

Rachel Barry has prepared this extensive chart or table comparing marijuana laws and tobacco laws. A pdf is [Rachel Barry Word MJ policies April 17, 2015](#); a Word version is [Rachel Barry Word MJ policies April 17, 2015](#). I think it's very useful, but you may need to click on one of those links to see the whole thing.

Rachel is a policy scholar at the [Center for Tobacco Control Research and Education](#), part of UC-San Francisco, and is my colleague on the California Blue Ribbon [Commission](#) on marijuana legalization. (This chart is her work, not that of the Commission.) She welcomes feedback, and hopes to provide updates as laws change. Please **contact her** directly with suggestions, corrections, questions, and updates: [email:rachel.barry@ucsf.edu](mailto:rachel.barry@ucsf.edu), (Thanks, Rachel, for letting me post this.)

Policy	Colorado	Washington	Uruguay	Oregon	Alaska	Tobacco Problem	Tobacco Solution
<b>Initiative Language</b>	Amendment 64: <a href="http://bit.ly/19MRGpU">http://bit.ly/19MRGpU</a>	I-502: <a href="http://bit.ly/1-502Washington">http://bit.ly/1-502Washington</a>	Passed by Congress	Measure 91: <a href="http://oregonvotes.org/irr/2014/053text.pdf">http://oregonvotes.org/irr/2014/053text.pdf</a>	Ballot Measure 2: <a href="http://bit.ly/BallotMeasure2AK">http://bit.ly/BallotMeasure2AK</a>	N/A	N/A
<b>Retail MJ Code</b>	<a href="http://bit.ly/MEDRetailCode">http://bit.ly/MEDRetailCode</a>	<a href="http://bit.ly/LCBMarijuanaRules">http://bit.ly/LCBMarijuanaRules</a>	<a href="http://bit.ly/LeydeUruguay">http://bit.ly/LeydeUruguay</a>	TBD	TBD	N/A	N/A
<b>Authorized sources of retail MJ cultivator/producer</b>	Commonly owned Retail Marijuana Cultivation Facility or other Retail Marijuana Cultivation Facilities	Start-up inventory must be recorded within first 15 days, additional product from seeds or clones located on their licensed premises or purchase clones, seeds, plants from another licensed producer	Licensed producer sells to gov't, homegrown with 6 plants/family for non-commercial use ONLY	TBD	TBD		
<b>Authorized sources of retail MJ production/processor</b>	Retail Marijuana Products Manufacturing Facility that is pre-packaged	Licensed producer	Licensed cultivators receive product from government	TBD	Marijuana Cultivation Facility		
<b>Authorized Sources of Retail Marijuana</b>	Retail Marijuana Cultivation Facility	Licensed processor	OTC at pharmacies. Gov't distributes to private pharmacies that must agree to sell marijuana	TBD	Marijuana Cultivation Facility		

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Age	21	21	18	21	21	Oppose meaningful youth restriction laws and penalties on retailers. Support minimum age req't without enforcement Preempt local level power.	Most states have laws that prohibit sales to minors. New York City and several other cities made the legal purchase at 21. Undetermined whether increasing purchase age impacts youth initiation.
<b>Consumption</b>							
Residents	Private property or with the owner's permission	Prohibited in public places	No public consumption	Prohibition of public consumption; Class B violation	Prohibition of public consumption; violation punishable by a fine of \$100	Accommodation of smokers and nonsmokers. Exempt bars and casinos Preempt local authority	Prohibit smoking in workplaces including bars, casinos, restaurants and public places
Visitors	Yes may purchase ¼ Oz. if 21 and older	Must consume in Washington	No; must be Uruguayan or a resident of Uruguay	Must consume in Oregon	Must consume in Alaska	N/A; no federal prohibition on tobacco	N/A
<b>Advertising/Marketing</b>							
Store advertisement	Signs to identify location in same zone lot	One 1600 square inch sign. All state advertising cannot - promote overconsumption -is false or misleading -represent marijuana as therapeutic	No	TBD	TBD	Oppose all marketing restrictions and preempt local level power	Restrict location and nature of tobacco industry marketing. MSA limits retail establishments to 14 square feet radius
Video Game Arcades	No	No	No	TBD	TBD	Yes; now uses youth smoking prevention programs to collect marketing data on youth	MSA bans

