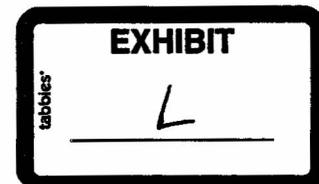


Connecticut Marijuana Abuse Prevention Alliance
Medical Marijuana Task Force



Dedicated to the Safe and Appropriate Use of Medical Marijuana in Connecticut

Department of Consumer Protection Public Hearing: 10:00 a.m., Monday, April 22, 2013
Draft Regulations of Connecticut State Agencies, Sections 21a-408-1 to 21a-408-1-70

My name is John Daviau, and I'm the Chairperson of the Connecticut Marijuana Abuse Prevention Alliance (CT MAPA). First of all, it is important to note that CT MAPA acknowledges that some of marijuana's active compounds, the cannabinoids, have been studied and shown to have some therapeutic value. Some of these compounds have been isolated and approved by the U.S. Food and Drug Administration for specific indications.

In contrast to the approved use of these compounds, the use of the marijuana plant itself has been linked to many adverse affects, especially among our youth, including addiction, learning impairments, brain development problems and mental health issues. Marijuana use among adolescents has also been growing and the current national rate is the highest it has been since 1981. This increase corresponds to a decline in perception of risk from marijuana use which is a side effect of prescribing marijuana as medicine.

CT MAPA's sole aim in regards to the proposed Regulations of Connecticut State Agencies Sections 21a-408-1 to 21a-408-70 is to limit as much as possible, the likely increase in youth marijuana abuse in CT. This increase will lead to new consequences that CT families, schools and communities will experience as a result of increased youth marijuana abuse.

To allay any doubts that youth marijuana use here in CT will likely increase as a result of Public Act 12-55, I point to just two of many national statistics on this issue:

- 1. States with laws that allow marijuana to be prescribed as medicine have among the highest rates of youth marijuana use in the country.** The 2008-2009 federal estimates of State drug abuse show that four of the top five states, and 14 of the top 18 states with the highest percentage of past month marijuana users ages 12-17 are states with "medical marijuana" programs.
- 2. Youth in states with laws that allow marijuana to be prescribed as medicine have increased access to marijuana.** 74% of youth in treatment for addiction to marijuana in Denver, CO report getting their pot from people who have been issued state marijuana cards.

One final note on increasing youth use of marijuana in CT. Already in CT, following national trends, CT youth are increasing their use of marijuana as their perception of risk towards marijuana use decreases. This is not just a result of laws passed in CA, CO, WA, OR and many other states or the "twittering", "blogging", "chatting and messaging" about marijuana all over the Internet, but is also the result of CT laws that have in the past two years decriminalized then "medicalized" marijuana. As an evaluator for a Regional Action Council here in CT, I can report that between 2009 and 2012, in 6 CT towns the youth perception of risk of towards marijuana use decreased 15% over this time period. Unfortunately, the "clock" is ticking on rising youth marijuana use in these

communities. Some of my colleagues here today will provide more perspective and local data on this issue which should be very concerning to us all.

Because of these real issues and our grave concerns for increased youth marijuana use in CT as a result of treating marijuana as medicine, CT MAPA has identified six key areas within the regulations that the Department of Consumer Protection as drafted that we believe will have the greatest affect on increasing youth access to marijuana leading to increased rates of their use. These six areas are:

1. Limiting the number of dispensaries and producers that are allowed to operate. The number of dispensaries and producers must be limited to ensure that quantities of marijuana at a production facility or dispensary facility do not exceed demands. Crime around dispensaries and producers have been a problem in other states that prescribe marijuana as medicine and limiting the number of these will create less problems for CT communities through fewer opportunities for increased crime.
2. Marijuana Products should be limited to products that will not appeal to youth and encourage the recreational use of marijuana. Proposed products should have to go through a DCP review process to ensure products will meet these restrictions.
3. Proposed regulations on marketing practices should be strengthened to avoid youth friendly messages and placements. We have learned a great deal from the tobacco and alcohol industries, and their youth targeted marketing practices which should allow us to avoid some of these same pitfalls regarding marijuana.
4. Proposed regulations need to be strengthened to more tightly monitor excess marijuana at the production, dispensary and patient levels.
5. Regulations need to require public education of physicians, dispensaries, patients and the general public of the dangers of marijuana use and the potential side effects of using marijuana as medicine.
6. Stricter security protocols at the production, dispensary and patient levels will decrease marijuana access to CT youth and discourage recreational use of marijuana.

I will provide details on three of these six priorities, while my colleagues will address the other CT MAPA priorities.

Proposed regulations regarding allowed Marijuana Products should be limited to products that will not appeal to youth and encourage recreational use of marijuana. Proposed products need to pass a DCP review process to ensure products will meet these restrictions.

