



# Marijuana Threats to Smokefree Air Protections

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American Nonsmokers' Rights Foundation  
[no-smoke.org](http://no-smoke.org)

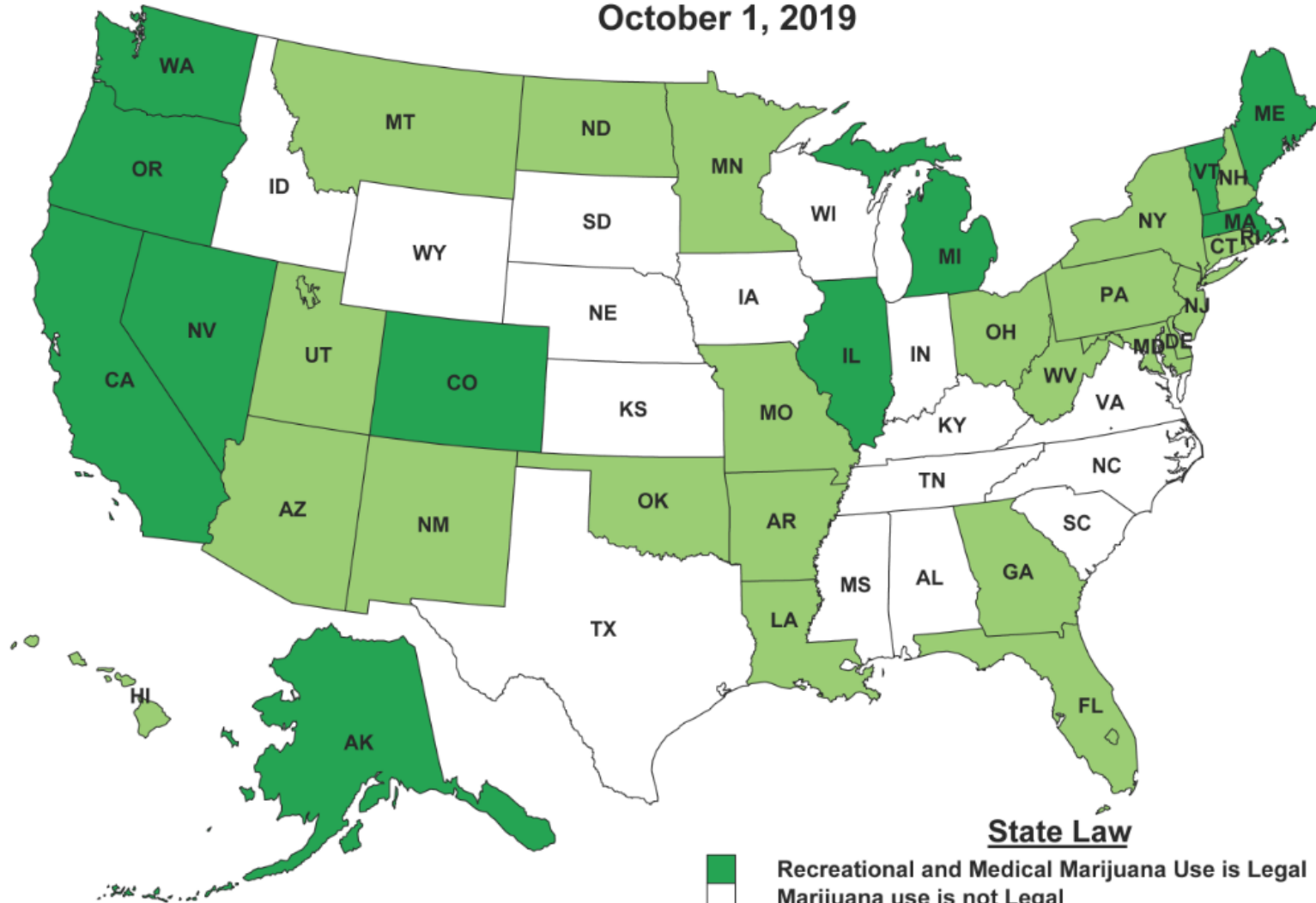
Oregon Tobacco Prevention  
& Education Program  
January 15, 2020

# Overview




1. National overview
2. Threats & concerns
3. State & local examples
4. Messaging

# States with Legalized Marijuana

American Nonsmokers' Rights Foundation  
October 1, 2019



### State Law

-  Recreational and Medical Marijuana Use is Legal
  -  Marijuana use is not Legal
  -  Medical Marijuana Use, but not Recreational, is Legal
- Note: In total, medical marijuana use is legal in 34 states.

