

Cannabis market regulation and public health and safety

A well regulated cannabis market balances consumer needs with public safety. Markets must be regulated to prevent minor use and adult misuse.¹

Determining good regulation practices

Identify elements that support regulation and public health and safety

Experts have identified elements relevant to a well regulated cannabis market² that also support public health and safety. Policymakers should consider the five regulatory “Ps” (listed below) to maintain balance in industry needs while preventing youth cannabis and adult misuse.

- Diversion prevention
- Placement and access
- Products and potency
- Promotion and advertising
- Pricing



Diversion prevention

Diversion Prevention requirements help curb illegal cannabis distribution. These include:

- The use of traceability systems (“track and trace” systems set up to identify and monitor cannabis products from seed to sale)
- A strong laboratory and certification monitoring system
- Clearly defined facility requirements (security cameras, secure entrances)
- Required employee training
- Adequate enforcement authority (resources for education, monitoring, and enforcement)
- Specified penalties for violations



Placement and access to cannabis

Placement and Access to Cannabis include factors associated with where and how a person may access cannabis.

Factors affecting individual possession/use

include restrictions on use of cannabis in public places, limits on how much a person can possess legally, and age limits for use (currently age 21 in Washington State).

Factors affecting business licensing and operations

include restrictions on hours of retail sales, where products are placed in retail stores (e.g., behind counters), and whether minors are allowed on licensed premises. Other factors include mandatory signage for retail (e.g., no one under 21 permitted on site, use prohibited on site), restrictions on size of indoor and outdoor grows, and other license restrictions and allowances.

Factors affecting the placement of businesses

include limits on total number of licenses issued, buffer zones (e.g., 1,000 feet from schools, parks), proximity to other retail cannabis licensees, and local zoning laws.

Factors affecting individual access to products outside of retail settings

include prohibiting internet sales and prohibiting or restricting home grows and social consumption sites (all currently illegal in Washington State except for home grows for medical patients).



Product and potency

Products and potency include factors affecting the characteristics of products allowed, concentration limits, packaging and labeling requirements, and purchase limits for types of products.

Factors affecting what products are allowed

include prohibitions on specific types of products (e.g., products that are especially appealing to youth, products requiring cooking or baking), limits on THC per serving and package for edible products, and limits on concentration for flower or extracts.

Factors affecting packaging

include requiring child-resistant and resealable packaging and delineation of individual servings.

Labeling requirements include amount of THC and other cannabinoids, ingredient list, nutritional information, and warning statements. **Design restrictions** include a prohibition on certain elements, such as bright colors, that are appealing to children.

Factors affecting purchase of cannabis products include age limits for purchasing and transaction limits (i.e., the amount someone can purchase at one time).



Promotion and advertising

Promotion and advertising includes factors affecting the design, content, and placement of advertisements and promotional products. (See also Promotion and Marketing Brief, 2021).

Factors affecting the design and content of promotions and advertising include requirements to not appeal to people under 21 years of age, not make false or misleading statements, and placement of required warning statements. Additional factors include restrictions on promotional items such as t-shirts, event sponsorships, and donations.

There are also **factors affecting location or placement of promotions and advertising**. Restrictions include where advertising may be placed (e.g., outdoor restrictions, buffer zones around schools, billboard restrictions) and the medium in which advertising can appear.



Pricing

Pricing includes taxation, restrictions on discounts, coupons, and minimum pricing requirements. (See also the *Pricing Research Brief, 2023*).

Additional information

More information can be found in these [research briefs](#). Questions: prevention@hca.wa.gov

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References

1. Hall, W., Stjepanović, D., Caulkins, J., Lynskey, M., Leung, J., Campbell, G., & Degenhardt, L. (2019). Public health implications of legalising the production and sale of cannabis for medicinal and recreational use, *The Lancet*, 394(10208),1580-1590. [https://doi.org/10.1016/S0140-6736\(19\)31789-1](https://doi.org/10.1016/S0140-6736(19)31789-1)
2. Community Guide to Preventive Service Task Force. (n.d.). Findings for excessive alcohol consumption. Summary of findings available at: <https://www.thecommunityguide.org/content/task-force-findings-excessive-alcohol-consumption>

The Northwest Prevention Technology Transfer Center has developed a cannabis toolkit for community members and policymakers:

<https://pttcnetwork.org/centers/northwest-pttc/product/northwest-marijuana-toolkit-hhs-region-10-state-cannabis-policies>

This toolkit provides information about cannabis regulatory frameworks and policies that can prevent youth cannabis use and unsafe adult use.

The material in this research brief was drawn from this toolkit.