



Alaska Tobacco Control Alliance

Our Vision: A Tobacco-Free Alaska

June 17, 2016

Cynthia Franklin, Director
Alcoholic Beverage Control Board
550 W 7th Ave, Suite 1600
Anchorage, AK 99501

Dear Ms. Franklin:

On behalf of the Alaska Tobacco Control Alliance, we respectfully submit comments on proposed regulation 3 AAC 306.365 for onsite consumption of marijuana at licensed retail stores. We are concerned for Alaskans' health with the proposed regulations. **We oppose the public consumption of smoked, dabbed, vaped or aerosolized marijuana because of the significant health harms to users and non-users.**

Ballot Measure 2 was clear, the public consumption of marijuana was intended to remain illegal. The language in the ballot measure, voted on by the public and now enacted in AS 17.38.040, does not allow for public consumption of marijuana and includes a \$100 fine for this activity. The first regulations adopted by the Board in February 2015 to define "public" supports this restriction. The draft regulations released for public comment in fall 2015 specifically prohibited public consumption and onsite consumption at retail stores, and were only changed with an amendment during a Board meeting, after public comment was closed. We believe that the decision of whether to allow public consumption of marijuana did not provide sufficient opportunity for public input at the appropriate time.

No type of ventilation system will protect workers and patrons from the effects of secondhand smoke, vapor or aerosol. The licensee would be required to provide a ventilation plan to address byproducts of using marijuana onsite. Ventilation may reduce odors, but will not protect workers' health from marijuana smoke:

- Even high-quality ventilation systems will not prevent marijuana smoke or aerosol from moving from the consumption area into other areas of the retail store. A building must be completely smokefree to eliminate the health effects caused by smoke or aerosol.
- The American Society for Heating, Refrigerating and Air Conditioning Engineering (ASHRAE) is the national professional organization that develops engineering standards for building ventilation systems. In a 2010 position paper, ASHRAE has concluded that the only acceptable industry standard is completely free from secondhand smoke: "At present, the only means of effectively eliminating health risk associated with indoor exposure is to ban smoking activity." Ventilation will not completely remove the carcinogens and particulates from the air.
- Recent studies have demonstrated that secondhand marijuana smoke contains many of the same cancer-causing substances and toxic chemicals as secondhand tobacco smoke. Secondhand marijuana smoke can exacerbate health problems, including people with respiratory conditions like asthma, bronchitis, or COPD, as well as heart disease and stroke.

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Allowing secondhand marijuana smoke exposure in publically accessible places is not good public health policy. In 2006 the Surgeon General concluded that there is no safe level of secondhand tobacco smoke. While studies of the health risks associated with marijuana use and exposure are limited to date, due to its being illegal under U.S. federal law, marijuana smoke is similar in composition to secondhand tobacco smoke, with the potential for similar health and safety risks to the public. Preventing secondhand smoke exposure to forestall costly health issues makes good policy sense given current evidence: Secondhand marijuana smoke contains many of the same cancer-causing substances and toxic chemicals as secondhand smoke. Some of the known carcinogens or toxins present in marijuana smoke include: acetaldehyde, ammonia, arsenic, benzene, cadmium, chromium, formaldehyde, hydrogen cyanide, isoprene, lead, mercury, nickel, and quinolone (Moir, et al, 2008). Moir, et al. also found significant amounts of mercury, cadmium, nickel, lead, and chromium in marijuana smoke. Comparing it to tobacco smoke, there was 20 times the amount of ammonia and 3-5 times more hydrogen cyanide in marijuana smoke.

- In 2009, the California Office of Environmental Health Hazard Assessment added marijuana smoke to its Proposition 65 list of carcinogens and reproductive toxins.
- In 2014, researchers demonstrated the impact of secondhand marijuana smoke on blood vessel function. Thirty minutes of exposure to secondhand marijuana smoke at levels comparable to those found in restaurants that allow cigarette smoking led to substantial impairment of blood vessel function. Marijuana smoke exposure had a greater and longer lasting effect on blood vessel function than exposure to secondhand tobacco smoke.
- In study after study, we know that the heart attack and stroke rates drop when communities and states go smokefree. Once an individual quits smoking, their risk of heart attack and stroke drop 50% in a year.

Everyone has the right to breathe clean air. Smokefree policies are designed to protect the public and all workers from exposure to the health hazards caused by secondhand tobacco smoke. The same should be true for marijuana smoke. **Based on the available science, we recommend the Board not allow smoked, dabbed, vaporized or aerosolized marijuana consumption where workers are present.**

Thank you for your consideration in supporting worker and public health.

Sincerely,

Edy Rodewald, co-chair
Southeast Region

Sharon Wolkoff, co-chair
Southwest Region