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Consumer Activism, Sustainable Supply Chains, and the Cannabis Market

Elizabeth A. Bennett

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Ethical Consumerism

"Ethical consumerism" refers to the leveraging of purchasing power to support or oppose a particular group, country, cause, or outcome (see Boström, Micheletti, and Oosterveer 2018). "Voting with your dollar" is a form of collective action in which individual actions aggregate to form a larger movement with significant effects (Bossy 2014). Although ethical consumerism is not new—boycotts were used in the anti-slavery movement of the late 1800s, for example—over the past two decades it has become an increasingly popular response to free-market policies and globalized supply chains (Bartley et al. 2015).

Ethical consumerism takes many forms. *Ethical purchasing* leverages boycotts, brand loyalty, and ethical labeling to reward particular modes of production; *lifestyle politics*, such as voluntary simplicity, time banks, tiny houses, and freeganism, challenge mainstream consumerism (see Haenfler, Johnson, and Jones 2012); and *culture jamming*—when guerilla billboard takeovers and ad busting pushes the public to reconsider their own consumption habits (see Lekakis 2017). People engage in ethical consumerism for various (and often overlapping) reasons such as altruistic commitments, expressing moral identity, and bolstering cultural capital (Brown 2013).

This chapter describes ethical consumerism in the context of the US and Canadian cannabis markets. Are consumers purchasing organic, fair trade, or sustainably produced cannabis? If so, how? If not, why? The chapter is organized into 11 sections as follows: methods; legalization and regulation; labor and environmental issues; organic, fair trade, and sustainability standards; lifestyle politics and legalization; ethical purchasing; consumer demand; ethical labeling; new cannabis certifications; and opportunities, challenges, and recommendations for a more ethical cannabis market.

Data and Methods

A proliferating interdisciplinary literature examines ethical consumerism in agri-food, textiles, handicrafts, forest products, and (to a lesser extent) mining/extraction, electronics, investment, and

tourism (Raynolds and Bennett 2015). Very few studies examine semi-legal contexts¹ such as boycotting mafia-supportive businesses (Forno 2015) or advocating sex workers' rights (Stryker and Pennington 2014). This chapter is largely based on the author's own mixed-methods research, taking place over three years, from 2015 to 2018, mostly in the Pacific Northwest of the United States (Bennett 2017, 2018, 2019). Data were gathered through a survey and semi-structured interviews with cannabis supply chain actors, policy advocates, community organizers, and budtenders at over half (64) of the dispensaries in Portland, Oregon; participant-observation at over a dozen relevant meetings, events, and conferences; over 100 hours of pro bono consulting work with two ethical purchasing start-ups; interviews with the founders of all nine sustainability certification programs; analysis of 48 relevant articles from five news outlets; and a review of relevant academic literature.

Cannabis Legalization and Regulation in the United States and Canada

Like most countries, the United States and Canada are signatories to the three principal treaties that identify cannabis as a controlled (illegal) substance.² They are unique, however, in that they are at the forefront of legalization and the heart of the industry: they produce and consume a substantial amount of cannabis, and most Canadians and Americans support full legalization and believe consumption is socially acceptable (see Bennett 2017).

In the United States, cannabis is illegal at the federal level, and those engaged in the industry can be prosecuted. However, individual states have been using voter referenda to legalize medicinal cannabis since 1996 (California) and to legalize adult cannabis since 2012 (Colorado and Washington). As of early 2019, more than a third of states have legalized medicinal cannabis and ten states (plus the capital District of Columbia) have legalized adult-use cannabis, though many have not yet developed the regulatory frameworks required to facilitate legal sales. Each state regulates its market differently. However, all require growers to obtain a license and comply with regulations such as quantity of plants, pesticide testing, theft prevention, and sales accounting. Likewise, all dispensaries must be licensed and follow regulations related to purchasing protocols, customer age restrictions, and purchase limits. It is prohibited to transport cannabis across state boundaries, even between two states in which possession is legal.