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Shopping Malls	No; cannot engage in outdoor advertising that is visible to the general public	No	No	TBD	TBD	Yes; now uses youth smoking prevention programs to collect marketing data on youth	MSA bans
Billboards	No; cannot engage in outdoor advertising that is visible to the general public	Yes as long as outside one thousand feet of the perimeter of a school grounds, playground, recreation center or facility, child care center, public park, library, or a game arcade admission to which it is not restricted to persons aged twenty-one years or older	No	TBD	TBD	Yes	MSA bans
Public Parks	No	No	No	TBD	TBD	N/A	MSA bans
Youth	No	No	No advertising	TBD	TBD	Targeted youth with flavors, colors, cartoon characters, baseball cards, comics	MSA bans targeting youth in advertising, marketing
Young Adults	Yes	Yes	No	TBD	TBD	Smoking stages, key transition periods, infiltrate social and physical environments	Use industry marketing strategies in anti-smoking campaigns, focused on industry manipulation
Public Transit Vehicle or Shelter	No	No	No	TBD	TBD	Yes	MSA Bans

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Radio/Print/ Internet/TV	Yes. No more than 30% of audience under the age of 21	Law does not prohibit but may be subject to Federal Communications Commission regulations	No	TBD	TBD	Slogans, tobacco cards, skywriting, comic strips, billboards, radio broadcasts, films/TV, newspaper ads, magazines (using doctors)	Radio and TV advertising ban in 1970
Cartoon Characters	Advertising may not use cartoons or forms of attracting minors (not specific)	May not be designed in a way that would appeal to children (i.e. cartoons), may not contain children using marijuana in advertisement	No	TBD	TBD	Cartoon characters (Joe Camel)	MSA banned use in packaging, promotion, advertising
Out of State	No marketing out of state	No marketing out of state	No	TBD	TBD	N/A	N/A
Internet Advertising	May not market using internet pop ups; may not advertise via the internet unless it is reliable that 30% of the of the publications viewership is 21 or older	May have online advertising for business and may use social media but avoid advertising to persons under 21. May use YouTube and have a mascot that is not a cartoon character	No	TBD	TBD	Tobacco companies can advertise on social media, websites, YouTube	Must be 18 or older to access website
Location-Based Devices	No unless the application was downloaded by owner who is 21 or older and is removable	Does not specify	No	TBD	Does not specify	Does not specify	N/A
Merchandising	Not mentioned in the law	May have branded merchandising of company but cannot be sold in the store and requires a separate business license	No	TBD	TBD	Branded merchandise, baseball trading cards	MSA bans merchandising
Coupons	Not mentioned in the law	No	No	May not be given as a prize	TBD	Buy one get one free coupons Price manipulation	Local governments prohibit the distribution of coupons through strong retail licensing law

