



**Getting it Right**  
·from the Start·

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Advancing Public Health & Equity in Cannabis Policy

# The Intersection of commercial tobacco, electronic cigarettes and marijuana

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Senior Advisor

Public Health Institute

Lung Mind Alliance - Minnesota

June 5, 2023

# Getting it Right from the Start's Mission

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To collaboratively develop, test models and provide technical assistance on cannabis policy with the goal of protecting public health, youth, and social equity

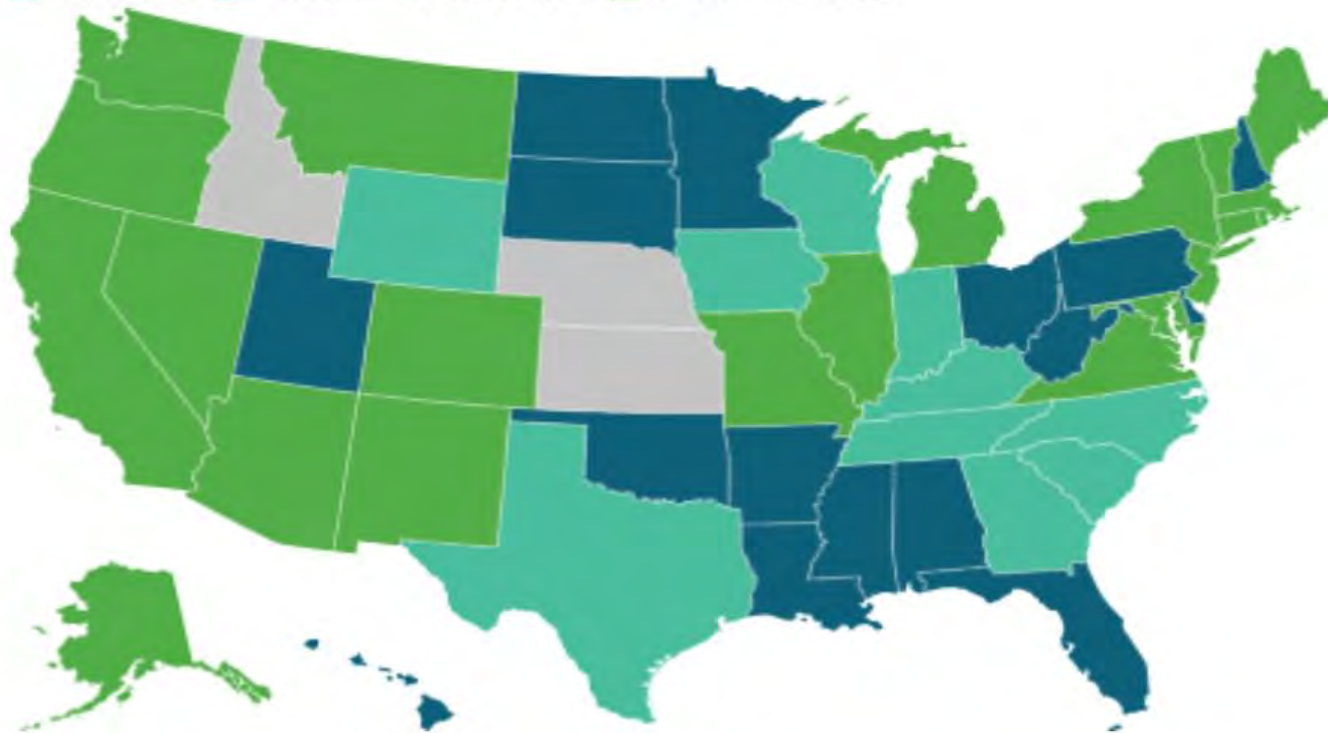
Have worked with over 100 state and local jurisdictions in the US and Canada

Produced model laws for California cities and counties



## Where marijuana is - and isn't - legal in 2023

■ CBD/Low THC ■ Medical ■ No public program ■ Recreational & Medical



Map: Addy Bink & Alix Martichoux, NMW • Source: [National Conference of State Legislatures](#) • [Get the data](#) • Created with [Datawrapper](#)

# What is driving legalization in the first place? Will it fix it?



Systemic Racism  
in Drug Policy  
Enforcement



Mass  
Incarceration



Trafficking  
Related Violence



Prohibition  
didn't work



Increasingly,  
profit



# MINNESOTA



ACLU

## 2018 SUMMARY

Minnesota ranks

**8<sup>th</sup>**

in the nation for largest racial  
disparities in arrests for  
marijuana possession

Black people were

**5.4x**

more likely than **white**  
people to be arrested  
for marijuana possession ↓

Arrests for the **possession** of  
marijuana made up

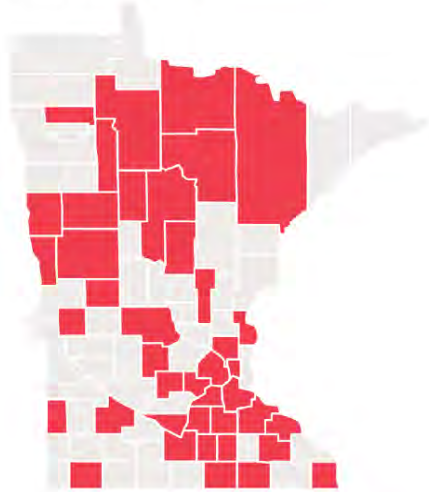
**35%**


of all drug arrests in  
the state ↓

Direction of → indicates increase  
or decrease since 2010.

## BY THE COUNTY

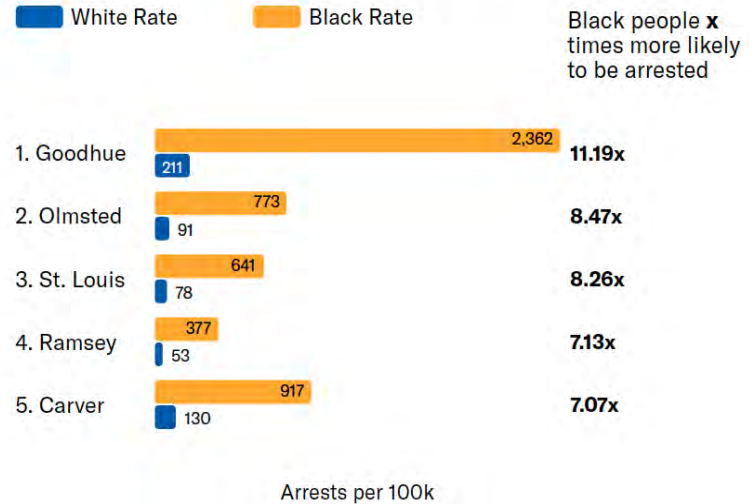
All counties with **racial disparities** above the national average (3.64x)



 Minnesota decriminalized marijuana possession in 1976.

## Counties with the largest racial disparities

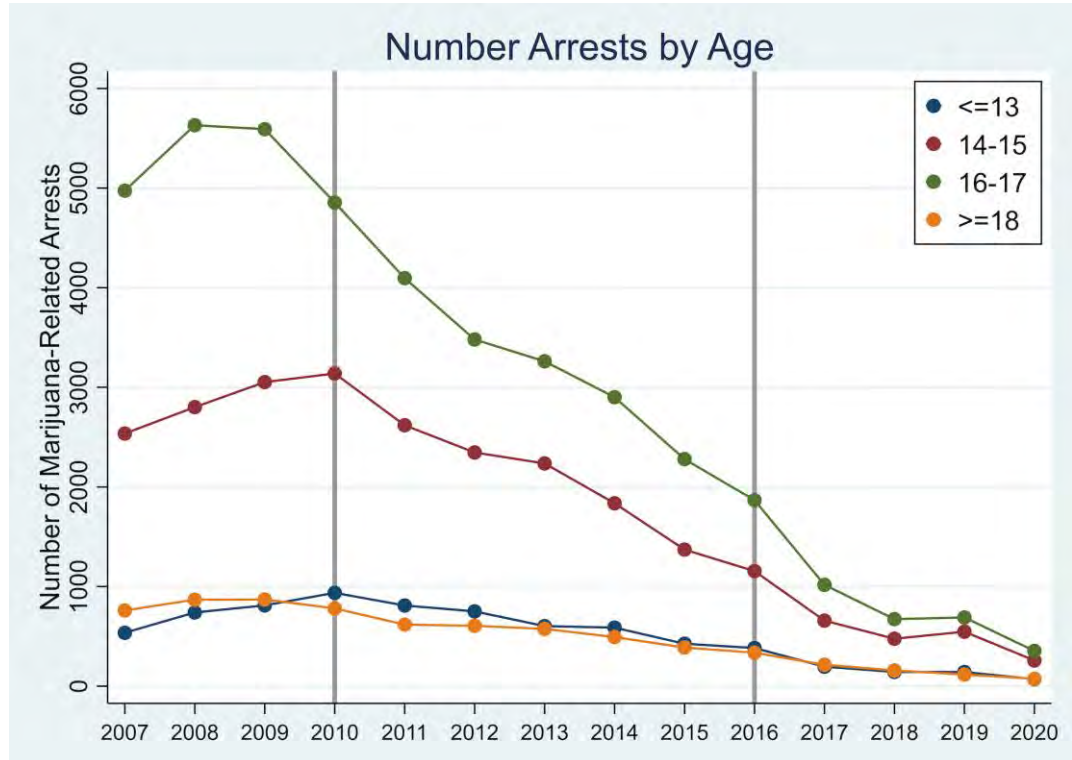
Counties with a pop. of >30,000, a Black pop. of >1%, a data coverage of >50%, and at least 25 marijuana possession arrests are included.



