

Think regulating alcohol is difficult? Just add marijuana!

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As the states of Colorado and Washington grapple with legalizing marijuana for recreational use, they are faced with many of the same issues that alcohol regulators deal with: how to foster moderation, how to protect minors, how to prevent violence and impaired driving, how to ensure the safety of products and how to collect tax revenue. These are not one-time issues. They are on-going and occupy regulators day after day. Effective alcohol regulation requires actively placing a priority on public health and safety over such things as increasing revenue and accommodating business interests.

This priority pits regulators against strong industry interests. Whenever a substance is sold in the open market, powerful economic forces are unleashed. New businesses promise jobs and new sources of tax revenue. These businesses can hire lobbyist and media experts to downplay potential problems.

What is effective in regulating marijuana? Is alcohol regulation a good model? We have no answers to these questions. Alcohol regulatory systems focus on business structures and activities. Over the years, research has confirmed that this kind of systematic approach is effective. For example, a highly respected team of world researchers identified the strong strategies as "restrictions on affordability, availability and accessibility, as well as drink-driving deterrence measures." (See Alcohol, No Ordinary Commodity.)

In a climate where regulation is looked upon as a roadblock to business and the science is recent and not well known, the experience with marijuana is likely to be a rocky road.

Will tax revenue collected from legalization cover social costs? Currently, illegal marijuana sales provide no tax revenue. It is tempting to legalize the product to capture additional revenue. But, we don't know the extent of social costs. Alcohol tax revenue does not cover the social cost. Will the experience with marijuana be the same? It seems likely that once legalized, more people will use the product.

Is marijuana safer than alcohol as legalization advocates claim? Do we even know the answer to that question?

Through our long experience with alcohol we have documented the kind of harm this product causes. For example the Centers for Disease Control and Prevention estimate that 88,000 deaths occur annually due to alcohol. These data alone justify a strong and effective regulatory system. But we don't have comparable data on marijuana. And it is a very different product with multiple means of ingesting. Does smoking or inhaling the product cause the same kind of damage as tobacco? We must remember that tobacco use is the leading cause of preventable death. What about using high potency products? How do we effectively measure impairment? And, finally, if we are to legalize marijuana we need to know about the impact of mixing two legal drugs, alcohol and marijuana.

We do know is that marijuana is not harmless. It is addictive, particularly for kids. In a recent report from the federal government on treatment admissions, a high percentage of youth entering treatment cite marijuana as their primary substance of abuse. (click here for details.) And, while we have made great progress reducing the incidence of underage drinking, marijuana use among teens is on the increase. A report from the national Monitoring the Future survey revealed a "Continued high use of

marijuana by the nation's eighth, 10th and 12th graders combined with a drop in perceptions of its potential harms."

There are marijuana impaired driving deaths. In fact, there is concern that legalizing marijuana will increase the mixing with alcohol, compounding impairment. A team from the University of Michigan's Institute for Social Research found that teens who used alcohol and marijuana together were about 50 to 90 percent more likely to engage in unsafe driving than their peers who didn't drink or smoke pot. Even teens who consumed only alcohol were less likely to get in a car accident than the kids who combined the two drugs.

Just like alcohol, there are dangerous products which can kill if misused. One of the unexpected consequences of making marijuana legal for recreational use in Colorado is the rise in THC-laced edibles that are dangerous. Companies are creating a vast array of marijuana-containing products such as fruity drinks, chocolate candies, gummy bears, and pastries. Almost indistinguishable from regular sweets, these products have mistakenly been ingested by 26 people in the few months since legalization took effect; six were children. Laws regarding the clear labeling and packaging of these products are currently being discussed in the Colorado legislature.

Just like alcohol, the strength of a product is important. According to an article in the Washington Post, "Colorado limits THC, the active ingredient in pot, to 10 milligrams per serving for edible products with a maximum of 10 servings per package. The problem is that the potency of pot can vary widely depending on the variety of the plant, so it's hard to know how strong 10 milligrams of the drug really is." The potency of these products got a lot of attention in March when Levy Thamba, a 19-year old Wyoming college student visiting Denver with friends, ate a cookie containing 65 milligrams of THC, became incoherent and jumped off a hotel balcony to his death.

A recent Rand study looked at issues around marijuana legalization and suggested we consider how we regulate alcohol as a possible way to structure marijuana regulatory systems. An overly "free market" seems to have a lot of unintended consequences. The three-tiered system which keeps manufacturers, wholesalers and retailers separate, could help ensure that products are unadulterated, that businesses are on a level playing field and tax revenue is collected. Keeping prices high could discourage price-sensitive youth.

While few Americans favor jailing marijuana users, that doesn't mean we should immediately legalize recreational use with no safeguards for public health. We just don't know enough about marijuana to open the flood gates of legalization all over the country. Rather than jumping on the legalization bandwagon, other states would be wise to wait and watch what happens in Washington and Colorado and then make a more informed decision about marijuana.