In Canada, medical cannabis has been federally legal since 1999. Consumers were permitted to grow a small number of plants ("home grow") or designate someone to grow on their behalf, creating an industry of small cannabis farms. In 2014, however, Health Canada shifted policies to support a supply chain that more closely resembled synthetic pharmaceuticals. Large commercial operations were licensed and home grows prohibited. As a result, cannabis production quickly became dominated by a small number of large-scale firms able to finance compliance with costly regulations. In 2015, Canadians elected Justin Trudeau, a pro-legalization prime minister, and in 2017 the Cannabis Act was introduced. By 2018 regulations came into force, legalizing the production, sale, and consumption of cannabis for adult use. Under the Cannabis Act, Health Canada continues to regulate production. It has now established slightly different standards for large-scale and micro producers. Provinces regulate cannabis sales. Some permit privately owned dispensaries, while others limit sales to government-operated stores or websites. It is legal to transport cannabis across provincial borders, but not between the United States and Canada. In both countries, the black market persists.

Labor and Environmental Issues in Cannabis

Labor advocates argue that US and Canadian policies are inadequate for protecting workers in many industries. US farm workers, for example, are excluded from key labor protections, such as the right to collective bargaining, even though farm work is one of the most dangerous occupations.³ In both

countries, farming relies heavily on migrant workers—some national, others foreign—whose complaints about unsafe housing, poor sanitation, inadequate access to nutritious food, and sexual harassment in the fields is too often met with threats of deportation, termination of employment, and abuse (Otero and Preibisch 2015; PAN 2010; FJ 2015). For these reasons, many ethical consumerism initiatives aim to improve protections for workers.

Cannabis workers are also exploited and abused. Trimmers (the workers who process the harvested plant), especially women, have experienced sexual harassment, assault, discrimination, unsafe housing, mandatory overtime, and pervasive wage theft. Some have experienced or been threatened with acts of violence or been held hostage to improve productivity and silence dissent. Many choose not to report incidents for fear of legal consequences to themselves. This contributes to the persistence of workplace abuse (August 2013; Krissman 2016; Schirmann 2016).

Similar to labor standards, environmental regulations often fall short of protecting natural resources and the ecosystem. Like all agricultural crops, cannabis has the potential to generate adverse environmental consequences. Three issues of concern are energy, water, and inputs. Cannabis uses energy to heat/cool air, dehumidify, ventilate, pump water, heat water, and provide light for indoor grows.⁴ Some growers pump CO₂ into grow houses, improperly dispose of bulbs containing neurotoxins, or damage ecosystems by clearing land, building terraces, and diverting streams, at times on public land. Especially in drier environments, cannabis is a relatively water-intensive crop (Mills 2012; O'Hare, Sanchez, and Alstone 2013; Bauer et al. 2015; Carah et al. 2015).

Pesticide misuse and overuse has drawn much attention because of the risks to workers, consumers, and the environment (Voelker and Holmes 2015). Although Canada and legalized US states have banned specific pesticides, enforcement is weak. In 2015, Oregon became the first state to mandate testing for adult-use products. In Canada, unless a grower has a history of using banned substances, inspectors spot-check for residue. It is not uncommon for contaminated products—with high residue levels of legal pesticides or evidence of chemicals unfit for consumption—to be sold on the legal market (Crombie 2015a; Robertson 2017).

Organic, Fair Labor, and Sustainability Standards in the United States and Canada

Concerns about state-based regulation have given rise to the organic, fair labor, and sustainability movements, which aim to improve social and environmental outcomes by creating and enforcing alternative standards.

The organic movement originated with farmers in the 1960s. Canada and the US began investing in research around 1980, committed to organic development in 1990, and published national organic standards around 2000. Today, the US Department of Agriculture oversees the National Organic Program (USDA/NOP), and the Canadian Food Inspection Agency oversees the Canada Organic Regime (CFIA/COR). Both require third-party audits to verify compliance, and since 2009, they recognize each other's systems as equivalent. Consumer demand has surged over the past decade. In 2016, 43% of Americans said someone in their household had purchased organic products "several times" in the past week, and 57% of Canadians report buying organic products weekly (Pew 2016; Mackinnon 2013).

The contemporary fair trade movement emerged after WWII, when Americans and Western Europeans provided market access to handicraft producers in developing and war-torn countries. This process was scaled up in subsequent decades through nonprofit mail-order catalogues and "world shops," such as Ten Thousand Villages. In the 1990s, several fair trade brands emerged, and the international nongovernmental organization (NGO) Fairtrade International rolled out a widely recognized global label that conventional (non-fair trade) companies could use to communicate that some inputs were purchased according to fair trade standards (e.g., minimum price, no child

labor). Supply and demand of fair trade goods has grown rapidly, with the International Fairtrade label regulating the working conditions of more than 1.5 million farmers and workers. In wealthier countries, fair trade initiatives are sometimes referred to as "fair labor" or "domestic fair trade." In the United States and Canada, the Domestic Fair Trade Association and the Worker Driven Social Responsibility Network are at the forefront of this movement (Raynolds and Bennett 2015).