# Criminal Justice — Major Progress!

A 98% Decline in Marijuana Possession Arrests California 2009-2020

- Most decline pre-dated legalization
- In 2020 there were **2,711** of 168,460 drug possession arrests
- In 2009 these were **62,585** of 209,861 drug possession arrests
- **87% of eligible criminal records** expunged by 2023



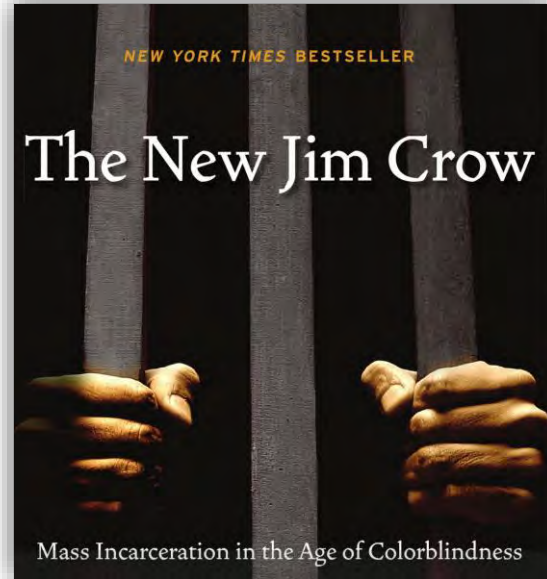
Source: PHI from FBI Crime Data Explorer; California DOJ 2023



# Decriminalization

- Decriminalization is key; creating a for-profit-industry is not.
- Eliminate criminal penalties, even for underage possession.
- BUT don't eliminate substantial penalties for big illegal grows, environmental damage, and violent cartels.
- Also consider broader approaches to reduce systemic racism in policing.

This Photo by Unknown is posted on [newjimcrow.com](http://newjimcrow.com)





# Expunging Criminal Records



This Photo by Tracy Nguyen is posted on [nytimes.com](https://www.nytimes.com)

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A criminal record is a lifelong obstacle to employment, housing, scholarship, and other paths to success.

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Many legalization laws call for expunging certain non-violent, cannabis-related criminal charges

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This may be the single most important equity benefit and can be done independently of legalization.

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**Lesson:** Just allowing cannabis is not enough.

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# Emerging juggernaut

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- Still Schedule 1 federally
- Still a policy of federal “forbearance”
- Cannabis industry is a growing juggernaut with increasing political power
- Companies like Altria and Constellation now leading coalitions
- Strong pressure for state and Federal legalization
- Growing global footprint





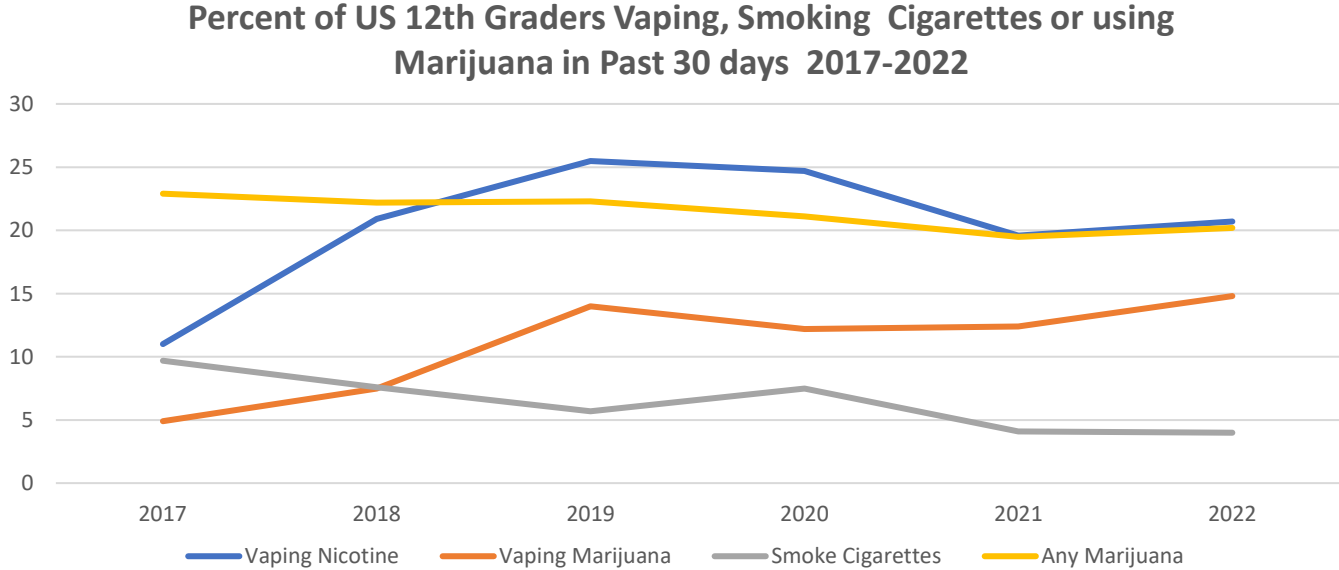
# The New Triangulum





What are the trends in use?

# Cannabis use far exceeds cigarettes and ties or exceeds nicotine vaping in US 12<sup>th</sup> graders



Source: Monitoring the Future 2022

# Daily Use by Teens

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- In 2022 among US 12th graders:
  - 2.1% were vaping cannabis DAILY
  - 6.2% were vaping nicotine daily
  - 1.6 % were smoking cigarettes

Source: Monitoring the Future 2022



# US Young Adults 19-30 Yrs

Marijuana use exceeds past 30 days  
cigarette use + vaping nicotine in 2021

The most prevalent substances used by young adults ages 19 to 30 in 2021 were:

	<b>Past 12 months</b>	<b>Past 30 days</b>
<b>Alcohol</b>	81.8%	66.3%
<b>Marijuana</b> (any mode)	42.6%	28.5%
<b>Vaping Nicotine</b>	21.8%	16.1%
<b>Vaping Marijuana</b>	18.7%	12.4%
<b>Cigarettes</b>	18.6%	9.0%
<b>Other Drugs</b> <sup>1</sup>	18.3%	7.5 %

<sup>1</sup> Source: Monitoring the Future 2021



US Adults  
35-50 y.o.

Marijuana use far exceeds cigarettes

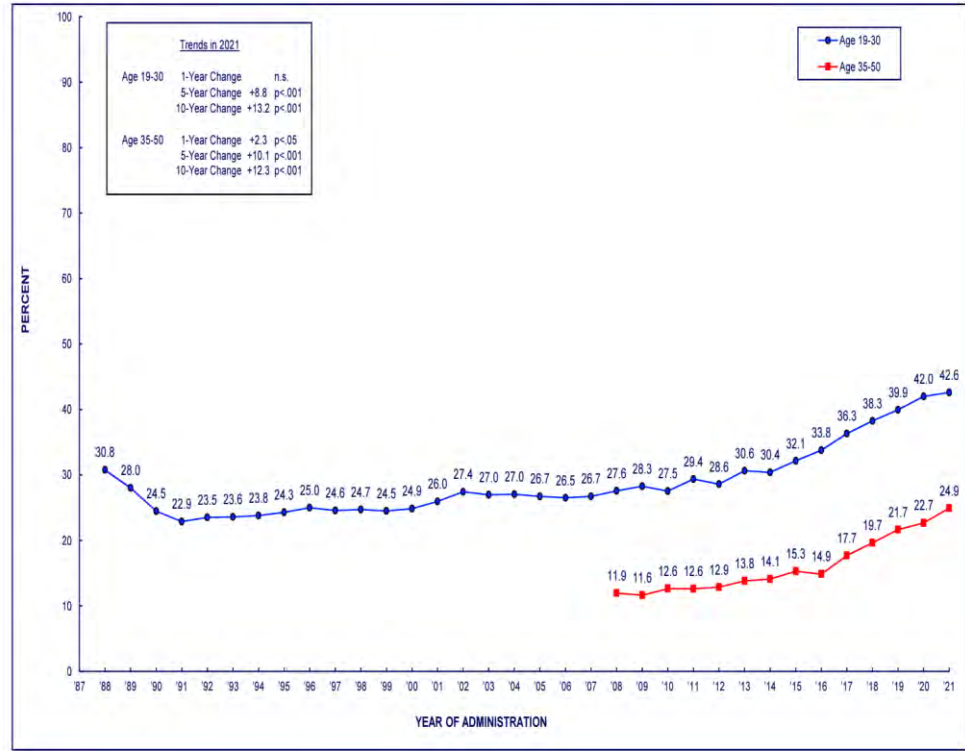
The most prevalent substances used by adults ages 35 to 50 in 2021 were:

	<b>Past 12 months</b>	<b>Past 30 days</b>
<b>Alcohol</b>	84.8%	71.4%
<b>Marijuana</b>	24.9%	15.8%
<b>Cigarettes</b>	14.5%	10.4%
<b>Other Drugs<sup>1</sup></b>	11.2%	5.5 %

Source: Monitoring the Future 2021

# Trends: Marijuana Use 12 Month Prevalence in Adults 1987- 2021

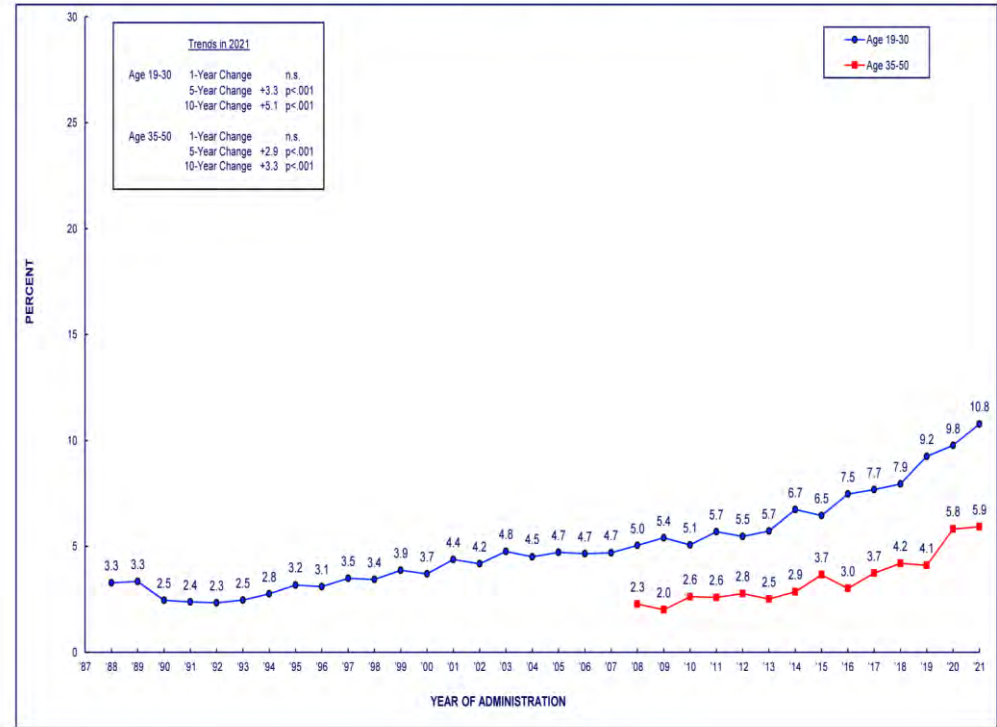
FIGURE 1  
**MARIJUANA**  
Trends in 12-Month Prevalence  
among Respondents of Modal Ages 19 through 50, by Age Group



Source: Monitoring the Future 2021

Trends:  
 The Real Problem –  
 Daily Marijuana Use  
 in US Young Adults  
 19-30 y.o **TRIPLED** and  
 Adults 35-50 y.o  
 1987-2021 almost  
 tripled

**FIGURE 3**  
**MARIJUANA**  
 Trends in 30-Day Prevalence of Daily Use  
 among Respondents of Modal Ages 19 through 50, by Age Group



Source: Monitoring the Future 2021

# Big Cannabis - the Rebirth of Big Tobacco? The new **Lernaean Hydra** Λερναῖα Ὕδρα



*Cutting off one arm for  
another to grow back*

*Remember - Heracles did  
eventually slay Hydra - but he  
needed help*

# Cannabis & Hemp 101

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- Cannabis sativa has 500+ components, 100+ unique to cannabis “cannabinoids”
- Key cannabinoids are:
  - Delta-9-THC – the main psychoactive ingredient
  - Cannabidiol (CBD) non-intoxicating
- Hemp v. Cannabis
  - Same Cannabis sativa plant but <0.3% Delta-9-THC
  - Legalized by 2018 Farm Bill and in MN as low potency edibles
  - But many have new artificial cannabinoids (Delta-8; THC-0, THC-P, HHC, etc) of unknown safety



# Why Worry? Some Proven Evidence of Benefit



Chemotherapy induced nausea



Approved pharmaceutical Epidiolex (cannabidiol) for rare difficult to control form of epilepsy



Certain forms of chronic pain



Cachexia



Multiple sclerosis associated spasticity

But also many examples of “state approved medical uses” for which evidence is limited or non-existent

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Increasing appetite with HIV/AIDS

Tourette syndrome Post-traumatic stress disorder

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Anxiety

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Dementia (cannabinoids)

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Glaucoma

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Parkinson’s

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Treating addiction



# Why worry about legalizing sale? Substantial Evidence of Harm with Use

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Low birth weight

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Schizophrenia and psychoses

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Increased motor vehicle crashes

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Respiratory illness, including severe lung disease with vaping

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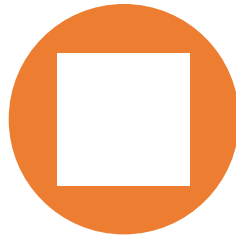
Problem use associated with early onset of use and frequency of use

Source: National Academies of  
Science, Engineering, and Medicine, 2017, CDC 2019

# Rapidly emerging evidence



COGNITIVE,  
ACADEMIC AND  
SOCIAL EFFECTS



GROWTH IN  
CANNABIS USE  
DISORDER

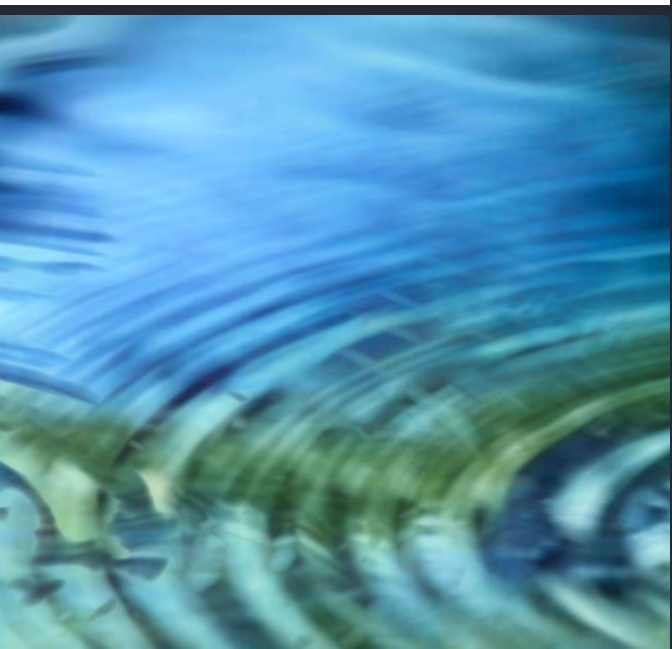


ACCIDENTAL  
INGESTION AND  
OVERDOSE



CARDIOVASCULAR  
DISEASE

## Bad News: California Examples



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Tripling of daily or near daily use  
in adults 26+ 2008-9 to 2018-  
2019

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Major increases in use during  
pregnancy, vary with retailer  
density

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75% Increase in cannabis related  
ER visits in CA 2016-2020,  
including increasing psychosis



Ending racism in  
cannabis related  
arrests is critical

There are other areas of  
inequity that will be  
worsened if cannabis use  
increases

Some are similar to  
tobacco, others differ



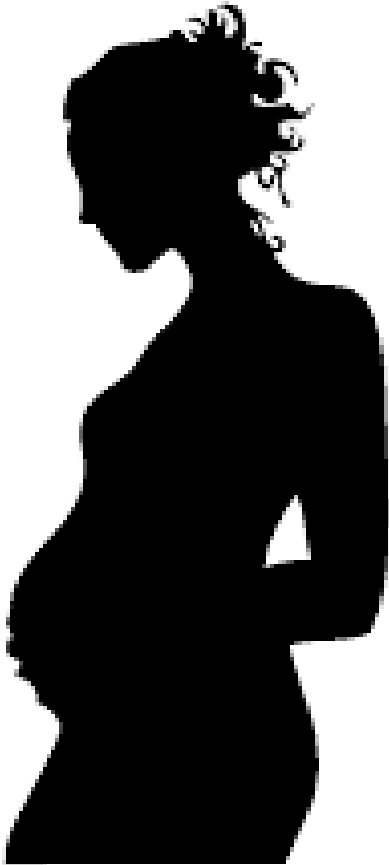
Cannabis and Brain  
Development: the  
most vulnerable  
periods are  
pregnancy and  
adolescence

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# Cannabis Use Rising in Pregnant Women

- From 2009 to 2016, cannabis use among pregnant women in CA increased from 4% to 7%
- 25% increase in first 9 months of pandemic





