



# 2019 Legislative Breakfast

January 25, 2019 | Commissioner Jennifer Flanagan



# Know the Law

- You have to be 21 or older to buy or use marijuana of any kind
- Any marijuana use is not allowed in public or on federal lands
- Landlords, employers, and municipalities may have their own policies about the use, sale, or growth of cannabis.
- Don't drive if you've been using marijuana
- You can have up to one ounce on you, and grow six plants in your home – or up to 12 with two or more adults.



935 CMR 500.000

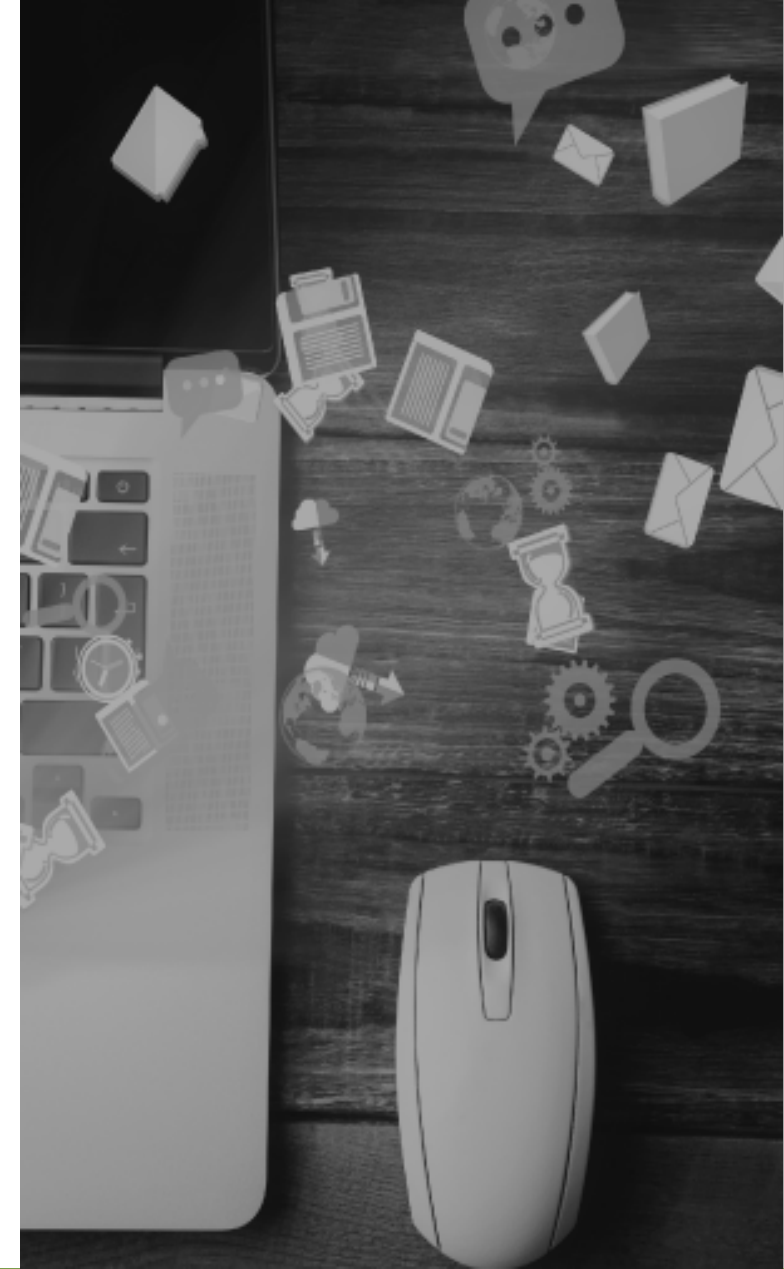
# Regulations for the Adult Use of Marijuana

Safe | Equitable | Sustainable



# Included in Regulations

- Operational
- Security
- Marketing, Advertising, Branding
- Labelling
- Packaging
- Training
- Inspection
- Leadership Rating Program



