohio Medical Marijuana Control Program Dispensary Licensee Advertising / Marketing Materials Submission Guidance Document

UPDATED: 8/5/2020



**Ohio Medical Marijuana Control Program
Advertising / Marketing Materials Submission Guidance Document**

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I. Document Purpose, Audience and Topics Covered

A. Document Purpose

This reference document is designed to provide a step by step guide to end users (Operational Licensees and Provisional Dispensary Licensees) so that they can successfully submit and get approval for their advertising, marketing and signage materials in accordance with the relevant legal authority.

B. Intended Audience

The intended audience for this document includes individuals employed by or acting on behalf of Dispensaries. Anticipated Users are those responsible for developing and submitting advertising, marketing and signage materials for review.

For Operational Licensees and Provisional Dispensary Licensees also licensed by Ohio Department of Commerce: The approval of advertising material by the Ohio Department of Commerce will also be acknowledged by the State of Ohio Board of Pharmacy and submissions of the same materials to both agencies is not necessary. The approval of advertising material by the State of Ohio Board of Pharmacy will also be acknowledged by Ohio Department of Commerce. Please be mindful Ohio Department of Commerce and the State of Ohio Board of Pharmacy will be collaboratively reviewing all advertising materials submissions.

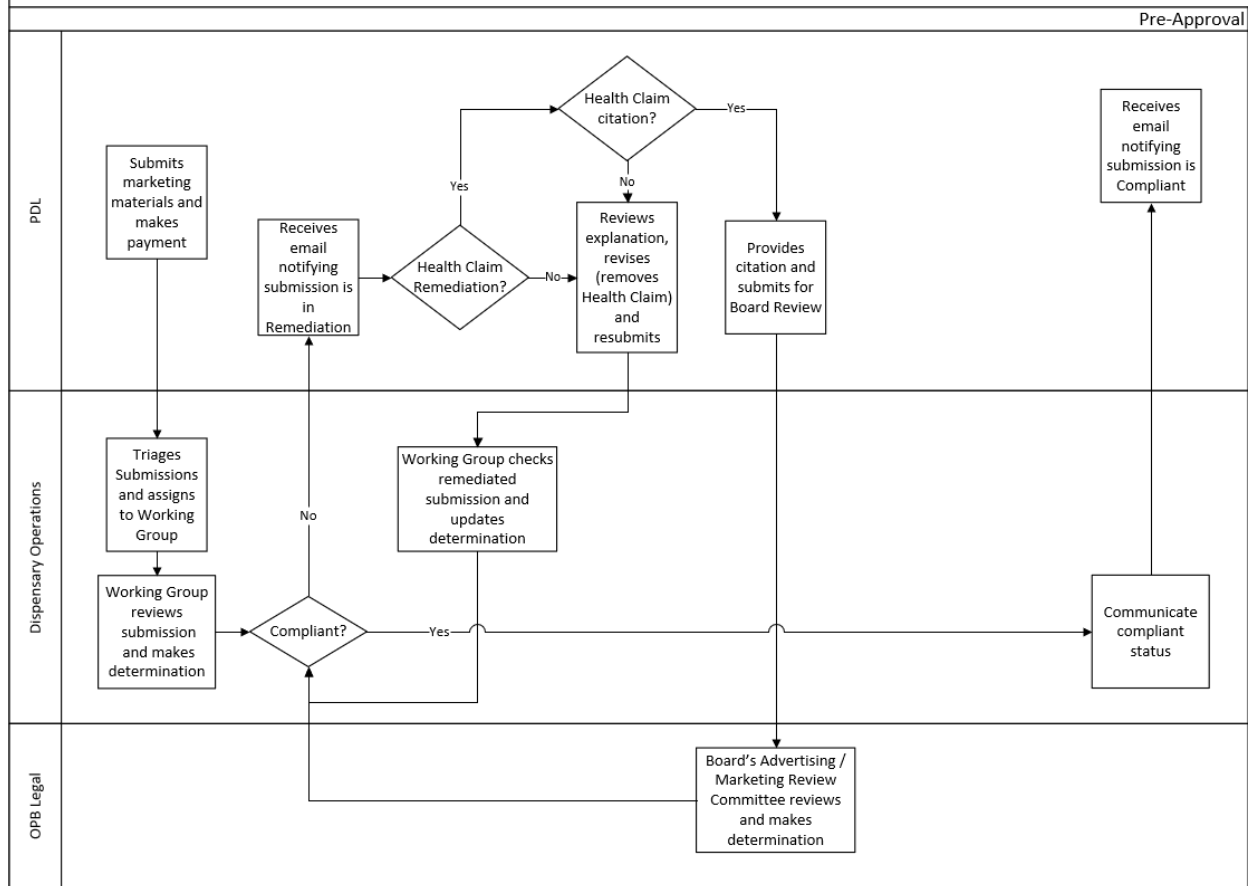
C. Topics Covered

The topics covered in this guidance document include:

- Requesting a user account for the advertising / marketing materials submission web portal;
- Updating user information, resetting passwords and deactivating user accounts;
- Submitting advertising / marketing materials for review (including making payment);
- Uploading a remediated version of the advertising / marketing materials after review and feedback; and



Advertising / Marketing Materials Submission Process Flow





**STATE OF
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II. **Applicable Rules and Definitions**

A. Relevant Legal Authority

Applicants are advised to review and understand [Chapter 3796 of the Ohio Revised Code](#) as well as the following related Ohio Administrative Code Rules applicable to the information provided in this guidance document:

- [3796:6-3-24](#) – Advertising, Marketing and Signage