To see a map of state and local laws prohibiting smoking and vaping marijuana, visit <https://no-smoke.org/wp-content/uploads/pdf/marijuana-smokefree-laws-map.pdf>

Note: American Indian and Alaska Native sovereign tribal laws are not reflected on this map.

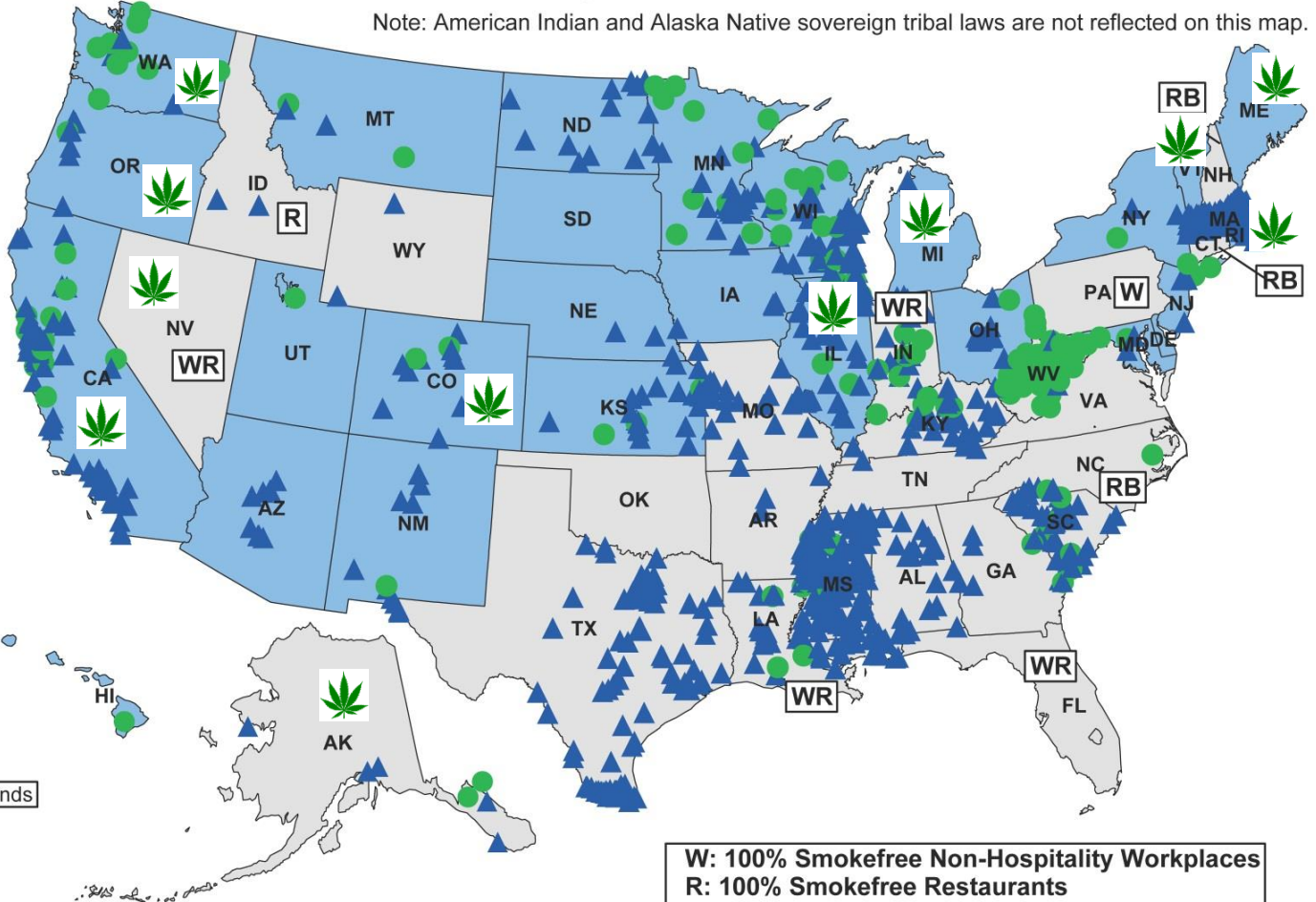
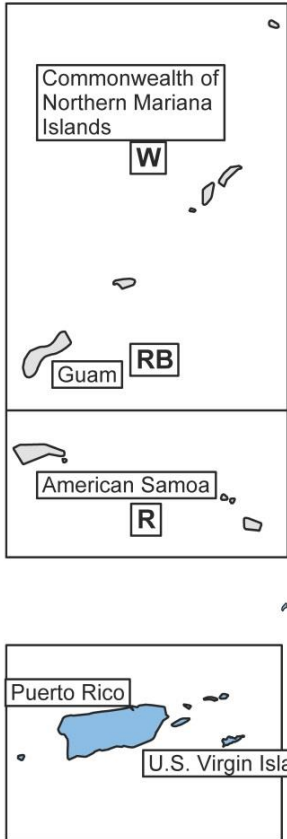
# U.S. 100% Smokefree Laws in Non-Hospitality Workplaces AND Restaurants AND Bars

