

Le Sueur County, Minnesota

An Interim Ordinance Establishing a Moratorium on the sale of hemp derived THC (tetrahydrocannabinols) food and beverages.

Le Sueur County hereby finds and declares as follows:

WHEREAS, based on the most reliable and up-to-date scientific evidence, the County Board finds that the rapid introduction of newly legalized edible cannabinoid products (“edibles”), presents a significant potential threat to the public health, safety, and welfare of the residents of Le Sueur County, and particularly to youth; and

WHEREAS, Le Sueur County has the opportunity to be proactive and make decisions that will mitigate this threat and reduce exposure of young people to the products and to the marketing of these products;

WHEREAS, the United States Surgeon General has issued an advisory to alert the public to the known and potential harms to developing brains, posed by the increasing availability of highly potent marijuana in multiple, concentrated forms; and the reasons for concerns with the increasing use of marijuana by pregnant women, adolescents and youth; and

WHEREAS, the National Academies of Science, Engineering and Medicine note that the growing acceptance, accessibility, and use of cannabis and its derivatives have raised 2 important public health concerns, while the lack of aggregated knowledge of cannabis-related health effects has led to uncertainty about the impact of its use; and

WHEREAS, 32.8 million Americans ages 12 and older reported using cannabis in the past 30 days, 49.6 million reported use in the past year, 5 and 90 percent of adult cannabis users in the United States said their primary use was recreational; and between 2002 and 2019, the percentage of past-month cannabis users in the U.S. population ages 12 and older increased steadily from 6.2 percent to 10.8 percent; and

WHEREAS, research has found cannabis use during adolescence, especially of products high in tetrahydrocannabinol (THC), or heavy use, is associated with suicide attempt, high school drop-out, higher likelihood of use of other illicit drugs and experiencing mental health impairment; and

WHEREAS, nationally, there have been significant increases in cannabis use among those age 12 and older, but especially among those age 18-22, and cannabis use rates by youth age 18-22 are higher in states with legal adult-use cannabis than in non-legal states; and

WHEREAS, in 2016, 15.7% of 11th grade students in Minnesota reported that they had used marijuana in the past 30 days, a number far exceeding that for cigarette smoking (8.4%); and

WHEREAS, Minnesota has recognized the danger of cannabis use among youth by prohibiting the sale of edibles to those under age 21 (Minn. Stat. § 151.72, Subd. 3(c)) and by requiring that edibles be packaged without appeal to children and in child-resistant containers (Minn. Stat. § 151.72, Subd. 5a(b)); and

WHEREAS, many years of alcohol and tobacco retailing, which are likely to have parallels in cannabis retailing, have demonstrated that Minnesota retailers continue to sell alcohol and tobacco to underage consumers; and

WHEREAS, children and young people are particularly influenced by cues suggesting tobacco smoking is acceptable, which holds relevance for cannabis smoking; and

WHEREAS, while the sale of edible cannabinoid products has been legalized in Minnesota, it continues to be a Schedule I prohibited substance federally and therefore presents special challenges in multiple federally regulated spheres including banking, broadcasting and immigration; and

WHEREAS, all the above criteria and many more require consideration by health officials and policy makers before Le Sueur County can ensure the public safety is preserved.

NOW THEREFORE, Le Sueur County hereby establishes a moratorium on the sale, manufacture, and/or the production of hemp derived THC (tetrahydrocannabinols) food and beverages in order to allow the county time to study the issue and consider zoning, licensing and rules, and sales management controls for the sale of hemp derived THC food and beverages, similar to tobacco sales and products, behind the sales counter, checking identifications (ID's), enforcement, compliance checks, license fees and other regulatory issues to consider.

This Ordinance shall become effective **October 6, 2022**.

Adopted this 27th day of September 2022.

ATTEST:



Danny O'Keefe, Chairman, Le Sueur County Board of Commissioners



Joseph Martin, County Administrator

DATE: 9-27-2022