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Event sponsorship	May sponsor an event but not advertise unless no more than 30% of the persons attending event are under 21	Not prohibited but may not violate the law that requires advertising be outside 1,000 feet of schools or where people are under 21, or on publicly-owned property	No	TBD	TBD	Sponsored sports events in response to ban on tobacco ads on airwaves 1900s-1998 (U.S.) 2000 (U.K.) Still sponsors military events Allowed one per year	Prohibits sponsorship of events where participants are underage and may not advertise cigarettes at events just brand name
Sport Sponsorship	Not mentioned in the law	Not prohibited but may not violate the law that requires advertising be outside 1,000 feet of schools or where people are under 21, or on publicly-owned property	No	TBD	TBD	"Alibi Branding" used where advertising is illegal	MSA bans brand name sponsorship
Stadiums and Arenas	No; cannot engage in outdoor advertising that is visible to the general public	Within one thousand feet of the perimeter of a school grounds, playground, recreation center or facility, child care center, public park, library, or a game arcade admission to which it is not restricted to persons aged twenty-one years or older	No	TBD	TBD	Tobacco companies used to advertise in stadium and arenas	MSA bans tobacco brand name advertising in stadiums and arenas
Product Placement	Does not specify but likely illegal due to federal prohibition	Does not specify but likely due to federal prohibition illegal	TBD	TBD	TBD	Smoking in the movies, use "Alibi Branding"	MSA bans payment to promote tobacco products in movies, TV, videos, video games, live performances
<b>Clean Indoor Air</b>							
Smoking permitted?	No public consumption	No public consumption	Included in smokefree law of 2008	No public consumption	No public consumption	Prior to 1980s, smoking was the norm and permitted in most places	Prohibit smoking in all public places, workplaces, restaurants, bars, casinos. Stronger local laws.

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Public Places including transit	No	No	No	No	No	Oppose or weaken all smokefree laws	No
Workplaces	No	No	No; law explicitly states as such	No	No; does not grant right to use marijuana	Yes; in private offices	No
Restaurants	No	No	No	No	No	Smoking sections; ventilation systems	No
Bars and Casinos	No	No	No	No	No	Yes; exemptions for these venues	No
Footage Requirement	No public smoking	No public smoking	No public smoking	No public smoking	No public smoking	No footage req't	At least a 15-25 foot distance from any open window, door, or entrance way
Preemption	No	No	Yes	No	No	Push legislation that would preempt at state and federal level	Local level control
<b>Exemptions</b>							
Hotels/Motels	Up to 25%	Up to 25%	No	No	Yes in private rooms	Exempt percentage of guestrooms if could not exempt entire venue	No
Limos under private hire	Yes	No	No	?	Yes	Yes	No
Retail Tobacco Business	No	No	No	No	No	Yes	No
Hookah Bar/Cigar-Tobacco Bar	No	Yes	No	No	No	Yes	No
Airport Smoking Concession	No	No	No	No	No	Designated smoking chambers	Ban
Assisted Living Facilities	Yes (designated rooms)	No	No	Maybe allowed in private rooms	Yes in private rooms	Designated rooms	No
Outdoor area of any business	No	25 feet of exit or window	No	No	No	Yes	Tobacco Free

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Enforcement of MJ laws				Oregon State Police			
<b>Employees</b>	Occupational licenses and identification badges required Must be at least 21	Identification badges for employees Must be at least 21	N/A	TBD	TBD	No age restrictions	Must be 18 years or older
<b>Hours of operation</b>	8 am to 12 pm	8 am to 12 pm	TBD	TBD	TBD	N/A	N/A
<b>Licensing Authority</b>	Department of Revenue	Liquor Control Board	Institute for Regulation and Control of Cannabis	Oregon Liquor Control Commission will begin accepting applications on January 4 2016	Alcohol Beverage Control Board will create laws by November 2015; legislature may create the Marijuana Control Board under the Department of Commerce, Community, and Economic Development at anytime	No licensing authority, voluntary responsible vendor programs	Varies by state may be the Department of Alcohol and Tobacco Control, State Board of Equalization (CA), Department of Revenue
Annual Renewal	Yes	Yes	TBD	TBD	Yes; ABC shall begin reviewing applications February 2016	Oppose all fees for retailers, no annual licensing fee and push for a one-time fee (California tobacco retail law has one-time fee)	Yes, amount high enough to pay for enforcement
License for each Category	Yes	Yes	No	Yes	Yes	Oppose all licensing	Yes
Local Licensing Authorized?	Yes	No.	No. Centralized government structure	No. But may prohibit state licenses via general election	Yes. Local gov't may establish procedures for issuance, suspension, revocation of a registration. Local gov'ts may establish annual licensing fees.	No. Preempt local control.	Yes, allow local jurisdictions to adopt legislation that would require a local tobacco license, administer an annual fee, prohibit flavors, coupons, require minimum pricing, prohibit sales 1,000 feet near schools etc.