## Overview of Regulations: Types of Licenses

### Cultivation



### Craft Cooperatives



### Micro Businesses



### Product Manufacturing



### Independent Testing Labs



### Research



### Transporter



### Retail



### Delivery - deferred



### Social Consumption - deferred



# Access to Retail Stores

- Retailers must check government issued ID to demonstrate someone is 21 years of age or older before allowing anyone access to marijuana establishment for adult use.
- For co-located medical marijuana dispensaries and adult use marijuana establishments, retailers must check government issued ID to demonstrate someone is 21 years of age OR check that someone has a DPH Program ID card showing they are a patient and a government ID showing they are 18 years of age or older.



# Warning Graphics on Marijuana and Marijuana Products



# Overview of Regulations: Prevention

## **Security:**

- All Marijuana Establishments shall implement sufficient safety measures to deter and prevent unauthorized entrance into areas containing marijuana and theft of marijuana, including robust security infrastructure requirements, annual security audits, and marijuana storage procedures

## **Testing Protocols:**

- Inclusion of Standards Testing Laboratories to verify the results of the Independent Testing Laboratories
- Random sampling procedures to ensure high-quality results

## **Youth Prevention:**

- \$2M public awareness campaign to deter youth usage and promote safe and responsible adult use
- On-premises identification verification ensuring all individuals are 21 years of age or older
- Prohibition of marketing and advertising that targets individuals under 21 years of age





# Advertising: Permitted Practices

- CAN have logo, but logo CAN'T use medical symbols, images of marijuana, related paraphernalia, and colloquial references to cannabis and marijuana are prohibited from use in this logo;
- Sponsorship of a charitable, sporting or similar event, but marketing limit to audience expected to be 85% 21 years and older according to data;
- Locked display cases inside each establishment;
- Any marketing shall include statement “Please Consume Responsibly” and at least 2 other warnings from menu of choices;
- All marketing must include warning developed by DPH.



# Advertising: Prohibited Practices

- Deceptive, false, untrue, or misleading marketing;
- Operation of any website of a Marijuana Establishment that fails to verify that the entrant is at least 21 years of age;
- Use of unsolicited pop-up advertisements on the internet;
- Advertising, marketing, and branding at unless at least 85 per cent of the audience is reasonably expected to be 21 years of age or older, as determined by data;
  - Including radio, TV, and internet



# Advertising: Prohibited Practices (Con't.)

- Promotional items prohibited by the Commission, including, but not limited to, giveaways, coupons, or “free” or “donated” marijuana;
- Representations of safety, curative or therapeutic effects, other than labeling required pursuant by regulations, unless supported by evidence or data;
- Installation of any neon signage or any illuminated external signage that fails to comply with all local ordinances and requirements;
- Marketing in or on public or private vehicles, at bus stops, taxi stands, transportation waiting areas, train stations, airports, or other similar transportation venues, including, wrapping vehicles;
- Marketing marijuana or marijuana products, on clothing, cups, drink holders, apparel accessories, electronic equipment or accessories, sporting equipment, novelty items and similar portable promotional items;



# Advertising: Prohibited Practices (Con't.)

- Display of marijuana or marijuana products so as to be clearly visible to a person from the exterior of a Marijuana Establishment;
- Any marketing that fails to contain a health warning by DPH;
- Improper or objectionable nature, including obscene or suggestive statements.





# Employment Restrictions

**Landlords, employers, and municipalities may have their own policies about the use, sale, or growth of cannabis.**

*Premises Restrictions (other than federal)*

**G.L. c. 94G §2(d)** This chapter shall not be construed to:

(2) prevent the commonwealth, a subdivision thereof or local government agency from prohibiting or otherwise regulating the possession or consumption of marijuana or marijuana accessories within a building owned, leased or occupied by the commonwealth, a political subdivision of the commonwealth or an agency of the commonwealth or a political subdivision of the commonwealth; or

(3) authorize the possession or consumption of marijuana or marijuana accessories on the grounds of or within a public or private school where children attend classes in preschool programs, kindergarten programs or grades 1 to 12, inclusive, on a school bus, in any youth center, or on the grounds of or within any correctional facility or detoxification facility.





