



Big Tobacco and Legal Cannabis

There is perhaps no better cautionary tale from the history of regulated substances than the story of Big Tobacco. For decades, the tobacco industry not only fueled a public health crisis of historic proportions but also led a systematic assault on scientific consensus and masterminded a profit-hungry attempt to encourage smoking by youth, people of color, and LGBTQ+ populations.

Big Tobacco's reputation has long haunted the effort to end the criminal war on drugs. Skeptics of cannabis legalization still sometimes invoke tobacco giants' history of targeting vulnerable groups or engineering more addictive products, implying that legal cannabis businesses would employ the same tactics. In truth, such risks can be minimized through sensible regulation and other policy provisions, including limits on industry influence and the authority to limit bad actors from participating in the cannabis industry.

The Tobacco Industry's Interest in Legal Cannabis

Tobacco companies have been anticipating cannabis legalization for more than 40 years. In 1983, during the same era that marketers were [targeting](#) young-adult Hispanic populations, an industry list titled "[New Product Ideas](#)" pondered the eventual possibility of blending marijuana into cigarettes. With cannabis legalization now becoming a reality, groups like Altria, which owns the Marlboro brand, are beginning to enter the fray. In 2018, Altria invested [\\$1.8 billion](#) in a cannabis company and \$12.8 billion in the nicotine vape brand Juul.

Tobacco and alcohol giants are also investing in lobbyists to influence the legalization conversation at the federal level. The Coalition for Cannabis Policy, Education, and Regulation (CPEAR), for example, represents Big Tobacco but portrays itself as an innocuous advocacy group. Its executive director wrote in a recent Washington Post [op-ed](#) that "regulated tobacco and alcohol markets are a good starting point for the cannabis industry."

What's the Harm?

The tobacco industry has a demonstrated history of resisting government regulation, co-opting experts, engineering products to be more addictive, and using vast marketing budgets to maximize sales and profits. As noted in a recent [policy paper](#) co-authored by Parabola Center co-founder Shaleen Title, "If tobacco companies are permitted to dominate the legal cannabis industry, this will risk exacerbating public health harms on groups that are disproportionately harmed by tobacco use."

Predatory marketing practices and efforts to undermine sensible regulation are dangers to public health as well as the cannabis legalization movement. Allowing the same approaches to dominate the cannabis industry puts consumers at risk, threatens the ability of regulators to do their jobs, and risks rolling back decades of advocacy for legal justice reform in the name of benefitting big business.

What Can Be Done?

Policy choices made today will affect the shape of America's post-prohibition cannabis era. Preventing what's sometimes been called [Big Tobacco 2.0](#) requires federal legalization that empowers regulators and restricts the influence of big business.

Limiting the size of cannabis companies is one way to prevent the kind of dominance that allowed Big Tobacco to flourish. States such as Massachusetts and Washington state, for example, limit how large any one business can become. Limits on the style or placement of advertising are also essential. No one wants to see Joe Camel with a joint. Disqualification rules are another valuable tool. Regulators charged with deciding who can obtain cannabis licenses, for example, might disqualify corporations if they have engaged in corporate crimes, defrauded consumers, or caused significant public health damage.

A final ingredient of importance is patience. Rushing cannabis legalization, especially at the federal level, can make easy solutions appealing. But if those solutions borrow too heavily from regulatory models around tobacco and alcohol, they risk perpetuating the same problems. One bipartisan bill currently in Congress, the PREPARE Act, might appear well intentioned but could end up being a [handout to the tobacco industry](#). It would model cannabis legalization after alcohol – instead of leaving that decision up to cannabis experts – and establish an advisory board position that appears tailor-made for an alcohol or tobacco industry representative. Alternatives, such as the federal MORE Act or CAO A, better support small businesses and prevent the accumulation of corporate power.

Advocates must also examine their own funders and partnerships. Giving any amount of control over the new cannabis industry to Big Tobacco is a grave mistake. Rather than see history repeat itself, federal policymakers should work with tobacco control and cannabis experts to craft legislation that puts people over profits.

Parabola Center is a nonpartisan think tank of legal professionals and drug policy experts coming together to protect people, not corporations. Our mission is to provide everyone with the education, access, and expertise to support cannabis legalization policies that put people and small businesses first. Find our work at parabolacenter.com/resources