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<b>Licensing Fees</b>					N/A		
MM Center 1 Conversion Plant Count: up to 3,600	App Fee: \$500 License Fee: \$5,200 Renewal :	N/A	N/A	N/A	N/A	N/A	N/A
MM Center 2 Conversion Plant Count: up to 6,000	App Fee: \$500 License Fee: \$9,200 Renewal: \$10,100	N/A	N/A	N/A	N/A	N/A	N/A
MM Center 3 Conversion Plant Count: up to 10,200	App Fee: \$500 License Fee: \$13,200 Renewal: \$14,100	N/A	N/A	N/A	N/A	N/A	N/A
Infused Product Manufacturer	License Fee: \$2,200 Renewal: \$2,800 Renewal+CF: \$5,000	N/A	N/A	N/A	N/A	N/A	N/A
Cultivator	Retail Marijuana Cultivation Facility App Fee: \$5,000 License fee: \$2,200 Renewal: \$2,500 Extended Plant Count Fee 1: \$4,000 Renewal: \$6,800 Extended Plant Count Fee 2: \$8,000 Renewal: \$10,800	\$250, \$1000 renewal	National Drug Board will determine licensing fees; predictions state that costs \$1.5 million to start marijuana cultivation site	Producer license \$1,000 \$250 processing fee	Marijuana cultivation facility; TBD	No fees	Varies by state
Processor/ Producer	Retail Marijuana Products Manufacturer App Fee: \$5,000 License fee: \$2,200 Renewal: \$2,500	\$250, \$1000 renewal	N/A	Processing license \$1,000 \$250 processing fee	Marijuana product manufacturing facility: TBD; marijuana establishment may renew 90 days prior to expiration of registration	No fees	Varies by state
Retailer	Retail Marijuana Store App Fee: \$5,000 License fee: \$3,000 Renewal: \$3,300	\$250, \$1000 renewal	Same laws as 1985 law regulating pharmacies	Retailer license \$1,000 \$250 processing fee	Retail marijuana store: TBD	No fees	Varies by state
Other	Retail Marijuana Testing Facility App Fee: \$1,000 License fee: \$2,200 Renewal: \$2,500	N/A	N/A	Wholesaler license \$1,000 \$250 processing fee	Marijuana testing facility: TBD	No fees	N/A



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<b>License Restrictions</b>							
Cultivators	Facilities that harvest more than twice or once or twice a year may not accumulate Harvested Marijuana in excess of the total amount of inventory the Licensee produced that was transferred to another Retail Marijuana Establishment in the previous quarter or year	Tier 1: Less than 2,000 square feet; Tier 2: 2,000 square feet to 10,000 square feet; Tier 3: 10,000 square feet to 30,000 square feet.	Sell product to pharmacies at \$.90/gram, where it will be sold for \$1/gram	May hold 1 or more licenses from any other level of production	TBD		
Inventory	Existing are limited to 6,000 to 12,000 plants depending on licensing tier  New Retail Marijuana Cultivation Facilities are limited to 3,600 but may apply for a waiver and demonstrate that for 3 consecutive months facility cultivated an amount of plants near or at its maximum allowed and transferred at least 85% of its inventory to another Retail Marijuana Establishment, if approved:  1) may cultivate up to 6,000 plants with \$4,000 additional fee 2) 10,200 with \$8,000 additional fee	Indoor: 6 months annual harvest Outdoor: 125% of its harvest	Not specified	TBD	TBD		
Limits on # of Licenses	No	Yes. Limited to one producer license	Yes. Only five. Gov't will select licensees in 2015	TBD	Local gov'ts may prohibit or the operation of marijuana cultivation facilities through ordinance or voter initiative	No limit on licenses.	Limit the number of producers of tobacco.
Producers/ Processors	May not prepare, manufacture, package, store, label Retail MJ product in a retail food establishment	N/A	N/A	May hold 1 or more licenses from any other level of production	TBD		
Inventory	Not specified	6 months useable, 6 months average of total production	N/A	TBD	TBD		