# More retailers close to home = More use during pregnancy in Kaiser Northern CA

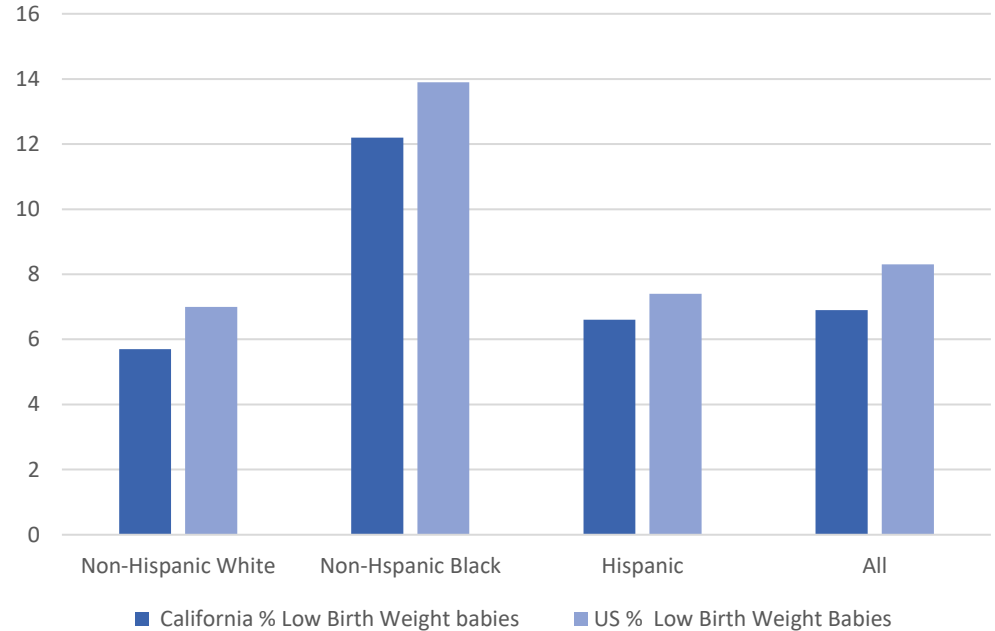
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- 39,000 women with 2018 pregnancies
- 30% more likely to use if > 6 retailers in less than 15 minute drive
  - *aOR for 1-2 retailers, 1.16 [95% CI, 1.02 -1.32]; P = .02*
  - *aOR for 3-5 retailers, 1.20 [95% CI, 1.06-1.35]; P = .004*
  - *aOR for ≥6 retailers, 1.29 [95% CI, 1.17-1.42]; P < .001*



Pre- existing  
disparities  
for the black  
community:  
Low Birth  
Weight

Newborns at Low Birth Weight by  
Race US and California 2017



National ABCD  
Study: *in utero*  
exposure  
associated  
higher rates of  
psychopathology  
and neurological  
impacts at  
age 9

- 11 489 children mean age, 9.9
- 655 (5.7%) were exposed to cannabis prenatally.

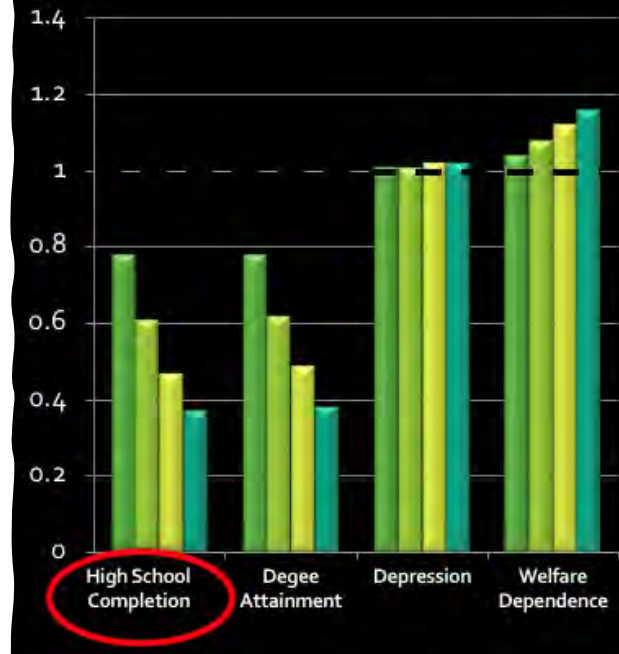
**Cannabis exposure only before (413 [3.6%]) and after (242 [2.1%]) maternal knowledge of pregnancy associated with greater offspring psychopathology**

- Psychotic like episodes
- Lower cognition and gray matter volume
- Internalizing, externalizing, attention, thought and, social problems
- Sleep problems

Source: Paul, JAMA Psychiatry. 2021

## Education: Frequency of Cannabis Use Before Age 17 and Adverse Outcomes at 30 years (n=2500-3700)

- **Consistent dose-response**
- **associations between frequency of**
- **adolescent cannabis use and adverse**
- **outcomes**

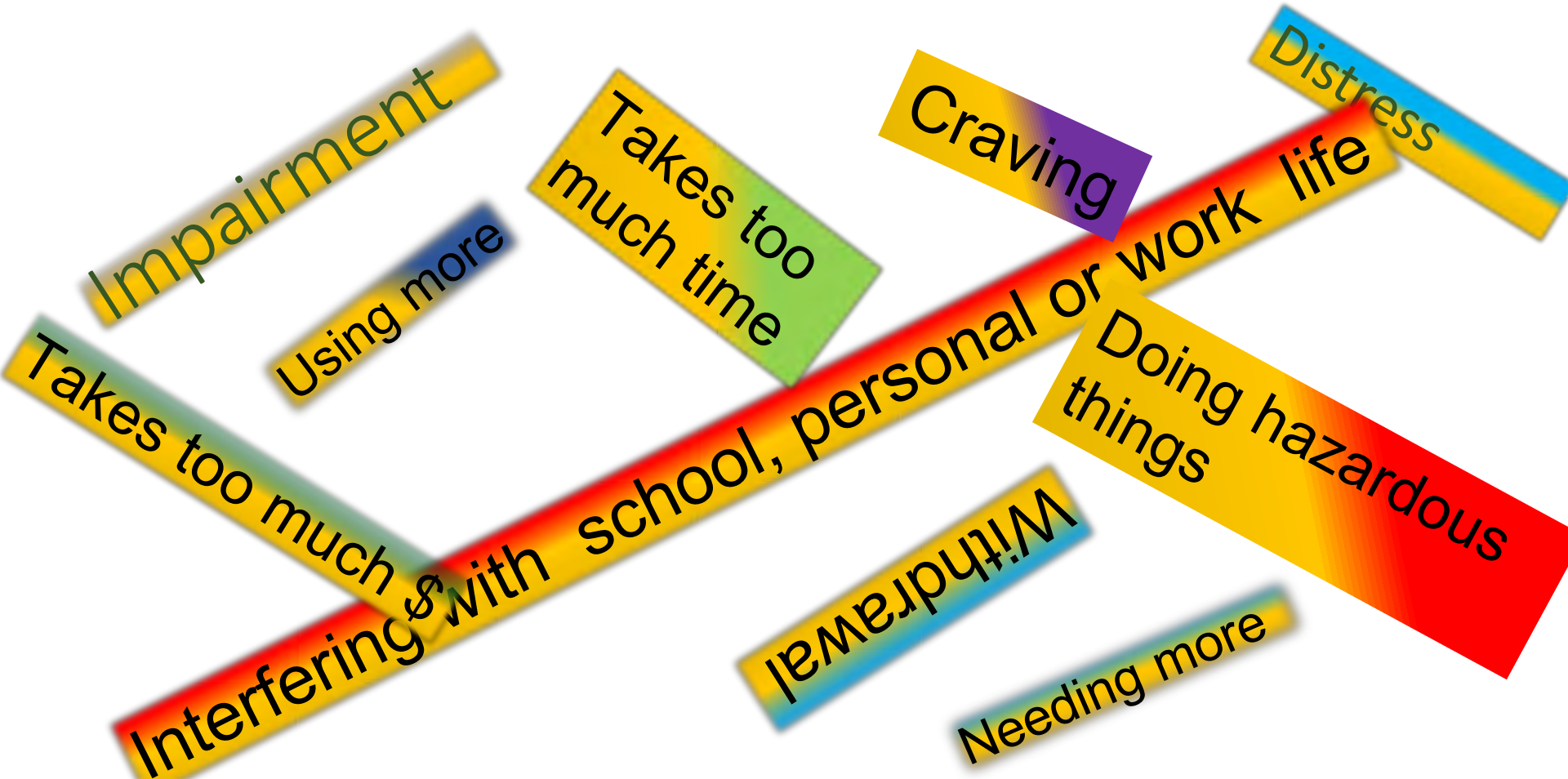


- Less than Monthly
- Monthly or More
- Weekly or More
- Daily

Frequent  
“High  
Potency”  
Cannabis use  
(> 10%) and  
new  
psychosis

- **Daily** cannabis use associated with **three-fold higher odds of psychotic disorder**
- **Daily use of high-potency** types of cannabis associated with **five-fold higher odds of psychotic disorder**
- **Population attributable fraction** of first episode psychosis to high potency (>10% THC) :
  - **12·2% (95% CI 3·0-16·1) across the 11 sites**
  - 30·3% (15·2-40·0) in London
  - 50·3% (27·4-66·0) in Amsterdam.