Often drawing on the principles of organic and fair trade labeling, sustainability certification programs have emerged to promote both social and environmental responsibility in a variety of sectors. The Eco Label Index shows rapid proliferation of sustainability labels. Around 2000, the ISEAL Alliance was established to codify best practices and accredit sustainability programs that adopt them. Research on sustainability and fair trade labeling suggests that labels managed by NGOs and civil society groups are more likely to adopt inclusive governance practices, rigorous standards, and credible verification. It also shows that competition among sustainability labels can create a "race to the bottom" as certification programs lower standards to attract more companies. Today, consumers face "label fatigue"—the inability to learn about each label they face and adjudicate among seemingly similar programs. Thus, watchdog and advocacy organizations play an important role in monitoring labels and publicizing comparative studies (Auld 2014; Bartley et al. 2015).⁵

Lifestyle Politics as Legalization Advocacy

Before the recent wave of legalization, ethical consumerism largely took the form of lifestyle politics. People used their everyday consumption habits, leisure activities, modes of speech, and dress to challenge mainstream thinking about cannabis culture. The objective was to "normalize" cannabis consumption—and thus make it more challenging to sustain its prohibition—by highlighting that adult cannabis consumption is common, can occur in moderation, may address health issues, and does not preclude productivity or healthfulness (Erickson and Hathaway 2010; Hathaway, Comeau, and Erickson 2011).⁶

Ethical consumers purchased and displayed clothing, flags, doormats, and other goods featuring the cannabis leaf. Record shop owners proudly displayed pipes, bongos, and other paraphernalia in street-facing windows and point-of-purchase display cases. Celebrities, CEOs, and politicians "went public" about their own consumption. Thousands of people celebrated the unofficial US cannabis holiday of April 20th by consuming publicly—on college campuses, in parks, in front of capitol buildings, and even outside the White House. These activities reframed prohibition as antiquated and anti-social, turning the stigma against cannabis consumers on its head (Bennett 2018; Dioun 2018).

Post-Legalization Emergence of Ethical Purchasing

Legalization shifted the contours of political consumerism. First, in an uncoordinated effort, an ad hoc "buy legal" campaign emerged, highlighting the links between illegal cannabis, non-state armed conflict, border violence, and labor exploitation. Advocates compared black market cannabis to "blood diamonds" and asked, "How can you go and be very particular about buying only fair trade coffee and then go home and smoke dope that was produced by women who were being gang raped and kidnapped and murdered and all of that?" (Brekke 2015).

Second, the cannabis community shifted focus from legalization to regulatory debates. Growers, trimmers, distributors, and other supply-side actors, who were previously unable to disclose their roles in and perspectives about the industry, began developing a public presence. They voiced social and environmental concerns and shared information about their supply chains and sustainable production practices. In jurisdictions where the legal market was flooded with competing growers and dispensaries, ethical attributes also became a mode of differentiation. As described in the following

sections, these changes generated consumer demand for ethical products and the development of cannabis-specific certification programs (Bennett 2018).

Consumer Demand for Ethical Products

A survey of dispensaries in Portland, Oregon (US), suggests that cannabis consumers are interested in ethical products. About 30% of dispensaries reported that consumers frequently requested environmentally friendly or socially responsible products and 50% reported occasional queries. Requests were more frequent in high-end dispensaries and in wealthier, White, and educated neighborhoods, which is consistent with demographic trends for other products (Bennett 2017). The study also identified several potential constraints to demand. First, people accustomed to purchasing illegally may not be in the habit of requesting supply chain information. Research shows that ingrained habits can interfere with adopting ethical purchasing practices for new products, even among consumers committed to ethical purchasing in other categories (Lyon, Ailshire, and Sehon 2014). Second, studies show that consumers “ earmark ” certain types of products as more (or less) important for ethical shopping than others. For example, coffee is more commonly earmarked than consumer electronics (Wheale and Hinton 2007). Several interviewees said that combining a “ seedy ” product with a “ wholesome ” practice feels uncomfortably paradoxical, and suggested organic cannabis would be as strange as Portland’s vegan strip clubs would. Third, qualitative data suggested that consumers mistakenly assume that the sector’s heavy regulation includes rigorous social and environmental standards, making ethical certifications unnecessary. Fourth, many Americans and Canadians (including several industry leaders interviewed) are ignorant about labor exploitation within their borders and believe fair trade is unnecessary for domestic goods (Guthman and Brown 2016). Finally, stereotypes about cannabis as a “ natural drug ” grown by “ earth-loving hippies ” may wrongly assuage consumers’ concerns about sustainable production.

