

## We can't rely upon monitoring by researchers and civil society to prevent cannabis industry influence—a global response is needed

*The market for legal cannabis products and related harm will be affected by the cannabis industry's success in influencing government regulation. An inadequate global response fails to support governments in efforts to regulate the commercialization of psychoactive products. Urgent re-alignment of the global governance architecture, including negotiation of new health treaties, is needed.*

The article by Adams, Rychert & Wilkins [1] draws attention to the nexus and influence practices of commercial interests and their affiliated organizations as they are emerging now in the context of a shift towards legalization of cannabis. The extent of industry influence on policymaking where effective regulation would endanger corporate profits requires a paradigm shift in governmental response at national and global levels.

The New Zealand case study highlights some of the many ways in which industry influence occurs, including funding allied organizations such as patient groups to lobby for liberalization and the engagement of industry representatives in policy development; these have also been documented elsewhere in relation to cannabis [2,3]. Direct funding of the political process by the cannabis industry was not seen in New Zealand but has been visible in the United States, where funding of political parties has taken place for some years [4]. Also, in Thailand, a middle-income country with a very low prevalence of cannabis use, a political party, Phumjaithai, was funded by the cannabis industry and promoted an 'economic marijuana policy' for the 2019 election [2].

As Adams *et al.* [1] outline, there is cross-ownership between cannabis and other legal drugs and it is not surprising that the tobacco and alcohol 'playbooks' are being employed by the **transnational** corporations (TNC) producing cannabis with the clear aim of expanding the global market via greater availability, affordability and marketing of cannabis products. Despite some restrictions, the cannabis industry is already marketing its products on digital platforms [5,6]. The goal of marketing is to normalize the use of cannabis products, recruit new cohorts of users and, especially, to recruit and reinforce the heavy-using consumers who provide the bulk of sales and profits [7].

Many debates around cannabis legalization characterize the issue as one of a health equity response versus criminalization of a relatively harmless drug, and this was largely true of the policy debate in New Zealand. The

commercial imperatives of a legal global industry, the consequential impacts on consumption and harm and the industry's influence on policy development were not in the forefront of the debate. The anti-legalization advocates focused primarily upon adverse health effects and the weaknesses in the proposed legislation, with limited focus upon the market power implications of unleashing 'Big Cannabis' [8].

The article's co-authors propose the need for a new research agenda focusing upon the legal cannabis industry's influence strategies and practices and suggest that 'researchers have a key role to play in identifying, documenting and monitoring the risks of cannabis industry influence, much like they have for decades with tobacco, alcohol, gambling and pharmaceutical' sectors. Shining light on such industry practices is important (and I have long engaged with and argued the need for this analysis in relation to alcohol [9,10]). However, this has now become a relatively large research literature in relation to alcohol and other commercial determinants of ill health, documenting the range of practices adopted by TNCs and their affiliates and devising a range of useful conceptual frameworks (e.g. [11]). There has also been increased attention paid to the important role of trade and investment agreements in the global architecture which privilege the interests of TNCs, even to the extent of allowing corporations to sue governments that seek to protect populations from hazardous products [12,13]. However, as this body of research has grown so, too, has the subversion of effective policies by these industries. A lack of uptake of effective alcohol control policies and projections of increased alcohol consumption globally has occurred [14], and the alcohol industry itself has identified the successful outcomes of their subversion as having 'successfully mitigated threats and built momentum in our engagement with governments around the world to shape more balanced regulatory outcome' [15]. The impact of industry influence upon the emergent market for cannabis products is likely to be very similar. This argues the need to go beyond monitoring risks and for an urgent and strong global response to shift the balance in the global architecture and support good national policy development. The Framework Convention on Tobacco Control (FCTC) provides a useful model [16].

It is not too soon to start the discussion about an appropriate global response to cannabis. The changing status of cannabis internationally, both medicinal and recreational,

which this article documents, undermines the relevance to cannabis of the UN Convention on Narcotic Drugs. If cannabis is not to join alcohol, which has the dubious honour of being the only psychoactive addictive substance not subject to an international treaty, then it is already time to begin discussion of the role of a health treaty similar to the FCTC applicable to cannabis [17]. One of the treaty's most important elements will be the pledge made by governments which endorse the health treaty to ensure that policy development and implementation are protected from industry interests.