III. Requesting a User Account for the Advertising Approval System

Please send an email to MMCP@pharmacy.ohio.gov to request a User Account. Include the following information in the email:

- First Name
- Last Name
- Title
- Phone
- Email
- List relevant dispensary license numbers with which the User will be associated

After the User Account is created, the user will receive an email containing a link to the Log In page (<https://medicalmarijuana.ohio.gov/Account/SignIn>) and a temporary password. The user's email address will serve as the username.

Please note, at the time that a Certificate of Operation is issued to a dispensary all accounts must be held by a licensed medical marijuana dispensary employee of the respective dispensary.

HOME | ABOUT | PROGRAMS | TIMELINE & RULES | ABUSE PREVENTION | NEWS | CONTACT

MEDICAL MARIJUANA DISPENSARY ACCOUNT

LOGIN

Email Address

Password

[LOG IN](#) [FORGOT PASSWORD](#)

Note: JavaScript must be enabled on your browser in order to use this page.

- Type your email address and password and click LOG IN.



IV. Updating an Existing User Account

MEDICAL MARIJUANA DISPENSARY ACCOUNT

My Account
Submissions
Sign Out

MY INFORMATION

First Name: John
Last Name: Doe
Title: Account User
Phone: 3034567899

[UPDATE ACCOUNT INFO](#) [CHANGE PASSWORD](#)

MY LICENSES

License Number	Business Name	Street Address	City
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- Users need to update their account password when first accessing the account. Once the password has been changed, the user will receive an email informing them that the password has changed.
- If this is not the user's first time, and they need to update account information, the user will make updates on this page and then click "UPDATE ACCOUNT INFO".
- If a user account needs to be deactivated, email mmcp@pharmacy.ohio.gov requesting that their account be disabled. (Examples would include: an employee is no longer employed with the dispensary or an employee is managing submission for multiple dispensaries).



V. Submitting Advertising / Marketing Materials for Review

- Select all relevant license(s) to which the advertising / marketing materials are applicable (*Note: Selecting multiple licenses will not increase fees associated with this submission*).
- Upload the advertising / marketing materials in acceptable format and size (click on the link on the [Web Portal](#) to see the acceptable formats).