## Campaign Goals: Enabling Legislation

### Chapter 55 of the Acts of 2017, An Act to Ensure Safe Access to Marijuana

In Section 51, the Legislature established that: “(The Department of Public Health, in consultation with the Massachusetts Cannabis Control Commission, shall establish the following science-based public awareness campaigns: (i) a campaign to inform the public about responsible use of marijuana, including information on edibles and warnings about the dangers of manufacturing marijuana products at home; and (ii) a campaign to educate youth about marijuana use with a goal of decreasing the youth usage rate. The public awareness campaigns shall be funded from revenues received from the Marijuana Regulation Fund established in section 14 of chapter 94G of the General Laws.”



# Public Awareness Campaign Background

- Enabling Legislation
- Insights from California, Colorado, Washington. and Oregon
- Research



# The Campaign

- Youth prevention is most effective from parents
- Adults need greater clarity on the current law, their rights and responsibilities (misinformation)
- Adult-use Distribution Plan: Young adults are the largest consumer group and will require targeted digital tactics



[MoreAboutMJ.Org](https://MoreAboutMJ.Org)

# Key Messages

- Age of legal use
- What is/is not permitted
- Effects on driving
- Storage requirements & best practices
- Employer/municipalities/landlord rights
- Effects of edibles and various potency levels
- Tips on how to effectively engage children in these conversations
- Effects on youth brain development
- The risks of youth use of cannabis



## MoreAboutMJ.Org

- Basics of the law
- Exceptions: Landlords, Employers, Towns
- Information on product safety, quality control, and sourcing
- Health Effects
- Medical Marijuana vs Adult-Use Marijuana
- Marijuana Products and Instructions on how to use
- Growing and Selling Marijuana
- Social justice concerns
- Revenue and pricing information
- Enforcement Issues
- Track Purchasing/Use
- Stigma
- Contact/Information outlet





# The Media Plan

## Print Collateral


### Key Benefits:

- Supports constituent outreach initiatives
- Partner with non-profit and corporate sectors


**THE GUIDE TO**  
**Marijuana**  
**in Massachusetts**

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**BE SAFE**


 If you have been using marijuana, have a **designated driver** or arrange alternative transportation.

[MoreAboutMJ.org](https://MoreAboutMJ.org)


**THE PARENTS GUIDE TO**  
**Marijuana**  
**in Massachusetts**

**What You Need to Know**

- You have to be 21 to buy or use marijuana in Massachusetts.
- Children's brains are not fully developed until their mid-20s.
- Regular marijuana use by teens can affect memory, cause learning problems, and increase risky behavior.



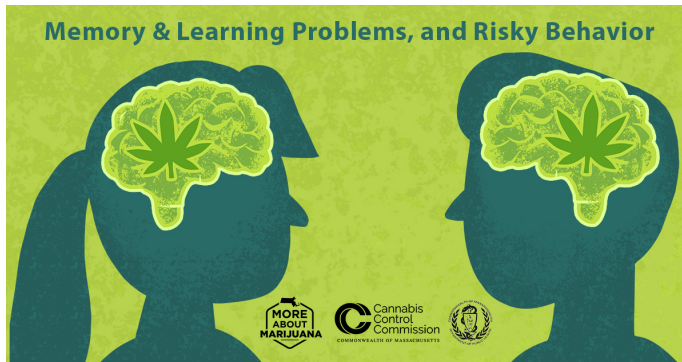
**FACT**

 People who begin using marijuana before the age of 18 are **4-7x more likely** than other adults to develop a marijuana use disorder.

[MoreAboutMJ.org](https://MoreAboutMJ.org)

# The Media Plan

Digital – Social media, display ads, etc.



Parent Facebook Ad



HTML Ad



Sponsored Ad

# Questions?



# Thank You



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