

Information and advertising



Goals of fact-based information

- Information about the **advantages of legal cannabis products** over illegal products (e.g. quality)
- Information about the effects as well as potential side effects and dangers
- Targeted education of consumers promotes health protection and differentiation from the illicit market

Arguments for & against regulated information & advertising

- **Destigmatization**
- **Differentiation from the illegal market** (Meadows, 2019)
 - The illegal market does not need to advertise because it is already established
 - Advertising bans make it difficult for legal cannabis providers to build awareness
- **Differentiation of emerging brands from each other**
 - Differences in product quality (high, medium, low)
 - Company values (e.g. sustainable, inclusive, innovative)
- **Differentiation of individual products from each other**
 - To avoid misleading sales
 - Criteria for differentiation:
 - Manufacturing (organic vs. conventional vs. pharmaceutical; local vs. imported)
 - Odor, taste (terpene spectrum and total content)
 - Effect (e.g. calming, stimulating, creative etc. due to a specific cannabinoid as well as terpene content)
 - Form of application and its advantages
 - Variety name (recognition value)

Marketing activities could influence the **extent** and **patterns of drug use** (Rolles & Murkin, 2016)

Minors could see advertisements and be **enticed to use** (Rolles & Murkin, 2016)

Recommendations for regulation

- Permitting information and advertising given that the **intention to buy exists**
- Avoidance of misleading information and subsequent sales
- No advertising if there is no intention to buy
- **Conduct educational campaigns** ("protective demarketing") that promote responsible consumption but do not seek to completely prevent or eliminate consumption (Wesley, Murray 2021) (similar to the "Know Your Limit" alcohol campaign)
- Launch educational campaigns early **before the law takes effect**

Factsheet: Cannabis legalization

Information and advertising

1. Specifications as for alcohol (Deutscher Bundestag, 2021)

**Advertising allowed:**

- In print media, internet, TV (from 6 p.m.), radio, sponsoring

Not permitted:

- Advertising to minors
- Effect claims
- Present high potency in a positive way

Pro: Best solution against the illicit market, equality with alcohol, destigmatisation

Contra: Could arouse curiosity among non-users and young people, normality could create a trivialising impression

2. Specifications as for tobacco (Bundesregierung, 2020)

**Advertising allowed:**

- On posters at the direct point of sale

Not permitted:

- Advertising in print media, TV, radio, internet, outdoor advertising, sponsoring.
- Free distribution of products

Pro: Equality to tobacco, illicit market is suppressed more effectively, consumers are reached, product differences can be communicated

Contra: Could arouse curiosity among non-consumers

3. Advertising to professionals and consumers (Government of Canada, 2019)

**Advertising allowed:**

- Newsletter to persons of legal age
- On own website with age verification
- Within the shop/at the point of sale
- Branding of product packaging

Pro: Advertising only to existing customers, no additional incentive to consume

Contra: Insufficient displacement of the illicit market, no equality with legal drugs and stimulants thereby perpetuating stigma

4. Advertising only to professionals (Heilmittelwerbegesetz, 1965)



Same requirements as for medicinal cannabis

- Advertising only in the form of product information to professionals (pharmacies, staff in specialist shops)
- White product packaging

Pro: No consumption incentives whatsoever

Contra: Product differences difficult to communicate, hardly any education, illicit market displacement difficult

Open

Restrictive

Sources

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- Government of Canada (2019): The *Cannabis Act* and *Cannabis Regulations* - Promotion prohibitions <https://www.canada.ca/en/health-canada/services/drugs-medication/cannabis/laws-regulations/promotion-prohibitions.html>
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- Meadows (2019): Cannabis Legalization: Dealing with the illicit Market https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3454635
- Wesley, Murray (2021): To Market or Demarket? Public-Sector Branding of Cannabis in Canada. *Administration & Society*. 2021;53(7):1078-1105. doi:10.1177/0095399721991129