

MARIJUANA MOMENT

Advocates Urge Congress To Reject Alcohol Model For Marijuana Regulations, Criticizing Tobacco-Funded Group's Hearing Participation

November 15, 2022

By Kyle Jaeger

A coalition of drug policy reform and public health advocates and officials are raising the alarm about the influence of the tobacco and alcohol industries in shaping federal marijuana reform and are encouraging congressional lawmakers to rethink the idea of modeling legal cannabis regulations after those that are in place for booze.

In a letter sent to leadership of a House Oversight subcommittee that [held a hearing on marijuana legalization on Tuesday](#), the advocates criticized the fact that a cannabis stakeholder organization that receives significant funding from major tobacco and alcohol companies was invited to deliver testimony.

The letter, led by the Parabola Center for Law and Policy, says that the signatories appreciate the “thoughtful leadership in creating a serious and bipartisan attempt to examine our nation’s federal cannabis laws” but have “deep concern about the influence of the tobacco and alcohol industries on this process, including your own hearing on cannabis decriminalization.”

“It is critical that we get cannabis policy right on a national level,” the coalition—which also included members of the Drug Policy Alliance (DPA), Cannabis Regulators of Color Coalition (CRCC), Alcohol Justice, Truth Initiative, Students for Sensible Drug Policy (SSDP) and more—wrote.

“We risk repeating past public health and regulatory capture mistakes if large conglomerates from the tobacco and alcohol industries are permitted to exert excessive influence over the design a national regulatory framework—and seek to shape policy in the interests of private profit, rather than public good,” they wrote.

Note that nearly every speaker, including the Big Alcohol and Tobacco group (which didn't reveal that's who they represent) mentioned small and minority-owned cannabis businesses, but there are no actual small or minority-owned businesses on the witness list.

— Parabola Center (@ParabolaCenter) [November 15, 2022](#)

The signatories specifically criticized the participation of the Coalition for Cannabis Policy, Education, and Regulation (CPEAR) at Tuesday’s hearing, pointing out that its membership includes tobacco and alcohol giants Altria Client Services and Molson Coors Beverage Company.

“Indeed, CPEAR is already pushing for legislation that would direct a national regulatory framework for cannabis to be modeled after alcohol regulations, without examining the risks and benefits of such a model, and with policy decisions to be made by trade organizations representing such industries,” the letter, delivered shortly after the hearing, says. “We urge you to

reconsider giving these interests an ongoing platform and consider including the voices of small businesses and public health experts instead.”

The idea of modeling federal marijuana regulations after those that are in place for alcohol has long been cited in reform efforts, giving advocates a convenient and familiar parallel that makes sense at a surface level. After all, both can be used recreationally—and since there’s growing consensus that alcohol is more dangerous than cannabis, many advocates have defaulted to adopting that established model for the safer substance.

The signatories on the letter are challenging that perspective, however, arguing that lawmakers should strive to craft regulations that do a more effective job at supporting industry equity and public health, rather than accept the status quo for alcohol as the ideal model given its history of predatory and profit-motivated marketing.

Rep. Nancy Mace (R-SC), ranking member on the Oversight subcommittee and sponsor of a federal cannabis legalization bill, acknowledged in a phone interview with Marijuana Moment after Tuesday’s hearing that “there always has to be concern about industry shaping and influencing legislation.”

“But that’s why I try to look at it from every angle and ensure that every side is represented—from from small businesses to large—that we’re looking at it in a way that’s fair,” the congresswoman argued. “I think that’s really important to not have any undue influence.”

“That’s why with the States Reform Act, I’m proud of it being endorsed by both sides— you have NORML and Americans for Prosperity. We’ve got cannabis groups large and small that are being supportive,” she said. “And I’ve always been open to making amendments to the legislation and modifying it to make sure that that every single voice we can have represented is represented.”

The letter from the concerned advocates cites remarks from advocacy groups and officials like Colorado Attorney General Phil Weiser (D), who [told congressional leaders last year](#) that if federal legalization isn’t carefully implemented, “large companies, particularly existing tobacco-focused companies, will be able to move into new markets immediately, displacing and pushing out smaller players.”

Shaleen Title, founder of the Parabola Center, previously [told Marijuana Moment in March](#) that “part of effective regulation is ensuring that we don’t repeat other industries’ mistakes,” adding that “Big Tobacco isn’t to be trusted as an authority on public health.”

“As we continue to develop the framework for federal legalization, we have to preserve our progress, not hand over the national market to companies with a long and disturbing history of fighting the exact type of regulations that reduce youth access,” she said.

Other signatories on the new letter are advocates and officials with the Washington D.C. Alcoholic Beverage Control Board, Equitable Opportunities Now, Ohio State University Drug Enforcement and Policy Center, Massachusetts Cannabis Advisory Board, RTI International, Transform Drug Policy Foundation and ICEERS Foundation.

It concludes by saying “we respectfully ask you and your colleagues to reconsider your decision to invite representatives of the alcohol and tobacco industries into conversations about national marijuana legalization.”

“The issues involving personal freedom, economic justice, social justice, public health, and criminal justice reform are complex enough without centering the voices of corporations who put their own profits above each one of those values,” they said.

This is a rare example of an issue where certain advocates and prohibitionists are aligned, with the national Smart Approaches to Marijuana (SAM) also consistently decrying the influence of the tobacco and alcohol industries in cannabis reform efforts.