## American Nonsmokers' Rights Foundation

*As of October 1, 2019*

Note: American Indian and Alaska Native sovereign tribal laws are not reflected on this map.

### Territories and Commonwealths



**W: 100% Smokefree Non-Hospitality Workplaces**  
**R: 100% Smokefree Restaurants**  
**B: 100% Smokefree Bars**

**Locality Type with a 100% Smokefree WRB Law**

- ▲ City
- County

**State and Commonwealth/Territory Law Type**

- 100% Smokefree Non-Hospitality Workplace, Restaurant, and Bar Law
- Law doesn't cover 100% Smokefree Non-Hosp. Workplaces & Restaurants & Bars

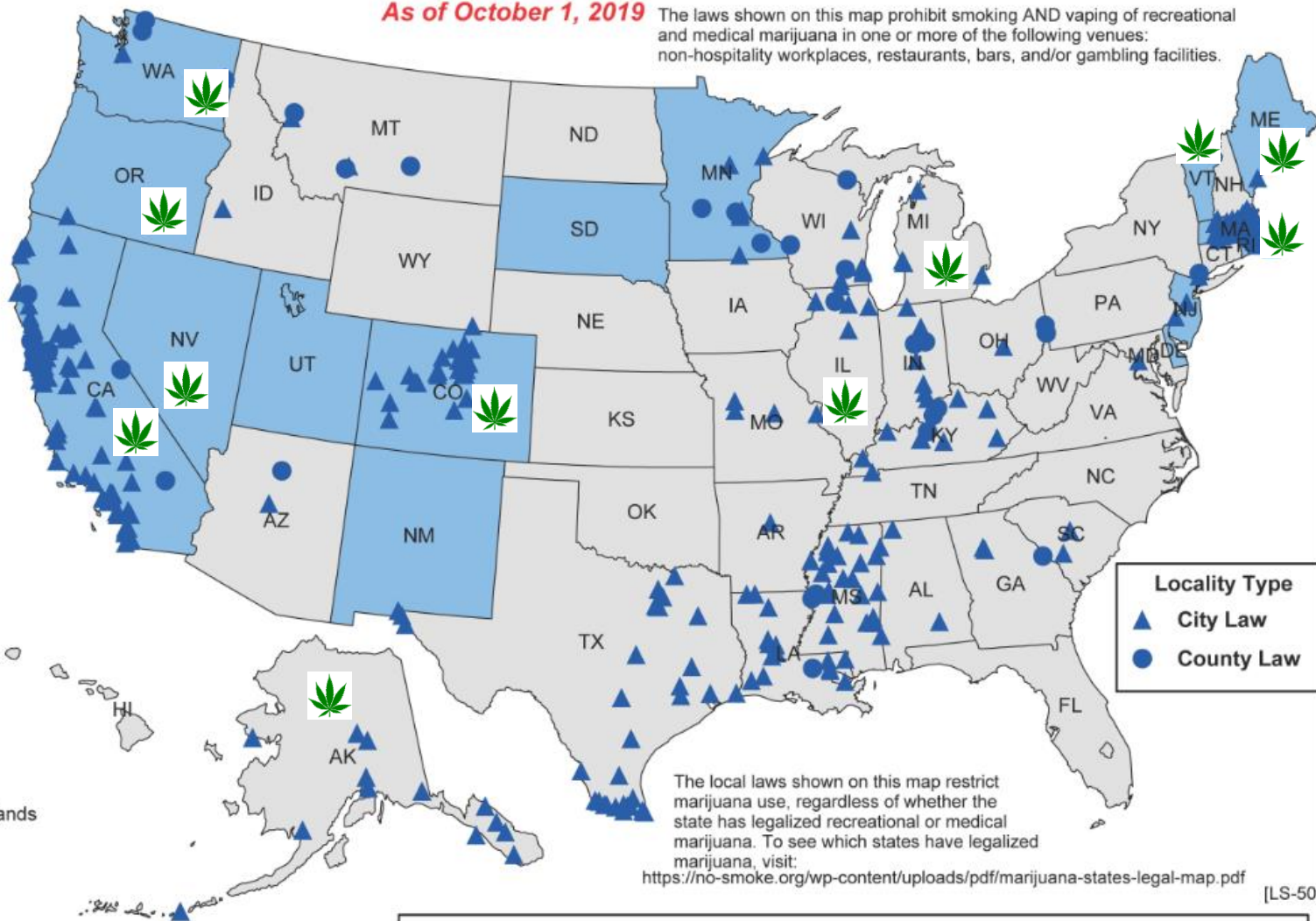
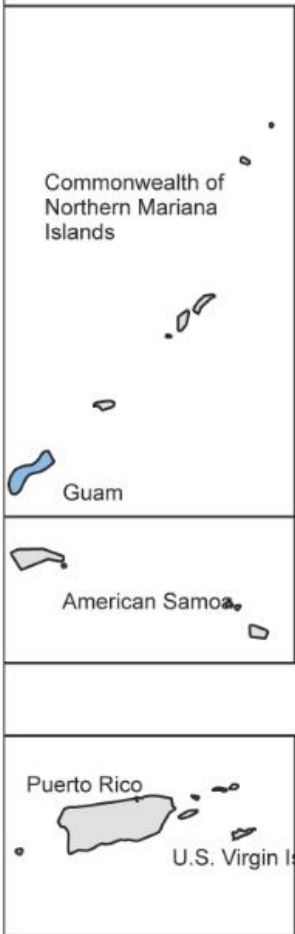
# State and Local Laws Prohibiting Smoking AND Vaping Marijuana