Acceptable File Types

PDF Files
.pdf

Image Files
.jpg/jpeg, .tif/tiff, .gif, .bmp, .png

Video Files
.avi, .flv, .wmv, .mov, .mp4, .mkv, .mpg/mpeg, .ogg

CLOSE WINDOW

- File size cannot exceed 30 MB.
- Complete the related questions about the advertising / marketing materials being submitted for review:
 - Distribution Method
 - Visibility
 - Frequency
 - Annotated reference to support health claim
 - Attestation of foreign language
 - Verification that actual patient is not being used
- Click "CONTINUE" after electronically signing (check box).



VI. How to Modify a Pending Submission

- To modify a submission, the user will click “DELETE SUBMISSION” and then follows the previously outlined steps to submit their advertising / marketing materials.
- Prior to payment (in a status of “Awaiting Payment”). Only submissions in the status of “Awaiting Payment” are capable of being modified. Refer to Remediating and Uploading Revised Advertising / Marketing Materials for Review on page 9, if user is seeking to remediate their submission.

SUBMISSION DETAILS

Document Identification Number 21

Created By	someone@dispensary.com
Date Created	07/18/2018
Submission Type	Advertisement
Status	Awaiting Payment
File Name	logo.png
License(s)	MMD.04002
Advertisement Distribution	Direct Mail Dispensary Webpage
Advertisement Visibility	Public
Advertisement Frequency	once a month over the next year

▶ CONTINUE TO PAYMENT | ⬇ DOWNLOAD DOCUMENT | ✕ DELETE SUBMISSION | 🖨 PRINT PAGE
CLOSE WINDOW



VII. Payment for Marketing and Advertising Submission

- Following successful submission, users are prompted to click on “PROCEED TO PAYMENT”.
- Enter payment information (accepted forms of payments are credit cards from American Express, Discover, Mastercard and Visa). There will be a \$2.00 service fee for each credit card transaction.




Pharmacy Board - Advertising Approvals

Enter Payment Information

Please enter your credit card payment and billing information below. All of the fields marked with an asterisk are required.

For assistance locating the card security code, please select the following:

Locate Card Security Code

Pharmacy Board - Advertising Approvals Payment Summary

Total	Dispensary Application Fee
\$100.00	\$100.00

Pharmacy Board - Advertising Approvals Service Fee Payment Summary

Total	Card Service Fee
\$2.00	\$2.00

- The following message appears when a payment has been submitted successfully. Please note receipts are not emailed. For full submission details, including receipts, users should click on “VIEW SUBMISSION HISTORY”.



Your payment for advertising approval has been received.

To view the payment details close this window and go to the "View Submission History" section and then view your submission.

CLOSE WINDOW

MEDICAL MARIJUANA DISPENSARY ACCOUNT

My Account

Submissions

Sign Out

VIEW SUBMISSION HISTORY

NEW SUBMISSION INFORMATION

Select license(s) for which this submission will apply to

Note: Selecting multiple licenses will not increase

Sample Business #1

Sample Business #2

- Click on "View" to see full submission details, including receipts.

SUBMISSION HISTORY

	Date Created	Created By	Submission Type	Status	License(s)
View	07/24/2018	someone@dispensary.com	Advertisement	Remediation	MMD.04002
View	07/22/2018	someone@dispensary.com	Advertisement	In Review	MMD.04004
View	07/18/2018	someone@dispensary.com	Advertisement	Compliant	MMD.04003



PAYMENT INFORMATION

Amount	100.00
AmountLine1Name	Advertising/Marketing Fee
AmountLine1Value	100.00
AmountLine2Value	0.00
Status	Authorized
DateAuthorized	7/26/2018 9:55:11 AM
BillingAddressLine1	77 S. High St.
BillingCity	Columbus
BillingEmail	someone@dispensary.com
BillingFirstName	John
BillingLastName	Doe
Billing State	OH
BillingEmailReceipt	False
BillingZip	43215
BillingPhoneNumber	6142134567
CreditCardNumber	1111
CreditCardType	Visa
PaymentType	Credit
CardServiceFee	2.00
CardServiceFeeDesc	Card Service Fee
TotalAmount	102



DOWNLOAD DOCUMENT



PRINT PAGE



CLOSE WINDOW

- After successful payment, the status of the submission changes to "In Review". Submissions cannot be changed while in a status of "In Review".
- After advertising / marketing materials are submitted, the Board will review and make a determination as to whether the submission is compliant or needs remediation. After a determination has been made, an automated email will be generated to all users associated with the submission providing a review status update (e.g. Compliant, Remediation).



