

## The Potential Health Risks and Legal Implications of Cannabis

Kaimee K. Tankersley, JD, CPA

William E. Tankersley, MD

Aubree L. Walton, JD, CPA

Rikinkumar S. Patel, M.D., M.P.H.

The cannabis industry is rife with legal and operational risk. The inconsistent nature of federal and state regulation and mixed federal enforcement priorities have facilitated the proliferation of a multi-billion-dollar industry that operates in the shadows of the FDA drug safety regulations. Although the majority of the US public favors cannabis legalization, recent news reports related to vaping reveal that cannabis related products may very well present health risks. These under regulated products may continue to harm consumers.

The purpose of this paper is to review existing medical findings on potential health risks of cannabis use, summarize how FDA regulations for prescription drugs, over-the-counter medicines, and dietary supplements apply to cannabis products, and discuss the implications of recent FDA and FTC consumer protection efforts on the viability of existing cannabis industry practices. We further explore potential liability the cannabis industry may incur comparative to other, more regulated, industries who have encountered similar health risks from their industry products.