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Limits on Licenses	No	Limited to three processor licenses	N/A	TBD	Local gov'ts may prohibit the operation of marijuana production facilities through ordinance or voter initiative		
Retailers	Administrative Fees Transfer of Ownership: \$2,000 Reallocation of Ownership: \$800 Change of Corporation of LLC Structure per person: \$800 Change of Trade Name: \$40 Change of Location: \$500 Modification of License Premises: \$120 Duplicate Business License: \$40 Duplicate Occupational License: \$10 Indirect Financial Interest Background Investigations: \$150 Off Premise Storage Permit: \$2,200 Subpoena Fee: \$200  50% of retail fees go to the local governments and may also assess an operating fee	No funding from fees is allocated to local governments for enforcement or administration		May hold 1 or more licenses from any other level of production			
Location	May share location with a MM facility as long as both have licenses	No stores located within 1000 feet of 10 defined places (see above)	Licensed pharmacies only; licensed user must be a part of the national database to track consumption	TBD	TBD	Oppose all restrictions	Cannot be within 1000 feet of a school
Inventory	May only sell MJ from commonly-owned Retail Marijuana Cultivation Facility Must store MJ in restricted or limited restriction areas	4 months average sale	TBD	TBD	TBD		
Limits on retailer licenses	No	334 statewide Retail stores located according to population and consumption patterns	N/A	No	No	No.	Local governments should have control over licensing provisions

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Other Restrictions	<p>If an existing Retail Marijuana Store or Retail Marijuana Products Manufacturing Facility waiver application was approved by the division then retail marijuana store can:</p> <p>1) cultivate no more than 6,000 plants provided it pays the \$4,000 extended fee</p> <p>2) cultivate no more than 10,200 plants provided it pays the \$8,000 extended fee</p>	<p>Yes; limited to 3 retail licenses and multiple-location licensees not allowed to hold more than 33 percent of the allowed licenses in any county or city; May not hold a producer and cultivator license</p>					
Other products?	No	No, only marijuana, marijuana-infused products, paraphernalia	Yes at pharmacies	TBD	TBD	Allow tobacco to be sold at the point of sale and near candy where children are present	Sell tobacco in adult-only tobacco and cigar stores
Testing Facilities	May develop product, may not sell, transfer, distribute retail MJ to Retail Marijuana Stores	N/A	Government controlled	TBD	Local gov'ts may prohibit or limit the number of marijuana testing facilities	N/A	N/A
<b>Lobbying</b>	Does not specify	Does not specify	TBD	Does not specify	Does not specify	Campaign contributions, soft money, gifts, charities, event sponsorship, allies and front groups	MSA bans tobacco companies from opposing state or local laws that limit youth access to and consumption of tobacco products, disclosure, and financial reports, exposing industry front groups and allied organizations

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<b>Packaging</b>							
Warning Label Req't	Yes	Yes Limited servings and concentration per package Must contain serving size	TBD	TBD	TBD	Sued gov't over graphic warning labels and plain packaging	Yes with Surgeon General Warning, FDA attempted "tombstone" packaging in 1994, Brazil and New Zealand have more graphic warning labels than the US
Restrictions	May not be designed to appeal to children with cartoon or similar images	May not be designed to appeal to minors (under 21) with toys, cartoons, characters	TBD	TBD	TBD	"Looseys" sold illegally in NYC, cigarillos sold individually. Won lawsuit on graphic warning labels in 2012	Minimum pack size: 20 in 2001, tobacco companies can't oppose state legislation banning manufacture and sale. Localities banning single cigar packages
Edibles Smokeless	The standardized serving size for this product includes no more than ten mg of active THC, ingredients, refrigeration instructions	The intoxicating effects of this drug may be delayed by two or more hours when ingested	TBD	TBD	TBD	Limited warning labels, packaging similar to candy products	Larger warning labels FDA req't with 4 warnings on health consequences of use
Specifics	No false or misleading information Must contain state "Universal Symbol"	No false or misleading information May not be labeled as organic unless approved by the USDA Labels may not promote overconsumption, be misleading Represents product as therapeutic or curative	TBD	TBD	TBD	No restrictions	Light, low, mild banned from labeling