VIII. Remediating and Uploading Revised Advertising / Marketing Materials for Review

- If a submission has been returned for remediation, users will receive an email with guidance on how to remediate.
- Upon Log In to the portal and navigating to the “Submissions” link, click on “VIEW SUBMISSION HISTORY” to see submissions in need of remediation.

SUBMISSION HISTORY					
	Date Created	Created By	Submission Type	Status	License(s)
View	07/24/2018	someone@dispensary.com	Advertisement	Remediation	MMD.04002
View	07/22/2018	someone@dispensary.com	Advertisement	In Review	MMD.04004
View	07/18/2018	someone@dispensary.com	Advertisement	Compliant	MMD.04003

- Click on the “View” link to see details on remediation including an explanation of why the submission is not compliant with Rule [3796:6-3-24](#).

REMEDiate DOCUMENT

SUBMISSION DETAILS

Document Identification Number 32

Created By someone@dispensary.com

Date Created 07/26/2018

Submission Type Advertising, Marketing and Signage

Status Remediation

Review Category Includes cartoon character or other character that targets youth

Review Comments Buddy is not allowable

File Name IBM.pdf

License(s) MMD.04005, MMD.04006

Advertisement Distribution Dispensary Webpage

Advertisement Visibility Public

Advertisement Frequency Over the next 6 months

- Attach the remediated advertising / marketing materials.



MEDICAL MARIJUANA DISPENSARY ACCOUNT

[VIEW SUBMISSION HISTORY](#)

NEW SUBMISSION INFORMATION

Select a document to upload No file chosen
*Click here for a list of acceptable file types

[▶ CONTINUE](#)

- After remediated advertising / marketing materials are submitted, the Board will review and make a determination as to whether the submission is compliant or needs further remediation. After a determination has been made, an automated email will be generated to all users associated with the submission providing a review status update (e.g. Compliant, Remediation).



IX. Rejection of Advertisements / Marketing Material and Next Steps for PDLs

The process for rejection of an advertising / marketing materials submission where remediation is not possible or practical is still under development.

X. Health Claim Review

- If the submission includes a health claim, the submission will be returned for remediation and outline the next steps for the dispensary employee. This may include providing suggested language to use in lieu of the existing health claim.
- The dispensary employee may either:
 - Remove / revise the health claim
 - Submit supporting substantial evidence or substantial clinical data for the Board to review
- The Board's Health Claims Review Committee will assess the supporting evidence and recommend to the Board whether to permit or prohibit the use of the material. The Committee will meet quarterly to review supporting evidence and make recommendations to the Board. Committee meetings will be open to the public.
- The Board will take the Committee's recommendation under advisement and decide whether to adopt, reject or amend the recommendation.

NOTE: No advertisement related to the safety or efficacy of marijuana is authorized unless supported by substantial evidence or substantial clinical data. When a health claim is proposed, the submission will be returned for remediation, the Board may require a specific disclosure (this will be communicated via the advertising / marketing materials portal), make a recommendation or prohibit the use of the material.

- 1) All evidence purporting to support a definitive health claim must be advanced to the Board's Health Claims Review Committee.
- 2) All surveys purporting to support summarized results must be advanced to the Board's Health Claims Review Committee.
- 3) If a specific disclaimer is included it must be included immediately after the statement in question and not at the end of the advertisement.
- 4) Disclaimers cannot be in small print but must be in the same size and font as the statement itself.