### Declaration of Interests

None.

### Author contributions

**Sally Casswell:** Conceptualization.

**Keywords** Alcohol, framework convention, global architecture, global governance, legalized cannabis industry, policy influence.

SALLY CASSWELL 

*Social and Health Outcomes Research and Evaluation (SHORE)  
SHORE and Whariki Research Centre, College of Health, Massey  
University, New Zealand  
E-mail: s.casswell@massey.ac.nz*

Submitted 10 May 2021; final version accepted 13 May 2021

### References

- Adams P. J., Rychert M., Wilkins C. Policy influence and the legalized cannabis industry: learnings from other addictive consumption industries. *Addiction* 2021; <https://doi.org/10.1111/add.15483>
- Rehm J., Elton-Marshall T., Sornpaisarn B., Manthey J. Medical marijuana. What can we learn from the experiences in Canada, Germany and Thailand? *Int J Drug Policy* 2019; **74**: 47–51.
- Gornall J. Big cannabis in the UK: is industry support for wider patient access motivated by promises of recreational market worth billions? *BMJ* 2020; **368**: m1002.
- Gunelius S. Cannabis Businesses Invest in Their Futures with Political Donations. *cannabiz media*. 2020 (October 23). Available at: <https://www.cannabiz.media/blog/marijuana-businesses-invest-in-their-futures-with-political-donations> (accessed 30 April 2021).
- Moreno M. A., Gower A. D., Jenkins M. C., Scheck J., Sohal J., Kerr B., *et al.* Social media posts by recreational marijuana companies and administrative code regulations in Washington state. *JAMA Netw Open* 2018; **1**: e182242.
- Clayton S. Digital Marketing Tips to Help Grow Your Cannabis Business. *Cannabis Industry J* 2021 (April 1). Available at: [https://cannabisindustryjournal.com/feature\\_article/digital-marketing-tips-to-help-grow-your-cannabis-business/](https://cannabisindustryjournal.com/feature_article/digital-marketing-tips-to-help-grow-your-cannabis-business/) (accessed 30 April 2021).
- Callaghan R. C., Sanches M., Benny C., Stockwell T., Sherker A., Kish S. J. Who consumes most of the cannabis in Canada? Profiles of cannabis consumption by quantity. *Drug Alcohol Depend* 2019; **205**: 107587.
- Say Nope to Big Dope. The New Face of Big Tobacco—We've been sucked in once. Remember Big Tobacco? [undated]. Available at: <https://saynoPETODOPE.org.nz/big-tobacco/> (accessed 16 April 2021).
- McCreanor T., Casswell S., Hill L. ICAP and the perils of partnership [editorial]. *Addiction* 2000; **95**: 179–85.
- Casswell S. The alcohol industry and alcohol policy—the challenge ahead. *Addiction* 2009; **104**: 3–5.
- Madureira Lima J., Galea S. Corporate practices and health: a framework and mechanisms. *Glob Health* 2018; **14**: 21.
- Kelsey J. New-generation free trade agreements threaten progressive tobacco and alcohol policies. *Addiction* 2012; **107**: 1719–21.
- Friel S., Gleeson D., Thow A.-M., Labonte R., Stuckler D., Kay A., *et al.* A new generation of trade policy: potential risks to diet-related health from the trans pacific partnership agreement. *Glob Health* 2013; **9**: 46.
- Manthey J., Shield K. D., Rylett M., Hasan O. S. M., Probst C., Rehm J. Global alcohol exposure between 1990 and 2017 and forecasts until 2030: a modelling study. *Lancet* 2019; **393**: 2493–502.
- Casswell S. Current developments in the global governance arena: where is alcohol headed? *J Glob Health* 2019; **9**: 020305.
- Casswell S., Rehm J. Reduction in global alcohol-attributable harm unlikely after setback at WHO executive board. *Lancet* 2020; **395**: 1020–1.
- Casswell S. Why NZ's cannabis bill needs to stop industry from influencing policy. *The Conversation*. 2019 (17 December). Available at: <https://theconversation.com/why-nzs-cannabis-bill-needs-to-stop-industry-from-influencing-policy-128530> (accessed 16 April 2021).