- Sec.21a-408-55 (a) of the Regulations of Connecticut State Agencies provides for marijuana products that would violate Sec.21a-408-55 (b)(2) (B),(C)&(D) of these same regulations. For example, allowing extracts could lead to products such as soda's and candies such as "gummy bears" that other so-called "Medical Marijuana" states have seen. Baked goods can lead to products such as energy or granola bars, brownies, etc. 60 Minutes Overtime reported on these products in October 2012 in an article entitled "Marijuana like you've never seen it before". This article can be viewed on-line at:
http://www.cbsnews.com/8301-504803_162-57536817-10391709/marijuana-like-youve-never-seen-it-before/?utm_source=Join+Together+Daily&utm_campaign=0feecb282a-JT_Daily_News_Justice_Official_Federal&utm_medium=email

These products will clearly appeal to youth as well as encouraging recreational use of marijuana and use for other non-debilitating conditions, violating Sec.21a-408-55 (b)(2) (B),(C)&(D). Making “medicine” into food and beverages is a “slippery slope” that will lead to increases in marijuana abuse as in other states that have allowed these products. We don’t make other medicines into products that mimic everyday food and beverages and we should not start now. Studies into adolescent brain development confirm that youth will be least able to distinguish between potentially dangerous products and everyday food items. And since many CT communities, some represented here today, are already experiencing an increase in youth marijuana use and a decline in a major predictor of future marijuana use: perception of risk, it is important we reduce mixed messages to our youth about the dangers of marijuana.

Therefore, the Connecticut Marijuana Abuse Prevention Alliance believes that Sec.21a-408-55 (a) should clearly state that no marijuana food or beverage products will be produced by CT licensed marijuana producers or dispensaries.

- CT MAPA also requests that the DCP include in the regulations under Sec.21a-408-55 a provision for all marijuana products not in raw form to be reviewed and approved by the DCP prior to the production of said products in order to enforce these standards. It is up to the state to ensure its law is not misunderstood by our vulnerable populations.

Proposed regulations on marketing practices should be strengthened to avoid youth friendly messages and placements.

The Connecticut Marijuana Abuse Prevention Alliance is gravely concerned with the potential for marijuana advertisements in the state that either appeal to our youth or cross the line between supposed medicinal use and recreational use. Remember that those in addiction treatment programs are six times more likely to be in treatment for marijuana addiction than all other **illegal substances combined**. The majority of those in addiction treatment for marijuana began using marijuana as a teen or younger. CT should not allow widespread, regulated “after-the-fact” advertising of an addictive drug that already costs society too much and already has great appeal to our youth.

Therefore, CT MAPA requests that the DCP adopt the 45-day review period originally envisioned in the January 2013 Draft Regulations Sec. 21a-408-66 (c) & (d) to ensure that all advertisements meet strict standards related to Sec.21a-408-66 (b) *prior to the advertisement’s dissemination*. Once these advertisements “hit the streets” if they do not meet the standards outlined in Sec.21a-408-66 (b), the damage from these advertisements will be done before they can be pulled.

In addition, CT MAPA respectfully requests that the DCP create a review panel for these advertisements in the 45-day review period that include Public Health, Addiction and Youth Advertising experts.

Our experiences from “Big Tobacco” and the Alcohol Industry, as well as some of their own documents that have been publicly released in the past several years, demonstrates their knowledge of the importance of the youth market to the long-term profitability of their addictive products. These industries have shamelessly targeted youth and even specific demographics among youth to “hook” youth on their products and brands so as to ensure long term market share and profitability.

The Center for Alcohol Marketing and Youth has conducted defining research of the alcohol industry in this area. It is incumbent upon the State of Connecticut to ensure these national failures to protect our youth are not continued here in our state with marijuana. Instituting a 45-day review period for all marijuana advertisements and having a qualified review panel, that includes Public Health, Addiction and Youth Advertising experts, to apply strict standards of adherence to Sec.21a-408-66 (b) is an important step that Connecticut must take to protect our youth from the harms of marijuana.

Proposed regulations should be strengthened to more tightly monitor excess marijuana at the production, dispensary and patient levels.

1. Sec. 21a-408-61 of the Regulations of Connecticut State Agencies must clearly identify, based on the number of issued cardholders and the amounts of one-month supply allowed to each cardholder, a range for the quantity of marijuana that a producer is allowed to produce on a monthly basis. Penalties for exceeding these productions levels should be established and enforced through regular inspections of production facilities.
2. Sec. 21a-408-64 of the Regulations of Connecticut State Agencies should specify a regular schedule of inspections by an authorized representative of the commissioner which includes the proper disposal of excess marijuana by each producer and dispensary. If the number of dispensaries and producers is limited, then these regularly scheduled inspections will not be over burdensome to the Department.
3. Under Sec. 21a-408-65 (c) of the Regulations of Connecticut State Agencies, each dispensary and producer should complete an accurate inventory of all stocks or brands of marijuana on hand **every six months and provide this inventory automatically to the Department.**
4. Sec. 21a-408-11 of the Regulations of Connecticut State Agencies should include provisions for The Department of Consumer Protection to conduct a public education campaign targeting all licensed patients and caregivers about the dangers of marijuana, the law regarding providing marijuana to others, and the need to for proper and regular disposal of excess or expired marijuana and marijuana products.

I thank you for this opportunity to address the Department concerning these draft regulations of Connecticut State Agencies.

John Daviau
Chairperson
Connecticut Marijuana Abuse Prevention Alliance

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