# Cannabis Use Disorder – what does it mean?



# Cannabis use disorder


- Developed in approximately 9% of users (in potency pre-history)
- One in six of those who start in adolescence



# Cannabis and Respiratory Disease

- Smoking cannabis on a regular basis is associated with:
  - more frequent chronic bronchitis episodes
  - worse respiratory symptoms, such as chronic cough and phlegm production, but
- Quitting cannabis smoking is likely to reduce these conditions.
- Not associated with lung cancer

Source: National Academies of Science, Engineering and Medicine 2017





Three  
Dangerous  
Areas Where  
the Cannabis  
Industry is  
Borrowing  
from Big  
Tobacco's  
Playbook



Manipulating Potency  
thereby Increasing the Risk  
of Addiction and Psychosis



Creating flavored and other  
diverse products aimed at  
attracting youth



Shameless and misleading  
marketing of products

# Inhaled

Today 15-30% THC

**Flower**



90-99% THC

**Concentrates  
(shatter)**



**(budder)**



70-90% THC

**Vape  
(vape oil)**



**Wax Pens  
(concentrat**



**eVod Wax Pen**

**Bubble Hash,**

**Crumb**



**Resin**



**Hash**



**Kief**



# Oral

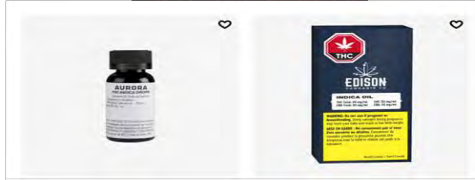
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## Capsule



**4.75mg THC**  
**0.25mg CBD**

## Oil, Tincture

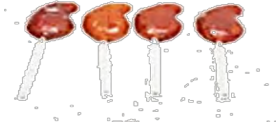


## Lozenge



**5.25mg THC**  
**<0.1mg CBD**

## Edibles (gummies, candies, etc.)



**6mg THC**



**10mg THC**

## Beverages



**45mg THC**



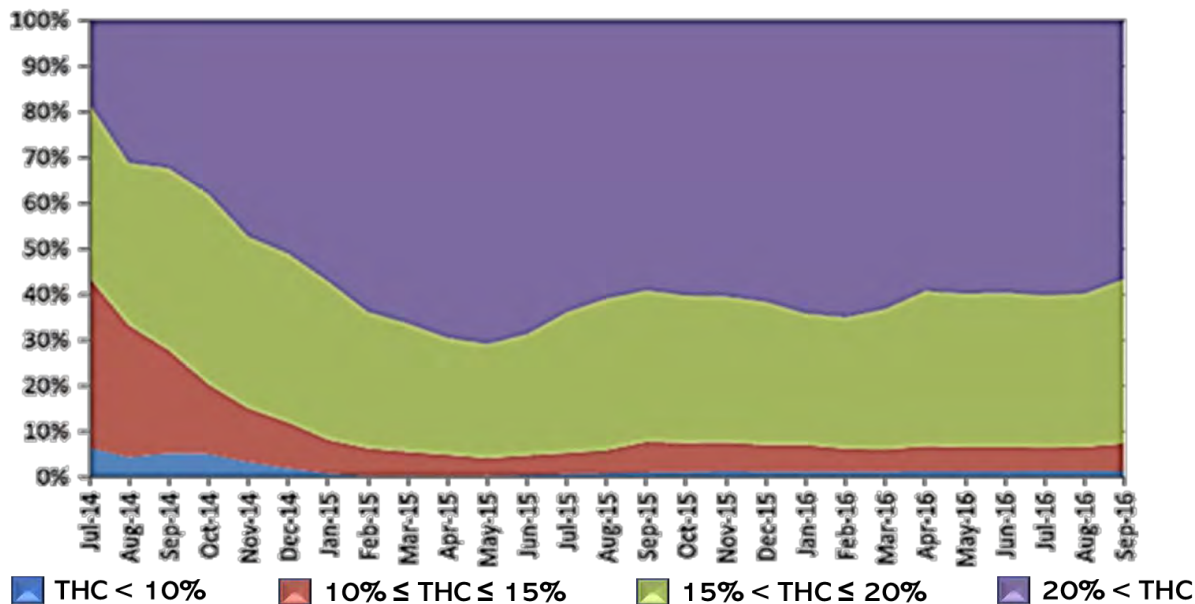
**10mg THC**

# US Cannabis Market - Not your mama's marijuana

- Complete transformation from traditional cannabis to sinsemilla, concentrates and other edibles
- Dominated by high-potency cannabis (high in  $\Delta$ -9-tetrahydrocannabinol [THC] and low in cannabidiol), with THC content steadily increasing worldwide from 2-5% to 15-30% in flower and 40-90% in concentrates
- High-potency cannabis associated with greater risk of psychotic symptoms, depression, anxiety, and dependency

Source: Wilson, Lancet Child & Adolescent Health 2019; El Sohly, 2016 Biological Psychiatry, , Chandra 2019 Eur Arch Psychiatry

# The Disappearance of Traditional Weed Legal Adult-Use Cannabis Sales in Washington State 2014-2017



Sources: Smart, et al. (2017)

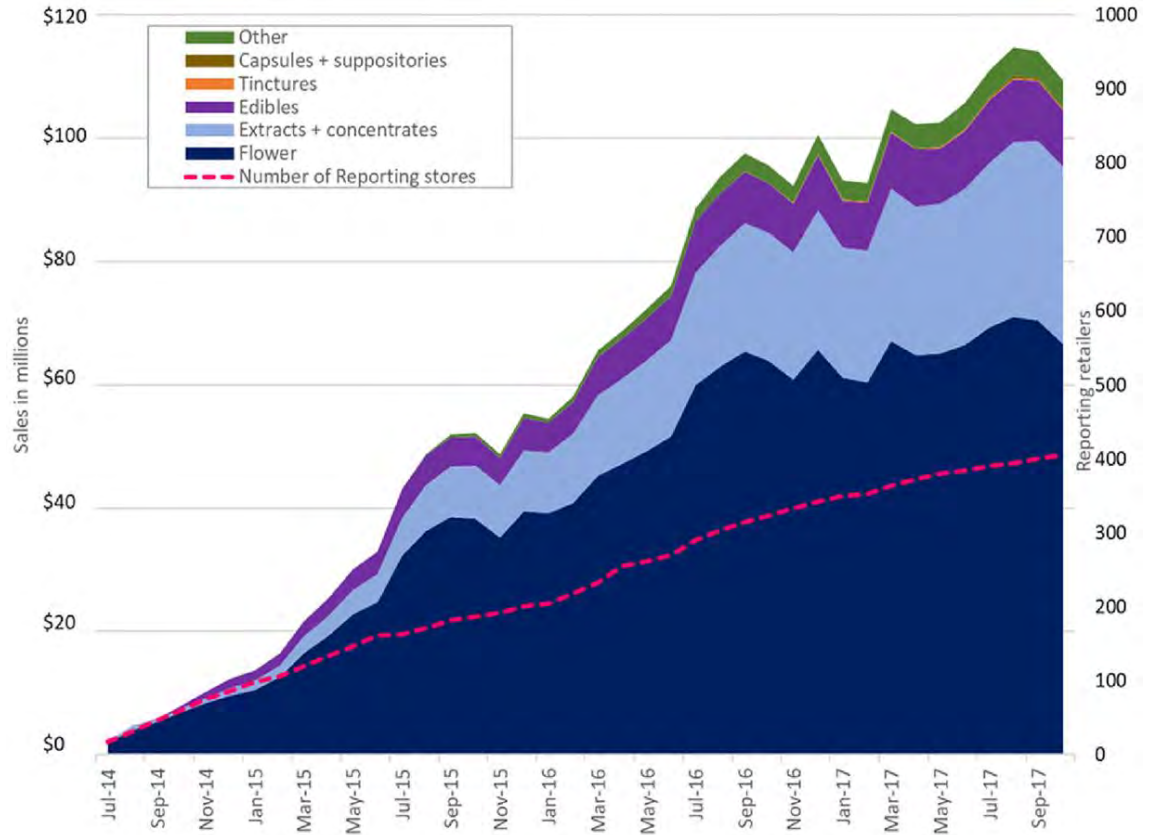


**Getting it Right**  
·from the Start·

Regulation of Recreational Marijuana

# Concentrates and Extracts are Fastest Growing Segment WA 2014-2017

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# Does this sound familiar?

