



# Marketing and Advertising Recommendations

- Adopt all Statutory Provisions of MGL Ch. 94G(4)(a1/2)(xxix)
  - Prohibit false and deceptive advertising
  - Prohibit advertising unless 85% of audience is over 21
    - Television
    - Radio
    - Internet
    - Billboard
    - Publication
  - No designs portraying or appealing to anyone under 21
  - No misleading statements about other licensees



# Marketing and Advertising Recommendations

- Adopt all Statutory Provisions of MGL Ch. 94G(4)(a1/2)(xxix)
  - Prohibition on free or donated marijuana
  - No assertions that products are “safe”
  - Prohibition on neon signage
  - Prohibition on vehicles utilizing loudspeakers
  - Prohibition on internal loudspeakers for promotional use
  - Event sponsorship so long as audience is 85% under 21
  - Website age verification
  - Prohibition on unsolicited popup advertisements
  - Standard health warning on all advertising



# Marketing and Advertising Recommendations

- Adopt the following Medical Marijuana regulations for Marketing and Advertising to adult-use licensees.
  - 105 CMR 725.105(L)(2) Regulate illuminated signage
  - 105 CMR 725.105(L)(4) Prohibit exterior graphics
  - 105 CMR 725.105(L)(9) Limit product to Limited Access Areas



# Potency

- The science on potency is not yet established; per statute (below), the CCC should work with DPH to begin to understand this better.

*SECTION 30 amends G.L.c. 94G sec. 4:*

- *(f) The commission shall investigate, in conjunction with the DPH the effects of MJ and MJ products with high potency or THC on the human body and recommend whether there should be restrictions on the potency of THC in MJ and MJ products*
- Additionally, the CCC should consider inclusion of other cannabinoids for both labeling and testing.



## Cannabis Advisory Board Public Health Subcommittee Recommendations DRAFT

- Poly Drug Use
- Cooperatives
- Onsite Consumption
- Disposal Concerns
- Physician Education



## Cannabis Advisory Board Public Health Subcommittee Recommendations DRAFT

### Poly Drug Use

- Alcohol and tobacco are known to amplify the effects of cannabis creating heavy intoxication.
- The Department of Alcohol, Tobacco and Firearms (ATF) does not want to get involved in regulating cannabis or cannabis establishments.
- Education for home users on the dangers of combining alcohol and cannabis including its amplified effects should be provided.
- **Recommendation:** Onsite consumption retailers should not be allowed to offer alcohol, tobacco, or other drugs. An educational campaign designed for home users on the amplified effects of combining cannabis with other drugs, tobacco, and alcohol should be developed.



## Cannabis Advisory Board Public Health Subcommittee Recommendations DRAFT

### Cooperatives

- Cooperative agricultural models have existed for a long time.
- Cooperatives are only allowed to wholesale cannabis and do not interact directly with consumers.
- Cooperatives could contain several brand names under one roof or under across several different locations.
- **Recommendation:** Cooperatives should be required to abide by the same laboratory testing standards, security standards, disposal standards, and municipal requirements as any other marijuana establishment that interacts with the plant directly and engages in cultivation activities, wholesaling, and transport of cannabis.



## Cannabis Advisory Board Public Health Subcommittee Recommendations DRAFT

### Onsite Consumption

- Onsite consumption models exist already for tobacco and alcohol and are regulated by the Commonwealth.
- Impairment detection for alcohol consumption retailers are managed through Training for Intervention Procedures (TIPS) certification.
- Provisions Concerning the Issuance of a Smoking Bar Permit can be found at 830 CMR 270.1.1
- Chapter 138 governs Alcoholic Liquors including alcohol drunken on premises.
- Adults who do not want to expose their children or pets to alcohol often consume at onsite consumption establishments and do not bring any product home with them.
- Travelers unable to find any onsite consumption facilities often travel out of state with the excess product or simply leave it in hotel rooms or on the streets potentially exposing children to open packaging and the environment to litter.
- Minorities stand to face the brunt of any evictions, public consumption violations, and harassment from law enforcement because of a lack of access to onsite consumption facilities.





