

March 4, 2022 (Corrected copy)

Legislative Committee on Administrative Rules
Vermont Statehouse
Charlene@leg.state.vt.us

Re: Vermont Cannabis Control Board Proposed Rule 2 on Warnings

Dear Chairman MacDonald, Vice Chairman Squirrell, Senator Bray, Senator Benning, Senator Lyons, Representative Bongartz, Representative Higley and Representative Ode:

We write as Vermont physicians to urge the Legislative Committee on Administrative Rules to reject part of VCCB Proposed Rule 2. Sections 2.2.10(a) and 2.2.11(a), setting forth the required warnings on packages and in advertisements, fail to respect the prevailing medical consensus and the intent of the legislature.

The cannabis now in use is not the cannabis of the 1960s, the 1970s, the 1980s or the 1990s. THC levels at that time were 4% or less. Currently used products are 5 to 20 times more potent. And the science is now settled that cannabis causes a cluster of well-documented harms -- psychosis, impaired driving, addiction, suicide, uncontrollable vomiting and harm to fetuses and nursing infants.

Those adults who choose to use cannabis products should not be subject to criminal sanctions—but the State has the duty to ensure that that choice is made on the basis of adequate information.

Toward that end, in November 2021 the Vermont Medical Society (VMS) issued their recommendation of a 31-word warning label. The VMS warning is based upon medical literature that is cited in the VMS resolution. The warning is short and to the point. The 31-word VMS warning states:

WARNING: Cannabis/THC may cause:

- 1. Psychosis* 2. Impaired driving 3. Addiction 4. Suicide attempt***
 - 5. Uncontrollable vomiting 6. Harm to fetus/nursing baby**
- *This can occur in individuals with no previous history of psychosis or mental illness.

Unfortunately, in proposed rule 2.2.10 and 2.2.11 the VCC has proposed a warning that will not be read. The VCC warning is 141 words long. It occupies 12 lines of 13 or 14-point text. A side-by-side comparison of the two warnings is attached.

If a potential consumer does read the 141-word warning, they will fail to learn important medical information.

♦Draft Rule 2.2.10 does not warn potential purchasers of some of the medically-documented, most severe consequences of cannabis use: *psychosis and suicide attempts by individuals with no prior mental health history.*

The peer-reviewed literature strongly supports the causal link between cannabis consumption and psychosis. Hundreds of articles support the link to psychosis. Still, psychosis is missing from the VCCB warning, and in its January 15, 2022 report the legislature the VCCB stated that it was not convinced of the connection because of a study by Wayne Hall, PhD in 2006, before high potency THC was generally used. The 2006 report has been overwhelmed since then by contrary studies, and Dr. Hall wrote in 2020 in support of the fact that “cannabis is a component cause of psychosis.” See Murray and Hall, “Will Legalization and Commercialization of Cannabis Increase the Incidence and Prevalence of Psychosis?, JAMA Psychiatry 4/8/20, p.E1 Dr. Robin Murray, the most cited researcher in schizophrenia, has said that ‘no serious scientist continues to dispute that cannabis is a component cause of psychosis.’

♦Draft Rule 2.2.10 does not warn potential purchasers that *uncontrollable vomiting* may result, which very few consumers would be aware of without this warning.

Cannabis hyperemesis syndrome did not substantially exist before cannabis commercialization. It can be expensive to diagnose and treat. As with cannabis induced psychosis, the treatment of choice is the cessation of cannabis use. Until users see this medically known connection in the warning, they won’t suspect there is a connection and generally continue or increase their cannabis consumption in a futile attempt to mitigate the hyperemesis.

<https://youtu.be/y5WweNVc7nw>

♦And, while the draft warns not to use if pregnant or breastfeeding, it does not say why. The warning needs to state in plain English that *the fetus or infant may be harmed* if you use cannabis.

♦Also, warning that cannabis use may be “habit forming” is not accurate; the warning must disclose that cannabis use may cause *addiction*.

The proposed rule on advertising governs all forms of advertising, including the spoken word on radio or on other media such as youtube where the message will be aural. It will take at least 30 seconds to articulate the 141-word package label. People will stop listening well before they reach the 30th second.

In Colorado, cannabis has been commercially available for medical use since 2010 and for nonmedical use since 2012. Importantly now the state has overhauled their law because of the large incidence of psychosis, cannabis hyperemesis and other cannabis cause disorders they are seeing. See Blue Rising Together video for more on this movement:

<https://vimeo.com/680967962/b2f4af63b9> The State now requires the following warning be provided to every purchaser of marijuana concentrate (concentrated THC is defined in their document as greater than 10%):

[New 2022 Colorado] WARNING
Use of Marijuana Concentrate May Lead to:

1. Psychotic symptoms and/or Psychotic disorder (delusions, hallucinations or difficulty distinguishing reality);
2. Mental Health Symptoms/Problems;
3. Cannabis Hyperemesis Syndrome (CHS) (uncontrolled and repetitive vomiting)
4. Cannabis use disorder/dependence (including physical and psychological dependence).

The complete Colorado document is attached.

Vermont already has the first or second highest rate of cannabis use in the nation. Paradoxically, as use and mis-use have increased, the public's perception of harm in Vermont has decreased. Vermont has a dire need for warnings to the public that will be understood and acted upon. As with tobacco, changing behavior first requires awareness. Health warning are an effective and low-cost approach to educating the public. Labeling is an effective approach to educating the public at no added cost to government or consumers.

The difference between the VCCB warning and the VMS warning, for some Vermonters, may be the difference between sickness and health.

The intent of the legislature, stated in § 843(a), is that the VCCB “safely” implement and administer the laws governing cannabis sale and use. Therefore, we request that the Legislative Committee on Administrative Rules vote to reject the warning in Rule 2.2.10.

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Attachments: side-by-side comparison
Colorado cannabis warning