## Judge Kessler in *US v Philip Morris*

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*“Defendants have long known that nicotine creates and sustains an addiction to smoking and that cigarette sales, and ultimately tobacco company profits, depend on creating and sustaining that addiction..... .....Defendants have designed their cigarettes to precisely control nicotine delivery levels and provide doses of nicotine sufficient to create and sustain addiction.”*



# Cannabis Industry 2023 -Ramping up the lobbying game

Demanding  
Legalization &  
Deregulation

Expanding  
intoxicating “hemp”

Demanding end to  
local control

Compromising  
smoke free air in  
parks, “cannabis”  
restaurants and bars

Disseminating  
misinformation and  
alternate facts

Demanding tax cuts





To what extent are our  
cannabis policies addressing  
these challenges?

The California  
Case: State  
Regulatory  
Framework –  
A Recipe for  
Addiction

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Allows rampant marketing

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No restrictions on potency or flavors

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Health and therapeutic claims allowed and inadequately monitored

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No limits on number of licenses unless banned or restricted by local government

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Invisible health warnings in 6 point font

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No state equity provisions in licensing

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Positives include local control, taxation, expungement of records, specialized business

And the result  
is.....

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**80% OF KIDS**  
WHO EVER USED TOBACCO  
STARTED WITH A  
**FLAVORED PRODUCT**

Lifelong addiction often starts out sweet.

The cannabis industry has a kids' menu too – you will get it if you let them

# Examples of Legal Cannabis Products Attractive to Kids (CA)



California, along with the rest of the nation, is experiencing an explosion of children being rushed to emergency departments due to accidental ingestion/overconsumption of psychoactive cannabis products that often mimic some of their favorite brands of candy, soda, or snacks. Don't believe us?

Do you think a child could distinguish these cannabis products from the commonly sold ones or characters they are mimicking?

## Legally Sold Cannabis Products



**MacFlurry:** Flower. Imitates popular fast food chain dessert and it's branding (logo, product colors, graphics), association with ice cream flavoring.



**Cocoa Pebbles:** Flower. Prominent display of kid friendly imagery, insinuates chocolate flavor, imitates popular cereal marketed to children, use of bright green/orange colors.



**Bobbi Hill:** Flower. Depiction of youth friendly imagery, imitates popular animated tv show, it's branding (logo, colors), and characters, use of bright colors & cannabis plant graphic.



**Purple Smurf:** Flower. Likeness to classic children's cartoon/movie franchise, imitates name, logo and mushroom house imagery. Name of brand, Yogi Bear, is a variant of the name of a popular cartoon character.



**Chips:** Description of cheese and onion flavors prominently featured, imitates Fritos and Doritos chips, depiction of famous artist and their popular phrasing style.



**Sweet Treats:** Packaging and product imitates commonly sold kids rice crispy treat/cereal, features flavor description, contains multiple doses (10/packaging) not physically separated, use of bright colors.



**Gummies:** Prominent display of fruits and flavors, including tropical, marketed as having a great taste and being healthy (vegan, gluten free).



**Blunts:** Flavor description prominently featured, references specific type of chocolate product. **Concentrates:** High potency product, imitates Skittles (Zkittlez), features images of candy and implies "juiciness," use of bright colors.



**Beverages:** Each can, a normal drink size, has ten doses of cannabis. Amie's depicts a cartoon character, fruits images and a rocketship, and use bright colors. "Keef Orange Kush" imitates Fanta Orange soda.

ch



Flower

# Peak - Pink Animal Crackers - (1



Delivery from Padre Mu

\$40.00 per 1/8 oz

[View retailer](#)

Contact the retailer to buy.

## Pink Animal Crackers

Pink Animal Cookies from Peak \*\*ALL TAXES AND DELIVERY FEES INC



Favorite



Share



# Intoxicating HEMP with THC-P, Delta- 8, HHC, THC-O



*"I love this stuff, but I gave a little bite to two stoner friends and they were straight up not having a good time, bro. This stuff is strong! One of them lost her lunch and the other passed out and turned blue and had to be attended to by paramedics. I had a great time, though!" - Magic Rainbow Reviewer*

The 5000 mg package above has 50 times amount of THC in a legal cannabis edible package (100mg)



Grape Flavored  
“Blunts” with  
added  
concentrates

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# Root Beer





Edibles


## Plus Pride Rainbow Sherbet 100mg


 Pickup at ECO Cannabis

\$21.73 each

[View retailer](#)

Exclusively for in-store customers.

 Favorite

 Share

# Pride Rainbow Sherbet

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Ex. Stillzy grape flavor  
vape with 380mg THC  
in 0.02 oz.

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For Digestion's Sake—smoke Camels



664 PARACHUTE JUMPS—the amazing record of Joe Crane (below). He says: "I'm a heavy eater. Camels help me get more enjoyment. They stimulate my digestion—set me right!"



STUDYING the effect on digestion of smoking Camels (above). Hurry and worry slow up the flow of digestive fluids. Smoking Camels restores and increases this necessary flow. Try Camels yourself.

**CAMELS** *Costlier Tobaccos!*

AN ANCIENT PREJUDICE HAS BEEN REMOVED



"It's toasted"  
Lucky Strike Cigarettes



When coughs and colds



Have set you choking



A switch to KOOLS



Means tasteful smoking!

**GOT A COLD?**  
Smoke KOOLS as your steady smoke for that clean, KOOL taste!

**NEW!** Like a Doctor's  
**Cough Prescription**  
(COMBINES THREE HIGHLY EFFECTIVE COUGH MEDICINES)  
**IN CHEWING-GUM FORM!**



1. STOPS RASPY THROAT "TICKLE" ALMOST INSTANTLY
2. PENETRATES TO COLD-IRRITATED THROAT TISSUES BETTER THAN SNUFFS, CIGARETTES
3. LOOSENS PHLEGM, EASES CHEST "TIGHTNESS"—DEP-DOWN RELIEF

**DOUBLE-YOUR-MONEY-BACK GUARANTEE**—Mentacum is unconditionally guaranteed. If Mentacum does not give you faster, more satisfactory, more complete relief than any other cough medicine you ever tried, at any price, return package with unopened contents to us for double your money back. Hawthorn, Inc., Kenilworth, New Jersey.



EACH MEDIUM TABLET GIVES YOU MORE MEDICINE—AND MORE EFFECTIVE MEDICINE—THAN A WHOLE TEASPOONFUL OF A WIDELY USED PRESCRIPTION COUGH REMEDY.

Deep-Down Medicinal Relief for  
**COUGHS** due to **COLDS**  
"SMOKER'S COUGH"—COLD-IRRITATED THROAT

Now no one need be bothered by nagging, coughs due to colds... annoying "Smoker's Cough"... or raspy, cold-irritated throats. For wonderful, deep-down medicinal relief—far relief that starts in seconds—just chew amazing new Mentacum! Like a doctor's cough prescription, Mentacum gives you the comforting action of not just one, but three effective cough medicines... in handy chewing-gum form!

Mentacum instantly moistens and soothes dry, raspy throat—stops "tickle." Quickly relieves cold-irritated throat tissues that snuffs and gables may not even touch. And in coughs due to colds, Mentacum works deep-down... loosens bronchial phlegm... eases chest "tightness." You feel better faster.

Delicious—Easy to Take  
Mentacum tastes delicious. Chew it at home, at work, while driving a car. For the good of your whole family, get new Mentacum today!

Medicates as You Chew  
As you chew Mentacum, a continuing medicated bath penetrates to and soothes irritated throat tissues as no other type of cough medicine can do. Relief is amazing!

HIGHLY RECOMMENDED FOR CHILDREN



Mentacum is ideal for children as well as grown-ups. They take it gladly, when solid, because it tastes so good. And it doesn't upset even delicate digestion—doesn't spoil appetite like sugary syrups.

**MEDIGUM** 14 TABLETS 35¢

From the World's Largest Specialists in Chewing-Gum Medicines



Why Physicians Call Our New Brand  
**"A HEALTH CIGAR"**

"I recommend Thompson's MELL-O-WELL cigars to any who are interested in regaining or keeping physical fitness."  
"I am convinced that irritants, such as nicotine, glycerine, albuminoids and carbon—ordinarily, would be obliged to excess by those who are physically below par—are largely removed from Thompson's MELL-O-WELL cigars."  
"Many former patients, friends and others who have consulted me, and who, ordinarily, would be obliged to greatly curtail smoking, are now enjoying their usual allotment of cigars in Thompson's MELL-O-WELLS—with no loss of satisfaction or good health."  
(Signed) G. Edward Koehrig, M. D.  
715 South Bonnie Brae,  
Los Angeles, Calif.

Dr. Batty's



For Your Health  
**ASTHMA CIGARETTES**  
THAT ARE  
For the temporary relief of  
paroxysms of asthma  
EFFECTIVELY TREAT:  
ASTHMA, HAY FEVER, FOUL BREATH  
ALL DISEASES OF THE THROAT,  
HEAD COLDS, CANKER SOURS  
BRONCHIAL IRRITATIONS  
NOT RECOMMENDED FOR CHILDREN UNDER 16.

