

**A Community Position on Legal Substances
Original Publication – January 2020, Revised June 2024**

GUIDING STATEMENT:

As the leading community entity responsible for providing the most comprehensive, research-based, and accurate information related to substance use, this document is intended to serve as resource in creating common agreement on the use of legal substances. **We take our role as Hancock County’s authority in recovery services very seriously, and as such, we rely heavily on research and data to guide our recommendations for the safe use of any potentially habit-forming and addictive substances.** Although the substances discussed here are legal for adult consumption, there are still significant risks associated with use. This document aims to provide information on the legal provision of use, but also the scientific ramifications of use of each substance.

Of critical importance is the fact that substance use disorders are considered diseases of youth because most individuals with a substance use disorder began using in their teens. Fortunately, substance use disorder is completely preventable. Legal age of use for the substances listed below is 21 (except for CBD and caffeine). However, science has revealed that the human brain is not fully developed until the age of 26 and the introduction of any substance into the body prior to the age of 26 carries the risk of causing harm. Additionally, it is imperative that the use of any substance during pregnancy is discussed with an individual’s perinatal care provider.

This document provides a consensus position for the use of each substance and proposed policy recommendations for organizations or community-based entities that are working to provide guidance for its members. This document maintains in its position and policy recommendations overarching prevention principles which strive to create healthy individuals and safe communities – **most important is to delay the first use of substances and protect the developing brain of the unborn, youth and young adults.** It is imperative that any organization or community-based entity create for itself informed policies and practices that attend to the health and wellness of its members.

If you are struggling with substance use or in treatment for a substance use disorder, it is highly recommended that you talk with a professional or treatment provider about the use of legal substances. Although the substances listed in this document are legal, they can still interfere with your ability to achieve or maintain successful recovery.

A NOTE ON ADVERTISING:

Advertising of any legal substance should be limited in scope and not produced in such a way that targets youth and young adults. Communities should have the opportunity to allow or deny advertising of legal substances within its jurisdiction; and the adjudication of such advertising should be a collaborative effort between governing bodies, businesses, and community organizations such as prevention coalitions. State legislation should place the most restrictive measures on advertising, particularly for marijuana.

	What Does the Law Say	What Does the Science Say	Our Position	Policy Recommendations
<p>Legalized Marijuana for Adult Use*</p> <p>*Although marijuana is legal to use by adults, (per lay) employers may maintain drug-free work polices, and use of marijuana may still be prohibited by employees.</p>	<p>On December 7, 2023 Ohioans 21 years and older are legally allowed to consume or possess (in limited quantities) marijuana.</p> <p>There are no limitations on how adults may consume marijuana (e.g. smoking, vaping, edibles)</p> <p>The current law allows employers to maintain drug-free workplace policies as it relates to any marijuana use.</p>	<p>Marijuana use can lead to the development of marijuana use disorder, which takes the form of addiction in severe cases. Recent data suggest that 30% of those who use marijuana may have some degree of marijuana use disorder. People who begin using marijuana before the age of 18 are four to seven times more likely to develop a marijuana use disorder than adults.</p> <p>NIDA. 2021, April 13. Is marijuana addictive?. Retrieved from https://nida.nih.gov/publications/research-reports/marijuana/marijuana-addictive on 2022, February 10</p>	<p>At this time, research and dosage guidance on the use of legalized marijuana is limited. As such, our position is that no use of legalized marijuana is the safest recommendation to prevent the onset of any potential harmful health-related outcomes.</p> <p>However, because marijuana is legalized for adult use in Ohio, the following additional recommendations are offered:</p> <ul style="list-style-type: none"> • The safest use of marijuana is no use. • Choose marijuana with lower concentrations of THC. • Do not use synthetic marijuana. • Avoid smoking marijuana as a means of ingestion. • Limit your use as much as possible. • Do not drive or operate other 	<p>Like alcohol, limit the scope of and access to advertising of marijuana.</p> <p>Provide clear guidelines to communities on dispensary regulations, and ensure dispensary regulations reinforce public safety and wellness</p> <p>Create a state-level process that would collect pertinent adult marijuana use data that would support the creation of additional public health policy and assist in the development of low-risk use guidelines.</p>

