



Legislation Text

File #: 35384, Version: 1

**Fiscal Note**

There may be a minor increase in General Fund revenues derived from forfeitures. No additional enforcement resources are required.

**Title**

Creating Section 25.31 of the Madison General Ordinances to prohibit the display, sale, use or possession of synthetic cannabinoids.

**Body**

DRAFTER'S ANALYSIS: Synthetic Cannabinoids are a large family of compounds that are functionally (biologically) similar to THC, the main active ingredient in marijuana. Synthetic cannabinoids are not organic, but are chemicals created in a laboratory. Synthetic cannabinoid products are currently being sold at commercial businesses in the City of Madison that contain chemical compounds designed as synthetic alternatives to controlled substances prohibited under Wisconsin law. These products are commonly marketed as "bath salts", "herbal incense", "Plant food" and are sold by hundreds of various brand names such as "Spice," "K2," "Kush," "Scooby Snax," etc. The United States Department of Justice, Drug Enforcement Administration ("DEA") has researched synthetic cannabinoids and has found the vast majority of cannabinoids are manufactured in Asia by individuals who are not bound by any manufacturing requirements or quality control standards. These products are smuggled into the United States typically as misbranded imports. Local distributors then apply this drug to leafy material and package it for retail distribution, ignoring any control mechanisms to prevent contamination or to ensure a consistent, uniform concentration of drug in each package. The most common route of administration of this drug is smoking.

These products are typically labeled "not for human consumption" to mask their intended purpose and avoid Food and Drug Administration ("FDA") oversight of the manufacturing process. These synthetic cannabinoid substances claim to produce intoxicating effects similar to THC or marijuana. They are marketed and sold as benign and legal alternatives to marijuana.

Synthetic Chemical cannabinoids are potentially dangerous to users due to the fact that the substances can create potency up to 100 times greater than marijuana; have been reported to produce severe adverse health conditions such as heart palpitations, hallucinations, delusions, paranoia, seizures, panic attacks, increased agitation, vomiting, and even death. The contents and effects of synthetic cannabinoids are unpredictable due to a constantly changing variety of chemicals used in the manufacturing process and lack of regulation. The target audience for synthetic cannabinoids is teenagers and young adults.

The DEA has twice exercised its emergency scheduling authority to control new synthetic cannabinoids as they become known and many of them have been permanently placed into Schedule I by DEA regulation. The State of Wisconsin has categorized synthetic cannabinoids as a Schedule I controlled substance under sec. 961.14(4)(tb).

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The Common Council of the City of Madison do hereby ordain as follows:

Please see "Body" in Attachments.