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<b>Point of Sale</b>	Point of sale in restricted area where minors (under 21) not permitted no less than 12X12 inches	Product must be behind the counter, no one under 21 permitted; single transaction limited to seven grams of marijuana-infused extract for inhalation	TBD	Sales not legal until January 2016	TBD; sales not legal until March 2016	Spend 45% of total expenditures on POS including in-store displays and prime shelf space, gifts with purchase, multipacks discounts Retailer incentive programs	Family Smoking Prevention and TC Act gave local and state gov'ts authority to ban certain advertising. CVS bans cigarette sales in stores nationwide, SF bans cigarette sales in pharmacies. Canada, Australia, and Ireland ban point-of-sale advertising
<b>Vending Machines</b>	Not specified; allowed for medical marijuana presumably within licensed premises, not on the street like tobacco	Not specified; allowed for medical marijuana presumably within licensed premises, not on the street like tobacco	No.	TBD	TBD	Oppose bans on vending machines, preempt local level power, ineffective measures like electronic locks	Restricted at state and local level but not nationally, restrict to ADULT ONLY locales
<b>Possession</b>	1 oz. or less, grow 6 plants at home or less with no more than 3 in full maturation; hash and concentrates 1 oz or less	1 oz of MJ, 16 oz of MJ infused in solid, 7 oz MJ infused, 72 oz in liquid	40 grams or 1.4oz/per month for commercial MJ; no more than 10 grams per week; must be licensed user using a database that tracks users through fingerprints	1 oz or less 4 plants for each household; 8 oz for each household; personal cultivation may not be in public view; Class B violation	1 oz or less, grow 6 marijuana plants at home or less with no more than 3 in full maturation; Personal cultivation may not be in public view  \$750 fine	N/A	N/A
Marijuana	1 oz or less	1 oz or less	40 grams	1 oz or less	1 oz or less	N/A	N/A
Hash and concentrates or extracts	1 oz or less	See below	Did not specify	1 oz or less; homemade butane hash oil is prohibited	TBD	N/A	N/A
Marijuana-infused (solid)	N/A	16 oz	N/A	16 oz	TBD	N/A	N/A
Marijuana-infused (liquid)	Does not specify	7 oz	N/A	Does not specify	TBD	N/A	N/A
Marijuana Liquid	N/A	72 oz	N/A	72 oz	TBD	N/A	N/A

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Home grown	6 plants, no more than 3 in full maturation	Not permitted	6 plants per family and (480 grams/yr)	4 plants for each household; 8 oz for each household	6 plants, no more than 3 in full maturation	N/A	N/A
Marijuana Clubs (Cooperatives)	N/A	N/A	Cooperatives with 15-45 members, non-commercial use only. 99 MJ plants maximum. Maximum annual production a function of the number of members	N/A	Prohibited by law	N/A	N/A
<b>Preemption of sales</b>	No. Local level authority can ban marijuana retail stores	No. Local level governments may prohibit marijuana retail facilities	Does not apply, centralized government	No. Local governments may prohibit operating, cultivating, manufacturing, testing and retail marijuana facilities through enactment of an ordinance or by a voter initiative through an initiative petition -60 days before election -signed by 10% of voters in locality	Yes, preempts local ordinances. Locals may adopt reasonable time, place & manner regulations of the nuisance aspects of establishments that sell marijuana; may prohibit the operation of licenses if a petition is filed and approved in an election. Law will become effective January 1	Tobacco retailers more prevalent in low income and minority neighborhoods. Contracts with retailers to promote products.	No Family Smoking Prevention and TC Act allows local level and state level govts to regulate tobacco retailers
<b>Product</b>							
Restrictions	No nicotine or alcohol infusions	Processor or producer may not alter usable marijuana in any way to change the color, appearance, weight, or smell	THC level 5-12%	TBD	TBD	Manipulates the product to increase addictiveness, menthol cigarettes	No flavored cigarettes, working on banning menthol cigarettes, flavored OTP and little cigarillos

