



# NCIA POLICY COUNCIL

*Advocating for Sensible Cannabis Policy Solutions*

## INVITATION TO SHAPE STATE AND NATIONAL CANNABIS POLICY

### Summary

NCIA's Policy Council is the cannabis industry's policy "think tank," leading the development of robust public policy recommendations for the state-legal cannabis industry. Policy Council members provide critical thought leadership in the form of recommendations on important policy matters that will shape the future of the industry for years to come. Whether it's making the case for replacing federal prohibition with sound regulations, or incremental reforms such as SAFE Banking or legislative fixes to the federal tax code, Policy Council members promote the most cutting edge policy matters in the fastest growing industry in the United States

The Policy Council is comprised of a small, yet consequential group of industry leaders who help support and steer NCIA policy development work and participate in special policy-related events throughout the year. The policy papers published by the Council inform members of Congress, executive branch officials, state legislators and regulators, the media, and other stakeholders on matters critical to the future of the state-legal cannabis industry.

Special Policy Council working groups dive more deeply into regulatory matters and produce recommendations that are intended to lead to greater consistency at the state level, while also serving as guidance for federal regulators.

### Why join NCIA's Policy Council?

The U.S. cannabis market is a state-based industry, governed by a patchwork of state and local laws and regulations. Up to this point, there has been no attempt to regulate cannabis at the federal level. This will not be the case forever. Eventually, the federal government will regulate the industry, and when it does, it is important that they do so in an informed and thoughtful manner. The Policy Council is producing a library of policy papers in order to ensure that federal lawmakers and regulators are educated and informed about the most pressing issues facing the industry. Serving on NCIA's Policy Council is an opportunity for leading cannabis business operators to have a seat at the table in crafting model public policies for the industry while elevating their brand and stature to help grow their business.

## POLICY COUNCIL MEMBERSHIP BENEFITS

We seek industry thought leaders, representing large and small cannabis and ancillary businesses from various industry sectors, to join the Policy Council. NCIA Committee Chairs and Two representatives from the NCIA Board are entitled to a seat on the Policy Council. For others, a seat on the Policy Council requires a *sustaining* membership in NCIA and a \$5,000 *minimum* annual donation to help underwrite the Council's important public policy work or a \$5,000 annual donation to NCIA's Political Action Committee to support our federal lobbying work. Benefits to Policy Council membership include the following:

- A seat on the Policy Council
- Participation in monthly Policy Council meetings and semi-annual deliberations about the work that the Council will undertake
- An opportunity to co-author and publish significant public policy papers impacting the cannabis industry
- NCIA marketing of policy papers and their authors' work
- Priority speaking opportunities at NCIA trade shows on significant policy topics
- Logo impression and link to business website on NCIA's Policy Council webpage
- Business listing included in each Policy Council publication for the duration of your policy council membership
- Invitation to participate in an exclusive day of VIP meetings with congressional offices before NCIA's Cannabis Industry Lobby Days in Washington, D.C.
- Invitation to four private policy briefings or luncheons with special guests hosted in conjunction with NCIA's three annual trade shows and Cannabis Industry Lobby Days

## POLICY COUNCIL BRIEFINGS

In addition to monthly conference calls, Policy Council members will be invited to participate in exclusive in-person briefings and roundtable discussions on relevant policy topics affecting the industry. When appropriate, guest speakers from other industries and outside policy experts will present to the Council to provide insights that can be applied to policy development for the cannabis sector.

