

HB 837: Cannabis Reform (Clippinger)

Judiciary Committee, Feb. 14, 2022

I am Dr. David Gorelick, a physician certified in psychiatry and addiction medicine with a doctoral degree in pharmacology. I am Professor of Psychiatry at the University of Maryland School of Medicine, editor-in-chief of the *Journal of Cannabis Research*, Distinguished Life Fellow of the American Psychiatric Association, and Distinguished Fellow of the American Society of Addiction Medicine. I am testifying today as a private individual, not representing any institution or organization.

I support the overall goals of HB 837 but believe the bill needs amendments to meet the public health needs of Maryland. My comments are focused on these public health aspects of legalizing adult use (“recreational”) cannabis in Maryland. Maryland deserves a comprehensive and strict regulatory system for adult use cannabis that protects and promotes the public health. The regulatory system should be spelled out in the law concurrent with the proposed constitutional amendment legalizing adult use cannabis so that voters know what type of system they are voting on. Leaving regulations to a later election cycle opens the possibility that the regulatory system is not what was envisioned by voters on the constitutional amendment, possibly due to influence from the commercial cannabis industry.^{1,2}

From a public health perspective, it is essential that any law include comprehensive regulations in the following areas:

- Marketing and promotion of cannabis products
 - Cover all media including print, point-of-sale, online and social media
 - Ban any form of direct or indirect marketing and promotion (including package design and labeling) likely to appeal to minors or in a venue or medium containing more than a negligible proportion of minors
- Prescribe appropriate packaging and labelling
 - Packaging must be child-proof
 - Unit packages of oral formulations (“edibles”) should contain no more than 10 mg of delta-9-THC (or comparable standard dose) to minimize the chance of child overdose
 - Labels must include appropriate warnings about the harms of cannabis use
 - Labels must list product composition and potency in terms of specific cannabinoids (such as delta-9-THC and cannabidiol), terpenes, and flavonoids.
- Establish an adequately staffed and funded enforcement regime that is protected from outside influences.
- Establish an adequately staffed and funded public health advisory body
 - Comprised of a variety of experts with relevant expertise and experience in the cannabis field who are free of conflicts of interest, whether financial or personal.

- Adequately funded to direct and/or conduct the systematic collection of all relevant data needed to evaluate the short- and long-term effects of cannabis legalization, produce periodic reports available to the public, and make recommendations to improve the law and its regulations, based on the data collected.
- Data collection methods should be transparent and based on established best-practices in the scientific community

Decades of experience with the tobacco and alcohol industries show that commercial entities in these industries will push the limits of law and regulation to increase their profits.^{3,4,5} Experience in other states that have already legalized cannabis suggests that the cannabis industry is no different. Studies published in peer-reviewed scientific journals document numerous examples of commercial cannabis companies violating marketing regulations.^{6,7} Many of these violations were identified by members of the public, rather than by state regulators.

Therefore, I strongly recommend that HB837 incorporate comprehensive regulations as outlined above to adequately protect the public health of Maryland.

Respectfully,

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