SAM’s statement on today’s House Oversight Subcommittee on Civil Rights and Civil Liberties hearing was just submitted to the record. Read below: pic.twitter.com/KmeNjuOnGn

— SAM (@learnaboutsam) [November 15, 2022](#)

In a statement following Tuesday’s hearing, SAM broadly complained about the pro-reform backgrounds of the invited witnesses and said that they “stand to profit from the policies that they endorse.”

Read the full text of the letter from the advocates and officials on taking a different approach to marijuana regulations than alcohol below:

Dear Chairman Raskin, Ranking Member Mace, and Members of the House Committee on Oversight and Reform Subcommittee on Civil Rights and Civil Liberties,

As experts on drug policy, we appreciate your thoughtful leadership in creating a serious and bipartisan attempt to examine our nation’s federal cannabis laws. We are writing to express deep concern about the influence of the tobacco and alcohol industries on this process, including your own [hearing](#) on cannabis decriminalization.

It is critical that we get cannabis policy right on a national level. As your hearing notice rightfully describes, by making changes in federal cannabis policy, Congress could address racial disparities in the criminal justice system, improve treatment options for veterans, and potentially allow for [equitable access](#) to traditional banking services. It could also facilitate more effective public health policy, better protect our youth, and create a new national industry that allows for meaningful participation by small businesses and historically excluded communities.

We risk repeating past public health and regulatory capture mistakes if large conglomerates from the tobacco and alcohol industries are permitted to exert excessive influence over the design a national regulatory framework – and seek to shape policy in the interests of private profit, rather than public good. Tobacco and alcohol corporations should not be invited to testify on what marijuana laws should look like, whether directly or through their cannabis policy front group, The Coalition for Cannabis Policy, Education, and Regulation (CPEAR), of which Altria Client Services and Molson Coors Beverage Company are members.

Indeed, CPEAR is already pushing for [legislation](#) that would direct a national regulatory framework for cannabis to be modeled after alcohol regulations, without examining the risks and benefits of such a model, and with policy decisions to be made by trade organizations representing such industries. We urge you to reconsider giving these interests an ongoing platform and consider including the voices of small businesses and public health experts instead.

As Colorado Attorney General Phil Weiser [stated](#), “If a national market is not rolled-out carefully and in stages, large companies, particularly existing tobacco-focused companies, will be able to move into new markets immediately, displacing and pushing out smaller players.”

As the Truth Initiative [stated](#), “The history of tobacco use provides an instructive example... due in large part to the tobacco industry’s successful concealment of related health effects, which made it difficult to act aggressively to curtail youth use once those harms were known.”

As Alcohol Justice [stated](#), “By allowing these industries’ perspectives into the discussion around legalization frameworks, we are giving them the opening to mold cannabis regulation into a form that props up their own lethal products.”

As the Drug Policy Alliance [stated](#), “We have long been concerned about the entry of large commercial interests into the legal marijuana market. Big Alcohol and Tobacco have an abysmal track record of using predatory tactics to sell their products and build their brands – often targeting low-income communities of color and fighting public health regulations that would protect people... We urge caution to elected officials in taking these industry actors’ counsel and demand that the communities who have borne the brunt of prohibition be given the right-of-way when it comes to shaping policy and benefiting from the legal regulation of marijuana.”

As Parabola Center for Law and Policy [stated](#), “Part of effective regulation is ensuring that we don’t repeat other industries’ mistakes. You only need to look at Juul’s recent multi-million dollar settlements across the country to understand that Big Tobacco isn’t to be trusted as an authority on public health. We have to preserve our progress, not hand over the national market to companies with a long and disturbing history of fighting the exact type of regulations that reduce youth access.”

And as Transform Drug Policy Foundation [stated](#), “handing control of drug markets to exploitative profiteers is, from a public health perspective at least, potentially an even worse scenario than unregulated criminal control of drug markets.”

For these reasons, we respectfully ask you and your colleagues to reconsider your decision to invite representatives of the alcohol and tobacco industries into conversations about national marijuana legalization. The issues involving personal freedom, economic justice, social justice, public health, and criminal justice reform are complex enough without centering the voices of corporations who put their own profits above each one of those values.

Sincerely,

Shaleen Title, Founder and Director, Parabola Center for Law and Policy

Kassandra Frederique, Executive Director, Drug Policy Alliance

Dasheeda Dawson, Chair, Cannabis Regulators of Color Coalition

Cruz Avila, Executive Director, Alcohol Justice

Donna Vallone, Chief Research Officer, Truth Initiative

Jason Ortiz, Executive Director, Students for Sensible Drug Policy

Rafi Aliya Crockett, Board Member, Washington D.C. Alcoholic Beverage Control Board

Shanel Lindsay, Co-Founder, Equitable Opportunities Now

*Cat Packer, Distinguished Cannabis Policy Practitioner in Residence, The Ohio State University
Drug Enforcement and Policy Center*

Laury Lucien, Subcommittee Chair, Massachusetts Cannabis Advisory Board

Dan Riffle, Former Director of Government Relations, Marijuana Policy Project

Jane Allen, Senior Manager, Public Health, RTI International

Stephen Rolles, Senior Policy Analyst, Transform Drug Policy Foundation (UK)

Òscar Parés, Deputy Director, ICEERS Foundation (Spain)

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