### **2019-20 Policy Council Event Dates and Locations:**

- ❖ July 23, 2019: San Jose, CA (during NCIA's "Cannabis Business Summit & Expo")
- ❖ October 7, 2019: Long Beach, CA (during NCIA's "California Cannabis Business Conference")
- ❖ February 19, 2020: Boston, MA (during NCIA's "Northeast Cannabis Business Conference")
- ❖ May 19, 2020: Washington, D.C. (during NCIA's "10th Annual Cannabis Industry Lobby Days")
- ❖ June 19, 2020: San Francisco, CA (during NCIA's "Cannabis Business Summit & Expo")
- ❖ August 28, 2020: Detroit, MI (during NCIA's "Midwest Cannabis Business Conference")

For more information about becoming a member of the Policy Council, contact Andrew Kline at [Andrew@TheCannabisIndustry.org](mailto:Andrew@TheCannabisIndustry.org)

## POLICY COUNCIL HIGHLIGHTS

Since its inception, the Policy Council has been serving as the think tank for the cannabis industry. In the coming weeks, the Policy Council will be releasing a white paper on “classifying cannabis.” The purpose of the paper is to propose how cannabis should be regulated post-federal prohibition. The Policy Council expects that this paper will generate great interest in the cannabis community, and with state regulators, federal lawmakers, and with 2020 Presidential candidates.

In April 2019, NCIA built a coalition to respond to FDA’s Federal Register Notice seeking comment on cannabis and cannabis-derived products. On May 31, 2019, the coalition submitted 60 pages of comments to inform and influence FDA rule-making.

- ❖ **National Cannabis Industry Association’s Response to the U.S. Food and Drug Administration’s Request for Public Comments on Scientific Data and Information About Products Containing Cannabis or Cannabis-Derived Compounds**

In May of 2019, the Policy Council released a white paper on social equity. We released the paper at a social equity event on Capitol Hill, in partnership with the Minority Cannabis Business Association.

- ❖ **Increasing Equity In The Cannabis Industry: Six Achievable Goals For Policy Makers**

Toward the end of 2017, the Council formed a Testing Policy Working Group and coordinated a series of meetings, backed by many hours of research and drafting, to craft recommendations related to cannabis testing. Those recommendations were released just prior to NCIA’s Cannabis Business Summit in July, where the recommendations were the focus of a special plenary session.

- ❖ **Cannabis Testing Policy: Recommendations For More Thoughtful And Consistent Regulations**

In February 2019, the Policy Council released a paper on Packaging and Labeling. In May 2019, the Policy Council submitted this prior work to FDA to inform their rule-making on CBD. Packaging and labeling remains an important policy issue for both THC and CBD products, and these recommendations serve as guidance for state and federal policy/law makers.

- ❖ **Cannabis Packaging And Labeling: Recommendations For Sensible And Consistent Regulations Across States And Nations**

At the start of 2017, it was apparent that Congress would be focused on changing the federal tax

code. Therefore, the Council focused on cannabis-related tax policy and produced the following two papers:

- ❖ **Generating Federal Cannabis Tax Revenue in a Sensible and Equitable Manner**
- ❖ **IRC Section 280E: An Unjust Burden on State-Legal Cannabis Businesses**

In early 2018, after Attorney General Jeff Sessions rescinded the Department of Justice’s “Cole Memo,” the Council published a white paper to explain the issue and suggest policy priorities moving forward.

- ❖ **Four Congressional Actions to Protect The State-Legal Cannabis Industry in the Post-Cole Era**

In 2018, it became increasingly apparent that the U.S. was falling behind other nations, especially Canada, in the development of a vibrant cannabis industry. The Council produced a white paper to help educate policy makers about the situation.

- ❖ **How the U.S. is Falling Behind in the Global Cannabis Market**

Following a highly-publicized U.S. Customs seizure of cannabis “paraphernalia” bound for a Colorado-based cannabis accessory business in June, the Council produced a policy brief explaining why that seizure may not have been consistent with federal law:

- ❖ **The Little-Known – And Critical – Exception to Federal Paraphernalia Laws**

In the wake of a refusal by the Environmental Protection Agency to grant special local use permits requested by a number of states related to the use of pesticides, the Council published a paper to raise awareness of this problem.

- ❖ **Overcoming Federal Obstacles to the Sensible Use of Pesticides on Cannabis**