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Edibles	No more than 100 mg of active THC	- 10 mg of THC per serving -100 mg of THC per product - A single unit of marijuana-infused extract for inhalation cannot exceed one gram	TBD	TBD	TBD	N/A	N/A
<b>Product tracking</b>	MJ inventory tracking system monitored by the state	Must track product from seed to sale, done by marijuana licensees Monthly reports on purchases and sales	Government will place barcodes on bags; genetic information of legally produced plants will be kept on file	MJ producer must maintain and keep for two years all records, books and accounts required by sections 31 to 44 of this Act and shall provide copies of those records, books and accounts to the commission when requested by the commission	MJ cultivation facilities send monthly statement accounting for the amount of MJ sold to retail or to production facilities with 1) # of ounces 2) names and addresses of each buyer/transferee 3) weight/buyer	N/A	Interstate commerce permitted; not an illegal substance
<b>Samples</b>							
Customer	No	No	N/A	TBD	TBD	Yes	MSA Bans
Producer to processor	No	Yes	N/A	TBD	TBD	N/A	N/A
Processor to retailer	Yes	Yes	N/A	TBD	TBD	N/A	N/A
Testing Facility	May receive samples from retailer, manufacturer, cultivator, and other testing facilities	N/A	N/A	TBD	TBD	N/A	N/A
<b>Signage</b>	Restricted Area signs	No one under 21 permitted at entrances	TBD	TBD	TBD	"It's the Law" and "We Card" programs, smoking for adults only, responsible vendor programs. Maintain close relationships with retailers	Ideal to restrict access to youths wherever cigarettes and OTP are sold

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<b>State Run</b>	No, private sector	No, private sector; however, North Bonneville has a government run marijuana store pushed by Mayor Don Stevens: <a href="http://bit.ly/staterunmjstore">http://bit.ly/staterunmjstore</a>	Yes, controls production, determines price, quality, and maximum production volume	No. Private sector	No. Private sector	No. Private sector	Ideal to have the state or non-profit run tobacco production and sales but has not been achieved
<b>Taxation</b>	15% wholesale excise tax converted to per-gram tax based on "average market rate" of 62 cents for bud, 10 cents for trim initially 10% retail excise tax	25% tax for each stage of production: producer, processor, retailer If licensee is both producer and processor, they are exempt from one of the 25% taxes; Subject to existing state and local sales and B&O tax  *in the process of modifying the tax structure	Marijuana production and sales exempt from taxes	Flowers taxed at \$35/ounce; immature plants at \$5; leaves at \$10/ounce adjusted minimally for inflation, taxed at the cultivator/producer level Local gov't preempted from taxing marijuana	Excise tax of \$50/ounce imposed on sale or transfer of marijuana from marijuana cultivation facility to retail marijuana store or marijuana product manufacturing facility; regulations may set lower rate for certain parts of the plant (presumably leaves/trim).	Oppose all tax increases. Price cuts to undermine tax increases	Increase taxes at the local, state, and federal level and dedicate taxes to mass media campaigns aimed at the total population  In California, two types of excise taxes are collected on cigarettes and tobacco products distributed in California: 1) the cigarette tax, and 2) the cigarette and tobacco products surtax.



