

Vermont Public Health Sub-Committee Meeting Minutes—September 30, 2021

Mark Gorman calls meeting to order at 11:03 AM.

Attendees

Advisory Committee Members:

- Ingrid Jonas
- Dr. Mark Levine
- Tim Wessel

VT Cannabis Board:

- Julie Hulburd
- Nellie Marvel

NACB:

- Gina Kranwinkel
- Mark Gorman
- Deneka Scott

2 members of the public

Minutes recorded by Deneka Scott.

Minutes for 9/20/21 were motioned to approve by Tim Wessel and second by Ingrid Jonas and 9/23/21 were approved, motion to approve by Ingrid Jonas and second by Tim Wessel.

No written public comments were made for the Public Health Sub-Committee for 9/30/21. Members of the Vermont public were notified how to submit comments via the [CCB website](#).

Advisor Deneka Scott started with a review of the packages submitted and asked if there were any questions. It was also noted that the materials the members had been working on were being condensed for the Department of Health to review and provide input.

From there, the sub-committee began reviewing the proposed warning symbols, based on their direction given. The advisor noted that some new packages were being presented to share how different warning symbol colors may look on different packages. It was noted that Maine only used one color in their warning. Ingrid Jonas noted she prefers parity for the Contains THC and Not Safe For Kids warning symbols. Tim Wessel noted that the symbols looked fine to him. From there the members began reviewing warning symbols with a yellow background (vs. white). The advisors noted that it is not unusual for a state to have two different warning symbols that they use based on the color of the package.

From their Board member Julie Hulburd shared packages from Maine with the sub-committee members in blue – and noted the white knockout stands out on a multi-colored and blue package. She noted that a canned drink was using only the warning symbol of Contains THC. Tim Wessel noted that he was happy with how the symbols are being displayed – and is less concerned with yellow – he also noted that he did not want to see the white

being colored by the color of the package. The advisor noted that Maine provides the symbols and exactly how they should and should not be used.

From there the advisors shared the yellow symbols as well on package mockups. Ingrid Jonas noted that she was interested in the Department of Health's expertise in this area. Tim Wessel noted that the red border is a must, and the yellow is a nice to have – but didn't want to make it tougher to reproduce the packages.

The advisor noted that the warning symbol is often printed on the fact label.

Board Member Julie Hulburd read the package warning language for the Maine blue box package which was: "Passed Mandatory Testing on the front and on the back: "Warning: There may be health risks associated with the use of this product. There may be additional health risks associated with the use of this product for women who are pregnant, breastfeeding or plan to become pregnant. Do not drive a motor vehicle or operate heavy machinery while using this product." It was also noted that the cannabis water beverage had all the same language but slightly different at the end which added – "it is against the law to drive or operate machinery when under the influence of this product." It was also noted the language was able to be read with the absence of (reading magnification) glasses.

It was also noted advisor Deneka Scott that the language in bullet point format may be unrealistic to put warning language on a package due to the size the wording will take up. An additional consideration was noted to break up the warning language into two different sections. The advisor shared that packages smaller than 5 inches in length will have crushed and condensed font sizes. While the advisor was not advocating for larger packages, it is a reality of readability. The advisor also noted that QR codes are way to provide additional warnings language. It was noted that NY had their safety flyer in place and at this time it is 3 pages long. Then the advisor requested if there were any thoughts by the sub-committee members – there were none. From there the advisor noted some draft language was put together and read the language aloud for each of two different ways to view.

Tim Wessel noted that he preferred the language he prefers language in once concise paragraph. Ingrid Jonas noted that she also prefers this first example with language bolded in the center and felt the way the eye moves over the information was better for her understanding.

Advisor Deneka Scott asked if there was anything in the language that gave the committee members any pause and if they wanted to provide any feedback. Tim Wessel asked for a refresher on why VT was dropped in the warning symbol. Advisor Deneka Scott noted that the members had requested it be removed. Ingrid Jonas noted that she felt it would be better to not have it on the warning symbol itself and Dr. Levine concurred.

Advisor Deneka Scott noted that she and Mark Gorman would be sending over the materials to the Department of Health and that their input would be paramount to how some of these final items would be packaged in reporting. It was noted that there were two additional charges of this sub-committee – what the guidelines would look like and opportunities to mitigate and reduce youth exposure and the consideration of whether edibles are considered a food product and the oversight of this. Advisor Mark Gorman noted that the keys to limiting youth exposure are in the advertising standards and the mechanisms in place at the retail level – some of which are being covered by Compliance and Enforcement.

The sub-committee members noted that they have nothing additional at this time. Dr. Levine requested a timeline. It was noted that our deadline for reporting is October 20. Dr. Levine noted he would try to get the items moving as quickly as possible.

Public Comment Period:

Deneka Scott opened the floor for public comment at 11:35 AM.

Public Comment(s):

- Taylor Carpenter – noted that the 5 inches minimum for packages is too much and adds a lot of waste. He noted that there would be a lot of unnecessary waste. He challenged us to think about smaller packages – because things coming out of the dispensaries would be 50% smaller than 5 inches.
- Ebo Singleton: expressed to take the package size into consideration. He personally prefers only the triangle warning and not using the Not Safe For Kids.

Advisor Deneka Scott noted that the 5-inch package is not in the statute but was more in line with reading and legibility.

Following closing the public comment period, Mark Gorman moves to adjourn the meeting. Ingrid Jonas motioned to adjourn with Tim Wessel as second. The meeting adjourned at 11:40 AM.

Next Public Health Sub-Committee meeting is Monday, October 4 at 11 am ET.