## American Nonsmokers' Rights Foundation

As of October 1, 2019

The laws shown on this map prohibit smoking AND vaping of recreational and medical marijuana in one or more of the following venues: non-hospitality workplaces, restaurants, bars, and/or gambling facilities.

### Territories and Commonwealths



Note: American Indian and Alaska Native sovereign tribal laws are not reflected on this map.

For more information on the health risks of marijuana secondhand smoke exposure, visit <https://no-smoke.org/smokefree-threats/marijuana-smoke/>

State and Commonwealth/Territory Law Type	
	Smoking & Vaping Marijuana Prohibited in W/R/B/G
	Smoking & Vaping Marijuana not Prohibited in W/R/B/G

# Threats to Smokefree Air

- Push to weaken smokefree laws to expand where marijuana smoking & vaping is allowed.
  - On-site use at retailers: Lounges, mixed use buildings
  - Social consumption spaces: Restaurants, bars, yoga, parks, events
- Even strong smokefree laws are at risk
- Marijuana industry's growing money & influence
- Challenges for tobacco control to engage on marijuana
- Misinformation & lack of awareness:
  - Use & exposure
  - Smokefree protections are at risk

# What's At Stake in our Communities?

- Secondhand marijuana smoke exposure is increasing
- Smokefree protections may be rolled back
- Smoking may be renormalized
- Tobacco control supporters may be pro-marijuana
- Exemptions create inequities in protection & exposure
- Don't want to create new class of workers exposed to SHS
- If tobacco control doesn't speak up, who will?