## Cannabis Advisory Board Public Health Subcommittee Recommendations DRAFT

### Onsite Consumption

- **Recommendation:** Onsite consumption retailer regulations should be modeled off of alcohol bar style establishments and smoking bar permits already in place here in the Commonwealth with the addition of any additional security, disposal requirements, and requirements of the state or municipality regarding marijuana establishments and without alcohol or tobacco being sold.
- **Recommendation:** Prevention of litter and small packaging could be alleviated by requiring onsite facilities to use reusable packaging that cannot be removed from the premises.
- **Recommendation:** Onsite consumption retailers should only be allowed to sell small servings of cannabis at a time that can be regulated by the state and similar to how the shot glass provides a serving size model for hard liquors in an alcohol establishment.



## Cannabis Advisory Board Public Health Subcommittee Recommendations DRAFT

### Onsite Consumption

- **Recommendation:** Onsite consumption retailers should be licensed immediately to prevent undue harm to minority communities by law enforcement and to prevent public consumption concerns from littering our streets and exposing children to cannabis smoke, vapor, or smoking remnants.
- **Recommendation:** Onsite consumption retailers should be licensed immediately to prevent supply problems for medical marijuana patients and the public health disaster that would cause.



## Cannabis Advisory Board Public Health Subcommittee Recommendations DRAFT

### Disposal Concerns

- The medical marijuana disposal standards found in 105 CMR 720.105 (J) (p.31) is excellent and ensures the product is properly tracked and disposed of.
- The new adult use law contains provisions regarding disposal that can be found in Chapter 55 (xxvii) *“(xxviii) requirements for the safe disposal of excess, contaminated, adulterated or deteriorated marijuana, which shall consider policies which promote the recycling of such waste, including, but not limited to, recycled industrial products;”*
- **Recommendation:** Adopt existing DPH disposal standards found in 105 CMR 725.105 (J) (p.31) with the addition of tracking any waste that is considered a recycled industrial product so that it can be recycled into industrial products for use by manufacturers.



## Cannabis Advisory Board Public Health Subcommittee Recommendations DRAFT

### Physician Education

- The majority of physicians in the Commonwealth have little knowledge of cannabis and the endo-cannabinoid system.
- This lack of knowledge poses potential public health risks for patients on a variety of traditional pharmaceutical drugs that interact with cannabis in the body.
- **The Massachusetts Medical Society has endorsed the [TheAnswerPage.com](http://TheAnswerPage.com)'s Comprehensive Cannabis Curriculum**, as their comprehensive curriculum on the endo-cannabinoid system and medical cannabis. This is among the highest validations for an [endocannabinoid](#) and medical cannabis curriculum. TheAnswerPage's medical cannabis content is a key component in Cannabis Care Certification (CCC), a joint project of Americans for Safe Access, a national nonprofit dedicated to ensuring safe and legal access to medical cannabis for therapeutic use and research, and TheAnswerPage, an international resource for providing accredited continuing medical education since 1998.
- Chapter 55 Section 77 ( c ) creates our subcommittee: (i) a subcommittee on public health to develop recommendations on products, labelling, marketing, advertising, **related public health issues**, potency, which may include a recommended maximum limit for individual servings of marijuana products, and packaging, which may include the development and implementation of a public health warning to appear on marijuana products;



## Cannabis Advisory Board Public Health Subcommittee Recommendations DRAFT

### Physician Education

- **Recommendation:** Instruct the Cannabis Control Commission to work with Dr. Stephen Corn, the Massachusetts Medical Society, and [TheAnswerPage.com](http://TheAnswerPage.com) to develop a mandatory cannabis curriculum for all licensed physicians on the endo-cannabinoid system, phyto-cannabinoids, synthetic cannabinoids, and cannabis interactions with other drugs commonly prescribed.