<b>Policy</b>	<b>Colorado</b>	<b>Washington</b>	<b>Uruguay</b>	<b>Oregon</b>	<b>Alaska</b>	<b>Tobacco Problem</b>	<b>Tobacco Solution</b>
<b>Statements and Payment of Tax</b>	<p>Cultivators and retailers pay taxes through the Department of Revenue's online payment portal, or with cash, check, or voucher</p> <p>All state and state-collected sales and use tax returns must be filed, and all taxes must be remitted to the Department of Revenue, on or before the 20th day of the month following the reporting month.</p> <p>Copies of all books and records required to be maintained pursuant to section 39-28.8-303, C.R.S., must be maintained at each Retail Marijuana Store, Retail Marijuana Products Manufacturing Facility, or Retail Marijuana Cultivation Facility for a period of at least four years</p>	<p>All licensees are required to remit to the Washington State Liquor Control Board (WSLCB) an excise tax of 25 percent on all taxable sales of marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products, due 20<sup>th</sup> of every month</p> <p>WSLCB: accepts cash, check, cashier's check, or money order</p>	Does not apply	<p>Oregon Liquor Control Commission has the right to examine the books of any licensee within 72 hours of notification, including premises and persons</p> <p>20<sup>th</sup> of every month producers must file number of a statement with quantities of marijuana flowers, leaves, and immature plants sold</p>	<p>MJ cultivation facilities send monthly statement accounting for the amount of MJ sold to retail or to production facilities with</p> <ol style="list-style-type: none"> <li>1) # of ounces</li> <li>2) names and addresses of each buyer/transferee</li> <li>3) weight/buyer</li> </ol>	Oppose all taxes	<p>Varies by state. In California, the BOE administers and enforces the tax. Excise taxes are imposed upon the distribution of cigarettes and tobacco products in California. Distributors must be licensed and have an account number to remit the excise taxes owed and to conduct these transactions. These licensees are required to file tax returns, reports, or schedules on the 25<sup>th</sup> of the month following the reporting period. Must maintain all records at licensed premises in California.</p>

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<b>Administration &amp; Enforcement of Tax</b>	Failure to file evidence of the bond with the Department may result in appropriate administrative remedies by the State Licensing Authority.	Subject to license being revoked upon failure to pay tax with 2 percent fine per month of delinquency	Does not apply	Commission regularly reviews tax rate and make recommendation to legislative assembly for appropriate adjustments 1) maximize net revenue 2) control illegal market 3) control underage use	Subject to civil penalties if delinquent; license may be revoked	No enforcement.	Varies by state. In California the BOE administers and enforces the tax on cigarettes and tobacco products. Distributors, wholesalers, manufacturers, and importers register with the BOE and pay the applicable licensing fee.  Annually, BOE inspectors conduct about 10,000 inspections statewide to ensure compliance and seek out unstamped product or other cigarette and tobacco product tax violators.

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<b>Purpose of Taxation</b>	First \$40 million of producer tax will go to school funding; retail tax revenue will go to the general fund for enforcement and implementation	<p>Payments made every quarter</p> <p>Up to \$1.25 million for administration of program; \$185,000 study youth use; \$50,000 to fund reports mandated by initiative; \$5,000 for online education materials</p> <p>After payments made 50%: state health plan; 15%: reducing substance abuse among young ppl; 10%: public health program; 10%: study short and long-term effects of marijuana 5%: general fund</p>	No tax is levied but the National Drug Board is responsible for running nationwide media campaigns educating the public on the risks, effects, and potential harms of drugs, which will be financed by state contractors and private sector	<p>Oregon Marijuana Account 40%: Common School Fund 20%: Mental Health, Alcoholism, and Drug services Account; 15%: State Police; 10%: cities and counties for local enforcement, 10%: to local cities and counties based on number of licensed marijuana facilities; 5%: Oregon Health Authority for alcohol and drug abuse prevention</p>	Unallocated per ballot measure; legislature will appropriate or allocate funds for particular purposes	Funnel tax revenues into general fund, educational programs, anything not tobacco control	Allocate funding towards anti-smoking campaigns that denormalize smoking and demonize the industry and tobacco-related disease research