



January 15, 2020

Chairwoman Anna Eshoo
Subcommittee on Health, Committee on Energy & Commerce
202 Cannon House Office Building
Washington, DC 20515

Ranking Member Michael Burgess
Subcommittee on Health, Committee on Energy & Commerce
2161 Rayburn House Office Building
Washington, DC 20515

Dear Chairwoman Eshoo & Ranking Member Burgess:

As organizations that collectively represent thousands of state-legal cannabis businesses around the country, ancillary industries, and our communities, we applaud your decision to hold a hearing on cannabis policy so early in the new legislative session. This is a wonderful opportunity to continue the robust and groundbreaking discussion on this issue that took place in Congress last year and we commend your leadership in carrying it over into 2020.

While this is a complex and nuanced issue, the cannabis industry stands united in its support for policies under your jurisdiction that would help ensure access to safe legal cannabis products. These policies include, but are not limited to:

- **Federal regulatory oversight:** Any discussion of cannabis policy for the new decade must have federal regulatory oversight as a key component. The states that have reformed their cannabis laws ahead of the federal government have established regulatory frameworks to govern their markets and protect public health. We support robust federal regulatory guidance and oversight that informs the development of additional safety protocols and produces greater regulatory consistency of product marketing, safety and oversight across state and national borders.

- **Descheduling vs. Rescheduling:** We ultimately support the full removal of cannabis from the federal list of controlled substances. While rescheduling on its own may provide some benefit in terms of facilitating research, it could complicate the federal-state relationship with respect to cannabis. If the sole goal of Congress is to facilitate research, it can take alternative steps, such as those described in the following paragraph.
- **Research:** We support removing current barriers to research on cannabis and its derivatives in order to provide policymakers, regulators, and consumers with the most accurate and updated information possible and to keep pace with innovation and technological developments in the market. This includes ending the NIDA monopoly on the cultivation of cannabis for research purposes, and allowing researchers to easily and legally study products that are currently available in regulated state cannabis markets. We also support policies and additional funding for research that address current healthcare disparities and the unique needs of women, veterans, and people of color.
- **Access by minors:** The National Minimum Drinking Age Act of 1984 required all states to prohibit the purchase and public possession of alcohol by individuals under the age of 21. Failure to impose this standard would result in a state losing federal highway funds. As part of an overall scheme to end cannabis prohibition at the federal level, we support a similar federal incentive for states to establish 21 as the minimum age for the purchase of cannabis in the U.S. and enact non-criminal penalties for underage possession. Such a federal law, however, should be crafted so that it does not diminish the rights and well-being of state-legal medical cannabis patients. Currently, all states with legal adult cannabis markets have instituted age limits, including uniformly setting the legal, non-medical possession of cannabis age at 21, and industry compliance is outperforming that of other age-restricted products.
- **Labeling:** We support clear and accurate labeling of cannabis products that include cannabinoid content, potential health risks, and other applicable information such as allergen risks and dietary profile as appropriate for individual products.
- **Advertising:** We support limits on advertising to prevent targeting minors and ensure products and packaging are not designed to appeal to children.
- **Testing:** We support federal guidelines on best testing practices and the ability to conduct product recalls for anything found to be contaminated or deemed unsafe for human use.
- **Ending federal cannabis prohibition:** As an industry, we strongly support an immediate end to the blanket federal prohibition of cannabis.

- **Social equity and social justice:** As we consider cannabis policy for the new decade, we must acknowledge that the cannabis policies of the past have had a demonstrably severe and detrimental impact on health and well-being in low-income communities and communities of color. The end of cannabis prohibition at the federal level should be paired with policies at the federal, state, and local level that right past wrongs and ensure that the benefits of legalization flow to individuals and communities that have borne the brunt of prohibitionist policies. Furthermore, emerging policies must seek to address healthcare disparities including access to affordable medicine, representation in research, and additional funding for women, veterans, and people of color.

As an industry, we understand that many lawmakers have concerns about the impact of the changing legal status of cannabis. We do not take these concerns lightly. These concerns underscore the need to establish a legal federal cannabis framework, as current federal policies can cause and exacerbate these concerns.

We welcome the opportunity to work with lawmakers and regulators to determine the best paths forward as state and federal cannabis policy evolves. Thank you for continuing this conversation and providing a venue to further explore these issues.

Sincerely,

Aaron Smith
Executive Director
National Cannabis Industry Association

Saphira Galoob
Executive Director
National Cannabis Roundtable

Randal John Meyer
Executive Director
Global Alliance for Cannabis Commerce

Neal Levine
CEO
Cannabis Trade Federation

Jason Ortiz
President
Minority Cannabis Business Association