## Framing as “Wellness” or “Lifestyle” product & misleading claims

*“ Fortunately, cannabis has been shown to improve depression (no matter how severe), and it can do so quickly and affordably. ”*

*“ With a sour [citrus](#) and [floral](#) aroma, Ghost Train Haze delivers a potent dose of THC to knock out [pain](#), [depression](#), and [appetite loss](#)....*

*” Owner Valentia Valentine ... spoke in favor of the Synchronicity Holistics proposal, arguing that it was really a “health center” rather than a “recreational pot shop”*

Can Cannabis Shrink Tumors: Mike Voss  
Thinks So



lyp

VP, Content at HelloMD · a month ago







Feel Better



**HUGS**

ADULT USE AND  
MEDICAL CANNABIS

2035 STOCKTON BLVD.

004364

CLEARCHANNEL

Delivering more joy  
than dogs & babies  
combined.

Marijuana delivered | [eaze.com](https://eaze.com)

LIC#:a10-17-0000041

eaze

001260

Happiness



# Joe Camel's Appeal to Youth Resurrected

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Cannabis  
lounges

The background is a blue-tinted image of a document. It features a line graph with a jagged line that trends upwards from left to right. A pen is visible in the upper right corner, pointing towards the graph. The overall scene suggests a professional or analytical context, such as a legal or financial report.

Is this the legal market we  
want?

# Formula for Trouble



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High and Growing Levels of  
Exposure +

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Mass Commercialization of More  
Risky Products +

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Significant Associated Harms =

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Formula for Significant  
Population Health Harm



What should  
we be doing?

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# Uncertainty

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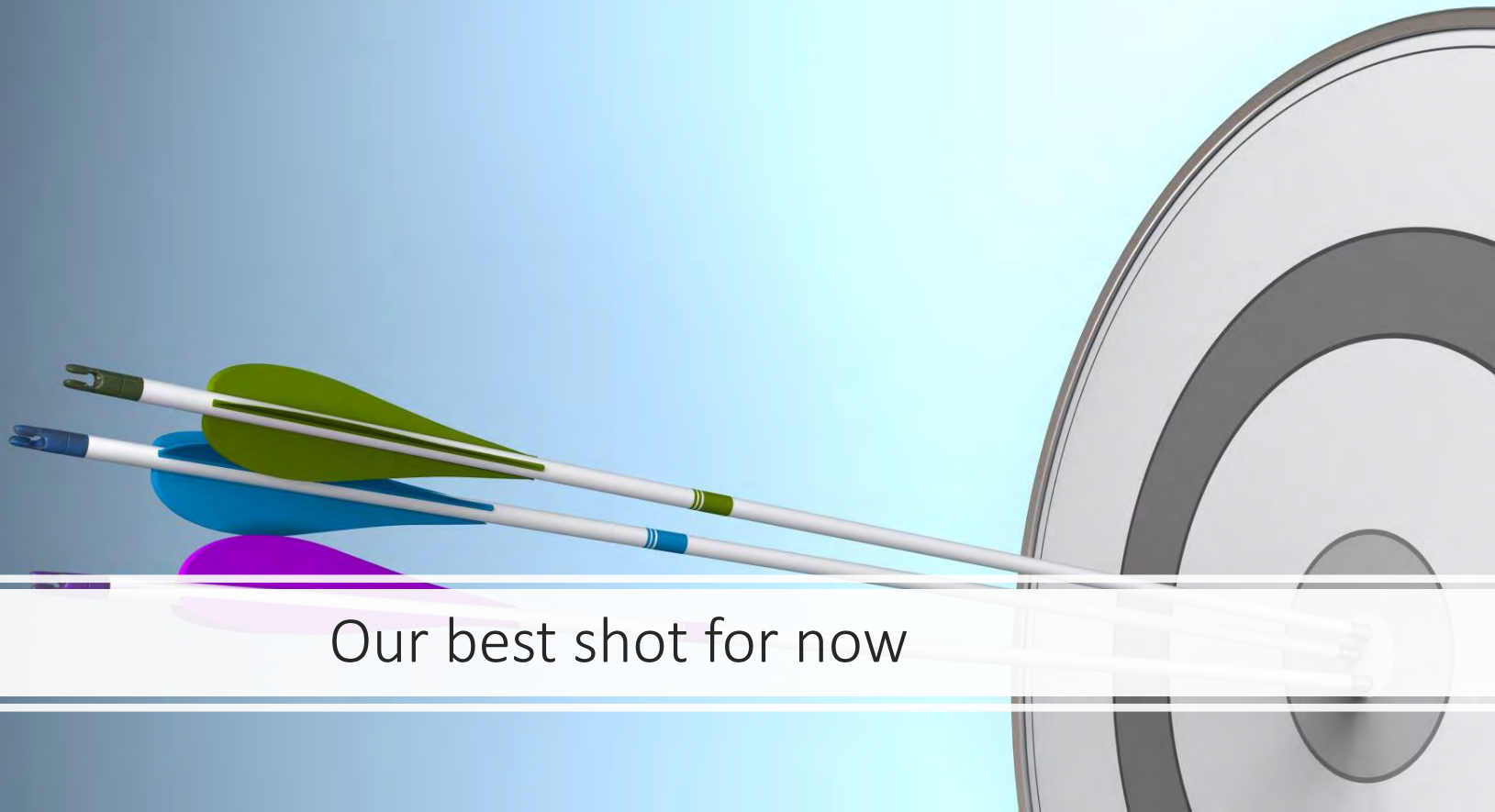
Evidence base for cannabis policy practices is still nascent

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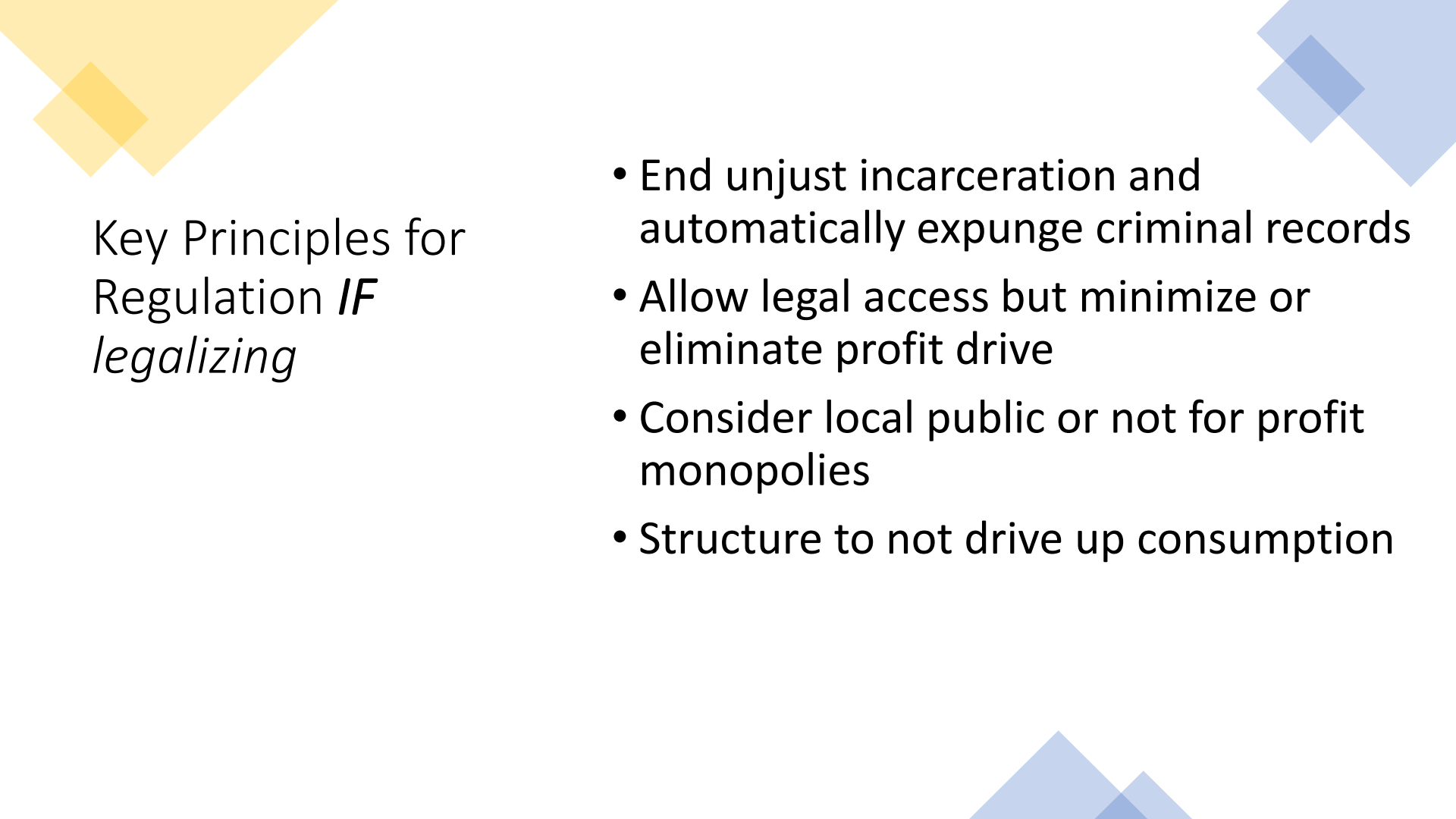
Lessons from tobacco control and other fields must be used and provides strong guidance