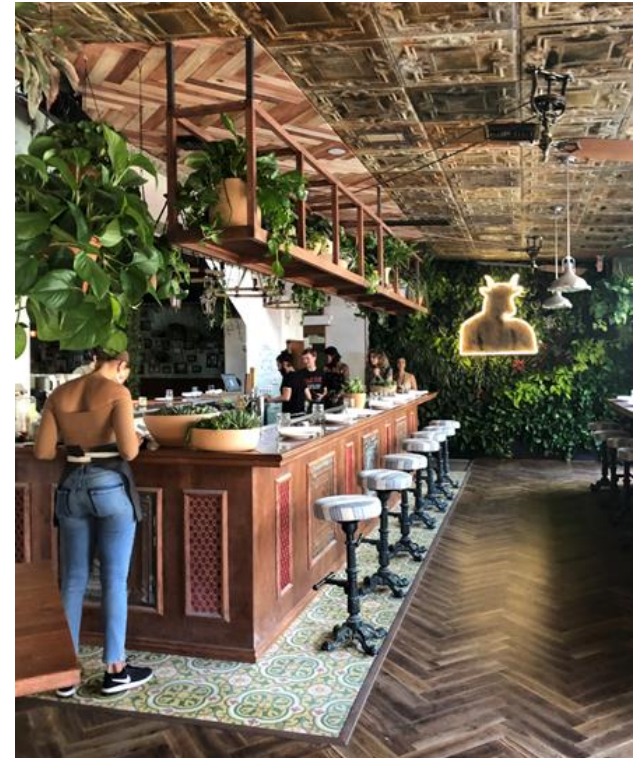
# State & Local Examples





# California

- State law
- Weaken smokefree protections:
  - Passed: temporary special events
  - Pending: consumption cafes/lounges
- Berkeley
- West Hollywood





EATER INSIDE

## A First Look Inside Lowell Cafe, America's First-Ever Licensed Cannabis Restaurant

Lowell Farms: A Cannabis Cafe | [Wonho Frank Lee](#)

Source: [la.eater.com](http://la.eater.com)

# Colorado

- State law
- Weaken smokefree protections
  - Passed: marijuana hospitality establishments
- Denver



Source: Thinkstock

# Michigan

## Weaknesses put public health at risk:

- 2010 smokefree air law does NOT apply to marijuana
- 2019 marijuana law does NOT reference smokefree law
- **Any business** can apply for an adult use on-site consumption license:
  - Restaurant, bar, hotel, etc.
- Municipalities can decide on on-site consumption licenses



Source: Getty Images

# Illinois

- 2019 marijuana law allows on-site consumption **only** at dispensaries & tobacco retailers
- What did Illinois do right?
  1. Protect smokefree progress
  2. Educate the community
  3. Worker health remains the priority
- Still needs to stay vigilant



Source: thenorthstar.com

# Messaging



**ALL  
SECONDHAND  
SMOKE IS  
HARMFUL**

Secondhand marijuana  
smoke contains  
chemicals linked to  
lung cancer.

[SecondhandDangers.org](http://SecondhandDangers.org) >

## Our Fundamental Messages:

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Everyone has the right to breathe smokefree air.

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There is no safe level of exposure of secondhand smoke.

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All employees, residents, and visitors should be protected from exposure to secondhand smoke.

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We should not create a new class of workers who have to sacrifice their health for a paycheck.

