# A Modern State-Federal Framework for the U.S. Regulated Cannabis Industry

Food and Drug Law Journal 2018 Symposium

Tami L. Wahl, Esq.

Policy Advisor

November 2, 2018 | Washington, D.C.



## U.S. regulated Cannabis market

- \$7+ bil
- 150k+ taxable jobs
- Medical programs serve 2+ mil patients
- Data supports positive health outcomes, reduced healthcare costs (e.g., pain, reduction in opioid use)
- Programs parallel DEA's closed system of distribution
- Market vulnerabilities: market stability, impaired driving, diversion | banking, USPTO, SBA

#### Cornerstones of proposed federal framework

- Minimal disruption to state regulated markets
  - Maturity of intrastate markets
  - Need technical assistance | wide safety margin of plant
  - States already absorb cost of enforcement efforts
- States retain control | position of authority
  - Closest to the plant and market implications
- Designed through botanical lens
  - Botanical expertise
  - Respect the plant

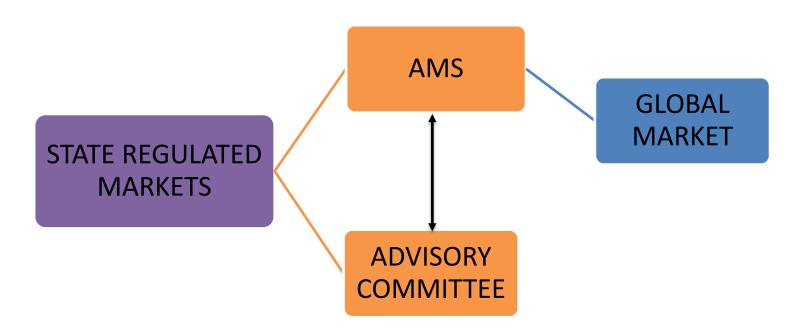
#### Federal Interface

- Limited yet substantive partnership
- De-scheduled
- Advisory Committee
  - Majority of members from state level
  - Scope: establish minimal quality and laboratory standards, national symbol, educational message
- USDA | Agricultural Marketing Service (AMS)
  - Driver for market stability
  - Sets standards
  - Develops markets
  - Versed in plant material | commodities

### (cont.) Federal Interface

- Existing regulatory pathways instructive, not a fit
  - Pharmacy compounding, Botanical drug, Dietary supplement, Alcohol | Tobacco
- AMS
  - Brings technical expertise needed for market stability
  - Botanical expertise for global placement
- Small business interests
- Eligibility for health insurance coverage

## (rudimentary) Visual



## Thank you!



**Policy Advisor** 

m: 707.921.8500 | TWahl@MarketAccess.Today