



June 6, 2022

Attention: Monet Vela
Office of Environmental Health Hazard Assessment
P. O. Box 4010
Sacramento, California 95812-4010

RE: Public Comment on Proposed Text Cannabis Smoke and Delta-9-Tetrahydrocannabinol (Delta-9-THC) Exposure Warnings California Code of Regulations, Title 27, new Sections 25607.38 – 25607.47

We respectfully submit the following comments related to the Office of Environmental Health Hazard Assessment's recent draft of the proposed regulatory text released May 20th, 2022.

We support OEHHA's efforts to ensure consumers are warned of the potentially harmful effects of cannabis smoke and 9-tetrahydrocannabinol (delta-9-THC). However, the warnings proposed in Sections 25607.38 – 25607.47 of the California Code of Regulations regarding pregnancy and breastfeeding are redundant with existing warnings already required by the California Code of Regulations Title 4 Division 19 (included below, for reference).

Repeating the same warnings is confusing for consumers and onerous for businesses who must already fit extensive regulatory content onto small packages. This either forces smaller and smaller text, making it difficult for consumers to read, or it forces the packaging to be larger, creating negative environmental impact through unnecessary waste.

All cannabis products in California already include a warning against use during pregnancy and breastfeeding that is more inclusive than the new proposed warning. The existing warning applies to both inhalable and ingestible cannabis products and reads "**CANNABIS USE WHILE PREGNANT OR BREASTFEEDING MAY BE HARMFUL.**" This existing warning is much broader than the proposed warning: it extends to both pregnancy and breastfeeding and applies to cannabis generally, not only the single molecule delta-9-THC. We urge the OEHHA to remove the text of the warning related to delta-9-THC in pregnancy because this warning is redundant with the existing warnings.

Therefore, we urge regulators to amend the proposed text to the following:

For Inhalable cannabis products:

For Inhalable Products not including vapes or dabs:

- (1) The symbol required in Section 25603(a)(1).;
- (2) The word "WARNING:" in all capital letters and bold print, and;
- (3) The words, "Smoking cannabis increases your cancer risk. For more information go to www.P65Warnings.ca.gov/cannabis."

For Ingestible cannabis products:

Refer to Section 25603 for any carcinogens and/or reproductive toxicants.

Sincerely,
California Cannabis Manufacturers Association
Cannabis Distribution Association



Appendix:

Existing warning label requirements for all cannabis goods sold in California:

California Code of Regulations Title 4 Division 19:

§17403. Primary Panel Labeling Requirements: Nonmanufactured Cannabis Goods.

(4) The following statement in bold print: **“GOVERNMENT WARNING: THIS PACKAGE CONTAINS CANNABIS, A SCHEDULE I CONTROLLED SUBSTANCE. KEEP OUT OF REACH OF CHILDREN AND ANIMALS. CANNABIS MAY ONLY BE POSSESSED OR CONSUMED BY PERSONS 21 YEARS OF AGE OR OLDER UNLESS THE PERSON IS A QUALIFIED PATIENT. CANNABIS USE WHILE PREGNANT OR BREASTFEEDING MAY BE HARMFUL. CONSUMPTION OF CANNABIS IMPAIRS YOUR ABILITY TO DRIVE AND OPERATE MACHINERY. PLEASE USE EXTREME CAUTION.**

California Code of Regulations Title 4 Division 19: for Ingestible Products:

§17406. Informational Panel Labeling Requirements.

(3) The following statement in bold print: **“GOVERNMENT WARNING: THIS PRODUCT CONTAINS CANNABIS, A SCHEDULE I CONTROLLED SUBSTANCE. KEEP OUT OF REACH OF CHILDREN AND ANIMALS. CANNABIS PRODUCTS MAY ONLY BE POSSESSED OR CONSUMED BY PERSONS 21 YEARS OF AGE OR OLDER UNLESS THE PERSON IS A QUALIFIED PATIENT. THE INTOXICATING EFFECTS OF CANNABIS PRODUCTS MAY BE DELAYED UP TO TWO HOURS. CANNABIS USE WHILE PREGNANT OR BREASTFEEDING MAY BE HARMFUL. CONSUMPTION OF CANNABIS PRODUCTS IMPAIRS YOUR ABILITY TO DRIVE AND OPERATE MACHINERY. PLEASE USE EXTREME CAUTION;”**