## What You'll Hear...



People need safe, accessible places to use marijuana



Creating new business opportunities for our economy



No one is forced to work at, or visit, a marijuana retailer/lounge



Trampling on our freedoms



Business owners' rights



# Suggested Responses to Opposition Arguments

What the Opposition Will Say	Health Advocate Response
<p><b>There is not enough science about secondhand marijuana smoke.</b></p> <p><i>(science - undecided)</i></p>	<ul style="list-style-type: none"> <li>• Peer-reviewed and published studies indicate that exposure to secondhand marijuana smoke has health and safety risks for the general public.</li> <li>• The science we have so far about secondhand marijuana smoke is enough to be alarmed for the public’s health.</li> <li>• <b>Bottom Line:</b> Marijuana secondhand smoke is a form of indoor air pollution.</li> </ul>
<p><b>People really thought they were voting for on-site consumption.</b></p> <p><i>(redefining “open and public”)</i></p>	<ul style="list-style-type: none"> <li>• The Initiative to legalize marijuana did not include public or on-site use.</li> <li>• The marijuana industry is pushing for re-defining "public" as indoors, away from public view, in venues like bars, yoga studios, coffee shops, on-site use clubs, etc. This is contrary to the general public’s will and is a threat to smokefree environments.</li> <li>• <b>Bottom Line:</b> Smokefree laws and policies should make it clear that marijuana smoking is not allowed indoors.</li> </ul>
<p><b>Just put in a ventilation system and the problem is solved.</b></p> <p><i>(science - ventilation)</i></p>	<ul style="list-style-type: none"> <li>• Ventilation is not a solution. Even sophisticated air cleaning systems cannot eliminate the health risks from secondhand tobacco or marijuana smoke.</li> <li>• Dozens of indoor air quality studies, including the 2009 NIOSH (National Institute of Occupational Safety and Health) report, reaffirm that ventilation systems do not address the health hazards of secondhand smoke.</li> <li>• ASHRAE Standard 62.1 was amended in 2013 to include marijuana and e-cigarettes. The updated standard for acceptable indoor air quality is based on a 100% tobacco and marijuana smokefree and e-cigarette aerosol-free environment.</li> <li>• <b>Bottom Line:</b> There is no safe level of secondhand smoke exposure from tobacco or marijuana. The only way to protect people from this health hazard is a smokefree environment.</li> </ul>

# Suggested Responses to Opposition Arguments

What the Opposition Will Say	Health Advocate Response
<p><b>There is no such thing as secondhand marijuana smoke or a secondhand high.</b></p> <p><i>(stating opinion as science)</i></p>	<ul style="list-style-type: none"> <li>• THC, or Tetrahydrocannabinol, is the chemical compound in cannabis responsible for a euphoric high. In published studies, THC can show up in blood and urine tests in adult nonsmokers and children, if they've had concentrated exposure to secondhand marijuana smoke.</li> <li>• <b>Bottom Line:</b> Long-term exposure of the workforce to secondhand smoke from marijuana can have detrimental effects for health.</li> </ul>
<p><b>Allowing for marijuana on-site consumption and smoking indoors gets marijuana smokers off the streets.</b></p> <p><i>(outdoor smoking)</i></p>	<ul style="list-style-type: none"> <li>• Secondhand marijuana smoke contains fine particulate matter that can be breathed deeply into the lungs. Secondhand marijuana smoke contains many of the same cancer-causing substances and toxic chemicals as secondhand tobacco smoke including: 20 times the amount of ammonia, 3-5 times more hydrogen cyanide and significant levels of mercury lead and formaldehyde.</li> <li>• Smoking or vaping marijuana indoors would expose the workforce and the public to these particulate matter, chemicals and carcinogens.</li> <li>• <b>Bottom Line:</b> People who smoke or aerosolize marijuana in electronic smoking devices should not do so in ways that harm others.</li> </ul>

## CLEARING THE AIR *Addendum*



# Takeaways:

- Prepare for attempts to roll back smokefree protections at state & local levels
- Stand firm to preserve smokefree laws & protect public health
- Educate public & policy makers about marijuana SHS & risks
- Smokefree spaces should be free of all types of SHS
- Indoor marijuana smoking & vaping should not be the default
- Consider identifying outdoor use spaces away from public view



## Marijuana Smoke

# Secondhand Marijuana Exposure is Increasing

**As more states legalize marijuana for recreational or medical use, there can be significant implications for current and future smokefree protections.**

### States with Legalized Marijuana

This map shows which U.S. states have legalized marijuana.

[VIEW PDF](#)

### State and Local Laws Prohibiting Smoking AND Vaping Marijuana

This map shows which U.S. states and municipalities have laws that prohibit smoking and vaping marijuana workplaces, restaurants, bars, and/or gambling facilities.

#### Protecting Nonsmokers from Secondhand Marijuana Smoke

This position paper provides information on marijuana smoke, policy trends, opposition arguments, case studies, and much more!

[READ NOW](#)

#### Secondhand Marijuana Smoke Fact Sheet

This fact sheet describes the potential health hazards of secondhand marijuana smoke exposure.

[READ NOW](#)

#### Smokefree is Smokefree Info Sheet

This one page info sheet provides information on chemicals found in marijuana smoke; graphics; and recommendations for including marijuana in smokefree policies.

[READ NOW](#)

[no-smoke.org/smokefree-threats/marijuana-smoke](https://no-smoke.org/smokefree-threats/marijuana-smoke)

# Thank you!

Contact us for more information,  
materials & resources.

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