			<p>machinery after using marijuana.</p> <ul style="list-style-type: none"> • Other factors, such as family history of substance use disorders, trauma, or health-related conditions, can increase risk of marijuana use disorder. • Keep all marijuana products in a safe and locked space. <p>(For additional reference, Canada’s Lower-Risk Cannabis Use Guidelines)</p>	
<p>Medical Marijuana</p>	<p>As of September 18, 2019, marijuana as medicine is available to Ohioans 18 years of age or older with a recommendation from a qualified physician and with a qualifying condition. Minors may use marijuana as medicine only with parental/guardian consent, and with a qualifying medical condition.</p> <p>O.R.C. 3796</p>	<p>Due to marijuana classified as a Schedule I drug by the U.S. government, limited research exists to show its effectiveness as medicine.</p>	<p>Drug classification for marijuana should be changed to allow for additional research.</p> <p>Use of marijuana as medicine cannot be supported in any agency or organization that receives federal funding.</p>	<p>Advocate for changes in federal law that would reclassify marijuana and provide for expanded research in the use of marijuana as medicine.</p>

<p>CBD (Cannabidiol)</p>	<p>CBD products are legal to purchase in Ohio by anyone over age 18.</p> <p>Ohio Senate Bill 57, 2019</p>	<p>See <i>Clinicians’ Guide to Cannabidiol and Hemp Oils</i> – VanDola, Bauer, Mauck, 2019</p>	<p>Research and evidence of efficacy to support the recommendation of use of CBD for health benefits is insufficient and cannot provide a definitive response to the appropriate safe use of CBD.</p> <p>Although CBD is legal for use, extreme caution must be practiced as it is not a regulated product and is subject to contamination and impurities.</p> <p>Use of CBD products should be well researched (company, ingredients, claims, etc.) by consumers.</p>	<p>Advocate for expanded research of CBD as well federal legislation that would regulate the CBD industry.</p> <p>CBD should be a regulated product and should be maintained at the highest levels of quality for safe consumption.</p>
<p>Vaping & E-Cigarettes</p>	<p>As of October 17, 2019, vaping/e-cigarette products are legal to purchase by anyone over age 21.</p> <p>O.R.C. 2927.02</p>	<p>See <i>As We Begin to Slow One Epidemic, Another Begins: Seeking Clarity in a Confused Society</i>, Michael Flaherty, PhD., February 2020</p> <p>Vaping/E-Cigarettes can contain nicotine and/or THC which can be addictive.</p> <p><i>Surgeon General’s Advisory on E-cigarette Use Among Youth</i>, 2021</p>	<p>Use of these products for smoking cessation should be initiated under medical management. <i>(Dr. Michael Flaherty)</i></p> <p>Although vaping/e-cigarettes have been used as a harm reduction mechanism, popularity of vaping/e-cigarettes, especially among youth, has overshadowed its</p>	<p>All smoke-free policies should also include vaping/e-cigarettes as a prohibited product.</p> <p>Additional research is needed to determine the efficacy of vaping/e-cigarettes for smoking cessation. Although new federal regulations have prohibited the sale of</p>

		<i>Vaping Devices (Electronic Cigarettes) Drug Facts</i> , National Institute on Drug Abuse, 2020	intended use. As a result, perception of risk/harm has lowered and use among youth has increased. Prevention efforts should be honest and demonstrate risks associated with use.	some flavored vaping/e-cigarettes products, efforts should be made that lead to prohibiting the sale of any vaping/e-cigarette product that would be attractive to youth.
Tobacco	As of October 17, 2019, tobacco products are legal to purchase by anyone over age 21. O.R.C. 2927.02	Smoking is the leading cause of preventable disease, disability, and death in the United States. In 2020, the CDC reported 480,000 deaths as a result of smoking, and 41,000 from second hand smoke exposure. Nicotine, a drug found naturally in the tobacco plant, is highly addictive. U.S. Department of Health and Human Services, 2014, 1988 <i>Smoking Cessation: A Report of the Surgeon General</i> , 2020	Any tobacco product should not be used.	Advocate for policy regulations that aim to reduce/restrict/eliminate nicotine levels in tobacco products.
Alcohol	Alcohol products are legal to purchase by anyone over age 21. O.R.C. 4301.22	Alcohol misuse contributes to 88,000 deaths in the United States each year; 1 in 10 deaths among working adults are due to alcohol misuse. In 2015, 24.9% of persons 12 years of age or older reported binge drinking (5 or more drinks	Alcohol use disorder is the most prevalent substance use disorder among adults. As such, the community must clearly understand the risks associated with alcohol use, even when adhering to low-risk drinking	Community members should receive information on low-risk drinking guidelines, which includes information about factors that increase risk substance use disorder such as family history of

