



*Standing up for the health and safety of youth--there is no greater investment in our future than our children.*

## **Recommendations on Proposed Marijuana Advertising Rules (CR 102)**

Members of the Liquor and Cannabis Board,

Thank you for your ongoing attention to the health and safety of Washington youth.

As the new marijuana marketplace evolves and competition breeds consolidation and drives down price, it is natural that businesses will look for every advantage to compete, especially through advertising. It is understood that exposure to marijuana advertising impacts youth use (*Exposure to Advertisements and Marijuana Use Among US Adolescents/ Hongying Dai, Phd./Preventing Chronic Disease, Public Health Research, Practice and Policy, Vol. 14 E124, November 2017*).

We have seen the tobacco industry push advertising aggressively at youth—a practice science has shown necessary to create new generations of smokers. We are concerned about parallels emerging in Washington’s commercial marijuana industry that seem to be taken from “Big Tobacco’s” playbook. We encourage the Board to lean towards more conservative restrictions on advertising especially in this new, and still volatile, marijuana marketplace.

We urge you to consider the following recommendations to proposed marijuana advertising rules to protect children from the marketing strategies of another addictive substance industry.

Recommendations are based on substance abuse prevention science, lessons learned from the tobacco and alcohol industries and feedback from community prevention coalitions across the state.

- 1. Restrict licensees from contracting with private businesses or other private industries or partnering with non-licensed services/products for the purposes of advertising.** We recognize the LCB does not have the authority to regulate non-licensed entities. We recommend restricting licensees from contracting with third party entities for the purpose of advertising, or engaging in actions that would cause de-facto non-regulated advertising to occur. (Ex: WeedMaps, Leafly).
- 2. Define “appealing to youth” and “especially appealing to children or other persons under legal age.”** We suggest this definition consider what a youth would normally encounter in their daily lives and restricting “lifestyle” imagery, such as the depiction of young adults in socially exciting or relationally appealing vignettes. These images serve as aspirational messages to youth and support the perceived benefits of “marijuana culture.” We suggest restricting the use of any mascot as they are inherently appealing to youth. Also to regulate messages that support the common misperception that marijuana use is more “normal” among youth and young adults under age 21 than the data demonstrates (ex: “everyone’s doing it”).

- 3. Enhance effectiveness of restrictions on outdoor advertising.** Much outdoor advertising is visible to youth regardless of placement. While rules limit placing ads near locations frequented by youth to limit exposure to messages that support or normalize marijuana use, outdoor advertising such as billboards will expose youth to these same problematic messages.

In addition to proposed restrictions, we recommend requiring all billboard and outdoor sign warning messages to use a standardized font (consider that used on cigarette warning labels, white/ black contrast) and include language that restricts depictions of future THC delivery devices and useable product as the market is innovating faster than the legislative and rule making processes.

We recommend billboards in motion (on vehicles, planes, boats) be proactively banned in part because insuring the legibility of warning messages in motion creates potentially insurmountable enforcement challenges.

We recommend ride-share options (ex: Lyft, Uber) popular with youth be included in advertising restrictions similar to buses.

We recommend that Adopt-a-Highway signage specific to marijuana be considered as advertisement by the LCB and fall under this section that regulates licensees. The signage contradicts common-sense DUI-Cannabis prevention efforts.

- 4. Enhance safety requirements for on premises advertising.** We suggest expand the definition of products that cannot be depicted to include current and future THC delivery products, for example: “any THC-based products,” or “marijuana or cannabis products,” or “product containing marijuana.”

We suggest eliminating the ability for ads to be placed on adjacent structures. We suggest language throughout that keeps advertising on the physical structure or “premises” and clarifies the restriction of expansion to “off premise.” Clear definition of “premises” required. Our concern stems in part from retail businesses that own adjacent structures, for example those that sell industry merchandise which serve the additional purpose of expanding advertising.

- 5. Close potential loopholes with outdoor advertising determined by type of event funding.** Instead of an exemption for outdoor advertising on certain structures or events that “receive state allocations” or are “located at an adult only facility,” we suggest banning advertising on any structures or events where youth attend, not just when youth are present because those ads predictably cannot be removed when children are present and enforcement would be problematic.

Thank you. The Board of Directors,