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But the real world won't wait – we must advocate, regulate and legislate amongst uncertainty, to the best of our ability



Our best shot for now



Key Principles for  
Regulation *IF*  
*legalizing*

- End unjust incarceration and automatically expunge criminal records
- Allow legal access but minimize or eliminate profit drive
- Consider local public or not for profit monopolies
- Structure to not drive up consumption



# Learning from Quebec, & Alcohol Monopolies

Allowing legal sales of a harmful product  
without promoting consumption



# Quebec

- Created Société Québécois du Cannabis in 2018
- Public monopoly
- Express purpose is to allow legal access **without** increasing consumption
- 30% THC Limit on concentrates
- 5mg edible serving
- No sweets, confectionaries, deserts, chocolates or other products attractive to under 21
- No substance destined to modify odour, flavor or color



# Key Principles: Products



Create authority & systems to regulate products not just issue licenses



Limit product diversification and increasing potency



Prohibit designs and flavors attractive to youth



Require plain packaging

# Canadian Plain Packaging and Warnings

## oils (17 products)

### your selection

Oils

### species

Indica (2)

Sativa (3)

Hybrid (5)


Blend (7)

Sort by: **relevance**

1



# Key Principles: Price



Tax	Tax, tax based on potency
Capture	Capture revenue for prevention and youth
Prohibit	Prohibit discounting

Key  
Principles:  
Retailers

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Limit the number and  
footprint of retailers

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Specialized business  
only

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Keep them away from  
schools

## Key Principles: Information and Marketing

Limit marketing to the maximum extent allowable

Warn and inform consumers

# IMPORTANT HEALTH WARNINGS ABOUT CANNABIS

## ARE YOU PREGNANT OR BREASTFEEDING?

According to the U.S. Centers for Disease Control (CDC), cannabis use during pregnancy can be harmful to your baby's health, including causing low birth weight and developmental problems.



Cannabis use may be associated with greater risk of developing schizophrenia or other psychoses; risk is highest for frequent users.

Smoking cannabis long-term may make breathing problems worse and vaping has been associated with serious lung disease.



## DRIVING WHILE HIGH IS A DUI.

Cannabis use increases your risk of motor vehicle crashes.

## NOT FOR KIDS OR TEENS!

Starting cannabis use young or using frequently may lead to problem use and, according to the Surgeon General, may harm the developing teen brain.



Key Principles:  
Protect smoke  
free air

No on-site consumption  
or outdoor licenses

Protect smoke-free air  
progress



Is cannabis  
smoke  
harmful?





# Smoke is Smoke

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- Just 1 minute of cannabis smoke impaired heart endothelial tissue for at least 90 minutes, more than tobacco smoke
- Particulate matter from smoking a joint is 4.4 times that from a cigarette
- Particulate matter in vaping only consumption lounge spiked 28 fold when open
- Engineering solutions do not work for smoke (tobacco or for cannabis)

Sources: Wang 2016 JAHA; Ott 2022 Sci Total Environ; Murphy 2021 Env Health Persp; ASHRAE 2020

# Cannabis industry is undermining historic progress in smoke free air by:

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- Exposing workers in cannabis consumption spaces
- Bringing back smoke-filled cannabis restaurants and bars
- Bringing smoking back to formerly smoke-free outdoor events like concerts and fairs
- Bringing advertising seeking to renormalize smoking
- Blocking smokefree multiunit housing measures







## Key Principles: Regulatory Authority



Preserve local control



Do not allow conflicts of  
interest



Establish regulatory authority  
under public health

The image features a white background with several abstract geometric elements. On the right side, a large orange semi-circle is partially visible. In the upper left, there is a solid blue circle. To its left, two vertical yellow dashed lines are positioned. Below the blue circle, a green square outline is partially shown on the left edge. In the upper right, a green triangle outline is partially visible. At the bottom left, three yellow dashed lines are scattered. The text 'We can do better' is centered within the orange semi-circle in a white, sans-serif font.

We can do better

# Minnesota – Welcome to the world of legalized cannabis

- Just passed is bill is weak and problematic
- Contradictory goals of protecting health and growing industry
- Allows parallel (not) “low potency” edibles market
- Stifles local control
- Inadequate protection for smoke free air
- Taxes too low, not potency linked
- Spoiler alert – see Rachel Callanan lecture for analysis



## Next Steps

- The regulatory fight begins
- Has been characterized by industry dominance and regulatory capture with weak public health involvement in most states
- Public health, substance abuse, tobacco leaders need to get involved NOW
- Expect a strong cannabis lobby





# Some Examples to Fight for

- Structure advisory group with PH leaders
- Work locally/state regs to fight for a local public store only model option
- Limit retailers to 1:15,000-1:20,000 people
- Protect & strengthen plain packaging provision
- Fight for strong front of pack graphic health warnings
- Limit marketing, discounting, etc.
- Limit potency
- Don't allow artificial cannabinoids
- Protect smoke-free air

# Engage



Build on tobacco control  
experience



Organize



Build coalitions



Seek funding



# PRINCIPLES FOR PROTECTING YOUTH, PUBLIC HEALTH & EQUITY IN CANNABIS REGULATION

The war on drugs has resulted in large scale unjust incarceration and other harmful social impacts. At the same time, legalizing cannabis without robust regulation and promoting the growth of an unfettered for-profit industry threatens our developing youth and public health, and risks further exacerbating social, economic, and health disparities. As a society, we have a collective responsibility to prevent or mitigate such harms. Where legalization is occurring, we can better accomplish this by putting in place strong guardrails and policies that protect youth, promote public health, and advance social equity. These should include:

## PROTECT CHILDREN & YOUTH



- Eliminate the Cannabis Kids Menu. Prohibit any products, packaging or marketing that is attractive to children or youth, such as cannabis-infused beverages, flavored products intended for inhalation, flavored wrappers, and products that resemble candy.
- Limit the number of retail outlets to fewer than 1 per 15,000 people.
- Require buffer zones between retail outlets and schools (including colleges), public libraries, and other youth-serving facilities.

## PROMOTE EQUITY & MITIGATE HARMS FROM THE WAR ON DRUGS



- Decriminalize cannabis possession, reduce cannabis-related incarceration and automatically expunge past criminal convictions for non-violent cannabis-related crimes (e.g. CA, IL).
- Capture most or all tax revenue for substance abuse prevention and treatment, mitigating negative social impacts of the war on drugs, and public education campaigns.
- Prioritize equity in licensing applicants and hiring requirements (e.g. residents of communities impacted by high drug incarceration rates, people with past cannabis convictions).

## AVERT THE EMERGENCE OF A NEW TOBACCO-LIKE INDUSTRY



- Favor public or nonprofit monopoly models to allow legal access without creating a profit-driven market (Quebec cannabis model or state alcohol monopoly models).
- Preserve local control so communities can innovate and learn.
- Prohibit conflicts of interest in regulatory bodies, advisory commissions, and for regulators and prescribers.

## PROTECT PUBLIC HEALTH



- Assure that not driving increased consumption is a system goal.
- Place public health authorities in leadership roles.
- Require prominent health warnings in stores and provide safer use information to consumers.
- Inform vulnerable groups of the risks of use, such as low birth weight when used during pregnancy, psychosis and schizophrenia and other mental health effects, traffic incidents and immigration risks.
- Extend smoke-free air restrictions to consistently prohibit smoking and vaping cannabis indoors in workplaces, multi-unit housing and in public outdoors spaces.

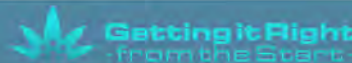
## LIMIT DANGEROUS PRODUCT DIVERSIFICATION & MARKETING



- Limit THC content, require stocking of lower THC products, and standardized 5 mg THC doses of concentrates.
- Prohibit the use of flavor additives and limit marketing of flavor names known to attract kids.
- Limit aggressive cannabis marketing, especially when visible to youth and children.
- Require warning labels on any advertising & prominent pictorial warnings on packages.
- Prohibit therapeutic or health claims for cannabis products.
- Use a specialized business model for retailers (no food or other product sales).

Download complete model ordinances for retailing, marketing and taxation at [www.gettingitrightfromthestart.org](http://www.gettingitrightfromthestart.org).

For more information, email [apadon@phi.org](mailto:apadon@phi.org).



Advancing Public Health & Equity in Cannabis Policy

 MODEL ORDINANCE  
REGULATING LOCAL  
CANNABIS RETAIL SALE  
& MARKETING IN  
CALIFORNIA

FEBRUARY 2021



# Model Retailing, Marketing and Taxation Laws

2ND EDITION







# Cannabis policy needs clinical and community leaders

- The only ones coming to the table every time are the cannabis industry
- We need to up our game mobilizing people who understand tobacco, care about lungs, substance abuse, and youth
- We need you at the table



# Stop cannabis from becoming the next tobacco industry

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- Get mad
- Learn about what is happening in your community and state
- Speak out and speak up
- Get the good from legalization without the bad

Thank you



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