		<p>on one occasion) with the last 30 days <i>Facing Addiction in America: The Surgeon General’s Report on Alcohol, Drugs, and Health, 2016</i></p> <p>In Hancock County, 34% of youth (12-18) used alcohol in their lifetime; 12% were currently used alcohol; 5% were binge drinkers (2018 Hancock County Community Health Assessment)</p> <p>In Hancock County, 60% of adults currently used alcohol; 23% were binge drinkers (2018 Hancock County Community Health Assessment)</p>	<p>guidelines. Although research has provided low-risk drinking guidelines, other factors, such as family history of substance use disorders, trauma, or health-related conditions, can increase risk of alcohol use disorder, even when following low-risk drinking guidelines.</p>	<p>substance use disorder, trauma, and health-related conditions.</p> <p>Access to alcohol use screening tools (such as SBIRT, CHES screeners) should be made available to all community members at all times.</p> <p>Alcohol use screening tools should also include information on how to obtain support (intervention, treatment, recovery supports) in person and online.</p> <p>Server training (TIPS Training) should be made available and easily accessible to people who work in the food service industry.</p> <p>Server training should be required of all staff and volunteers of organizations that host events that include the sale/serving of alcohol.</p>
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<p>Caffeine</p>	<p>There are no laws restricting the amount of caffeine permitted in beverages.</p>	<p><i>Caffeine and Substance Use Disorders</i>, Ferre, 2013</p> <p><i>The Safety of Ingested Caffeine: A Comprehensive Review</i>, Temple et. al., 2017</p> <p>According to the FDA, the recommended daily intake of caffeine is 400mg</p> <ul style="list-style-type: none"> • Adults consume on average 135mg/day or 1.5 cups (12 oz.) coffee • Average amounts of caffeine in drinks (USDA): <ul style="list-style-type: none"> ○ Soda – 30mg/can ○ Tea – 26mg/8oz. ○ Coffee – 95mg/8oz. ○ Energy Drink – 80-400mg/serving 	<p>Caffeine has become a universally accepted stimulant. Healthy adults should not consume more than 400mg of caffeine per day (4 8oz cups of coffee).</p> <p>Teens should limit their caffeine intake to less than 100mg per day (1 8oz cup of coffee, or two cans of cola).</p> <p>The use of energy drinks should be avoided.</p>	<p>Schools and other organizations that work directly with youth should offer non-caffeine beverage options in food services, and provide information/education on the impact of excessive intake of caffeine on the body and brain.</p>

REFERENCES

- Ohio Revised Code
- Ohio Senate Bill 57, 2019
- *Clinicians' Guide to Cannabidiol and Hemp Oils*, VanDola, Bauer, Mauck, 2019
- *As We Begin to Slow One Epidemic, Another Begins: Seeking Clarity in a Confused Society*, Michael Flaherty, PhD., February 2020
- United States Department of Health and Human Services, 2014, 1988
- *Smoking Cessation: A Report of the Surgeon General*, 2020
- *Facing Addiction in America: The Surgeon General's Report on Alcohol, Drugs, and Health*, 2016
- 2018 Hancock County Community Health Assessment, 2019
- Michael Flaherty, PhD, Hancock County ROSC Consultant, 2022
- Centers for Disease Control and Prevention, Food and Drug Administration, United States Department of Agriculture

PREVENTION SUPPORTS – To access additional resource information, education, or outreach:

- Family Resource Center, *school-based, and community-based prevention services*; Chris Biltz, Prevention Supervisor, 419-425-5050, Chris.Biltz@frcoho.org
- Hancock County Community Partnership & Hancock County Opioid & Addictions Task Force, *community-based prevention services*; Zachary Thomas, Director of Wellness & Education, 419-424-1985, zthomas@yourpathtohealth.org

This document was initially created by the 2019-2020 Medical Marijuana/Vaping Ad-Hoc Committee which met May 30, 2019 – January 30, 2020.

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This document was reviewed and approved by the Hancock County Community Partnership and Hancock County Opioid & Addictions Task Force, February 2020.

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