Principles Governing Responsible Cannabis Regulation

NORML is a consumer-oriented lobby and educational outreach organization, representing the interests of adults who choose to consume cannabis in a responsible** manner. NORML supports legal reforms that permit the responsible use of cannabis by adults. This use includes cannabis consumption for therapeutic, spiritual, and social purposes.

NORML believes that cannabis consumers, like the consumers of other goods, desire a product of high, standardized quality and one that is safe, convenient, and affordable to obtain. Retail cannabis products should be subject to standardized testing by a licensed lab prior to sale to assure that the product is free from harmful pesticides, molds, or other unwanted adulterants, and labeled accurately so the consumer is aware of cannabinoid content. Commercial producers and retail sellers should be licensed and regulated, as are producers/sellers of other commercial goods, and their facilities should be safe and secure.

NORML further supports the establishment and licensing of legal clubs or similar licensed establishments where cannabis consumers can socialize with others in a secure environment outside of their homes.

NORML does not oppose the imposition of reasonable taxation and regulations on the commercial production and retail sale of cannabis

The commercial production and retail sale of recreational cannabis in legal jurisdictions is presently subject to both excise taxes and sales taxes, similar to other commercial goods. The taxation of these goods remains popular with elected officials as well with the general public — particularly among those who do not personally use cannabis, but view the plant's legalization positively as an alternative source of state revenue. The imposition of fair and reasonable taxes on these commercial activities generates support from members of the public who may otherwise show little interest in cannabis law reform.

Such taxation ought not to apply to noncommercial activities involving cannabis. Most importantly, taxation on commercial activities should not be so excessive that it incentivises consumers to obtain cannabis from the black or grey market. In jurisdictions where cannabis is produced and distributed exclusively to qualified patients, such taxes and/or fees ought to be minimal or, ideally, not imposed at all.

Any legal product or commodity that is produced and sold on the retail market will be subject to some level of regulatory oversight. Regulations allow for state and local governments to establish legal parameters for where, when, and how markets operate. Regulations also provide oversight regarding who may legally participate in said markets, and provide guidelines so that those who do so can engage in best practices. Regulations provide clarity to the public, elected officials, as well as to members of law enforcement as to who are the good and bad actors, and provide objective criteria so that one can differentiate between these the two groups.
Virtually all commercial markets are subject to some level of government regulation and the commercial cannabis market will be no different. The role of consumer advocates is to ensure that these regulations are sensible and practical for the individual consumer and that lawmakers do not use the threat of over-regulation to stifle the industry and/or maintain an environment of partial prohibition.

**NORML is neutral on policies that propose caps limiting the initial number of licensed cannabis producers**

Several states presently impose caps on the number of licensed cannabis producers and distributors that may legally provide cannabis to either the medical or the retail market. Few states do not impose such caps. These caps vary widely from state to state and market to market, with some states limiting the number of producers to no more than two (Minnesota) or three (Delaware). While NORML believes that a free market promotes both competition and lower prices, both of which inherently are of benefit to the cannabis consumer, NORML’s immediate priority is to foster a legal environment where the plant, at least in some specific circumstances, is no longer classified as contraband so that adults who engage in its use responsibly no longer face arrest, incarceration, or a criminal record.

NORML is generally supportive of legislative proposals that meet these immediate criteria. Other regulatory changes in retail production and distribution will likely follow incrementally. NORML believes that advocates are in a better position to leverage for more sensible (and for fewer) regulations in an environment where the adult use of cannabis is codified under the law as opposed to an environment where cannabis is illicit and all users of the plant are criminals.

**NORML supports the need for home cultivation**

Criminalizing the personal cultivation of cannabis is an arbitrary prohibition that has absolutely no basis in public safety. NORML supports the right of individuals to grow their own cannabis as an alternative to purchasing it from licensed commercial producers. NORML maintains that the inclusion of legislative provisions protecting the non-commercial home cultivation of cannabis serves as leverage to assure the product available at retail outlets is high quality, safe and affordable. That said, as stated previously, NORML's immediate priority is to foster an environment where cannabis is no longer classified as contraband so that adults who engage in its use responsibly no longer face arrest. In general, NORML is supportive of legislative proposals that meet these immediate criteria, even if they do not include, or severely restrict, the ability to cultivate cannabis at home for non-commercial purposes. If and when such measures are enacted restricting personal cultivation rights, NORML believes that lobbying efforts to restore and enact these rights be among advocates' highest priorities.