In other sectors, marketing materials and retail employees typically play a key role in framing ethical issues. In cannabis, these educational opportunities were often underutilized. For example, materials advertising the 2018 Cultivation Classic, a cannabis competition for “ ethically-grown product free of pesticides, ” failed to explain the risks associated with conventional methods. Similarly, “ eco ” product packaging does little to educate consumers. Interviews suggest that people working in cannabis are reticent to critique an industry they have long defended, even if doing so would promote their objectives. Although budtenders can dramatically influence consumer choice, they have not proved to be a reliable source of information. In the Portland study, only 20% of dispensaries provided accurate information on social and environmental issues. The other 80% gave slightly inaccurate or significantly misinformed information. Incorrect information (such as all cannabis being organic, a myth propagated by 10% of dispensaries) can inhibit ethical purchasing in the sector (Bennett 2017).

Extending Organic, Fair Trade, and Sustainability Labels to Cannabis

Although the US and Canadian national organic labeling programs are somewhat similar, their approaches to cannabis labeling differ greatly. In Canada, small medical growers have been certified since 2003. In 2014, after Health Canada authorized large commercial operations, the CFIA/COR developed organic-specific standards. Shortly after, ECOCERT, an accredited auditor, certified the first large operation. In the United States, however, the USDA will not create a standard for a federally illegal substance. According to several organic auditors, growers have inquired about organic certification since the late 1990s. In the absence of a formal program, unofficial claims proliferated, and by 2015 a journalist asserted, “ Walk into any marijuana dispensary in Portland, and you’ll see jars of dried marijuana flowers and containers of marijuana concentrates labeled as organic ” (Crombie

2015b). She found many growers were ill informed about organic methods. Lab tests revealed levels of pesticide residue above the threshold safe for consumption and exposed the use of chemicals—such as roach killer—not intended for human consumption (Crombie 2015a). Similarly, the Portland study found that although 86% of dispensaries offered an “ ethical ” product, 16% did not know why it was ethical and 64% said they simply trusted growers to “ do the right thing. ”

Although there are several fair labor and sustainability certifications in Canada and the United States, none extend their programs to include cannabis. Although producers have reached out to express interest, the organizations fear that collaboration with the cannabis sector will jeopardize support from consumers or donors (Bennett 2017).

New Cannabis Certification Programs

In the United States and Canada, about a dozen standards-setting organizations have emerged to certify cannabis as “ ethical. ” While most voluntary certifications were established by nonprofits or business associations, cannabis labels were founded by individual entrepreneurs motivated to professionalize the sector; improve health, safety, or environmental regulations; bolster credibility of organic claims; or help growers differentiate their products. Clean Green, the first and most well-known certification program for cannabis, has captured much more of the market than have the other certification programs. Most cannabis certifications have standards for soil, energy, and water, and all are more focused on environmental issues than fair labor. Some are owner-operated, while more formal boards or multi-stakeholder advisory systems govern others. None of the certifications have successfully adopted best practices for ethical standards, such as a nonprofit structure, governance that minimizes conflicts of interest, third-party audits, publicly available standards, and processes that include workers in decision-making. Overall, sustainability certifications for cannabis are underdeveloped, are vulnerable, and lack credibility.

A 2018 study argues that these challenges are largely attributed to the lack of support cannabis certification programs have received from existing certifications, philanthropic organizations, consumer movement organizations, and individuals with relevant expertise. Without mentoring, training, financial support, and reputational incentives, cannabis certification programs are unlikely to engage in a “ race to the top. ” Instead, they focus to stay afloat, move quickly, and increase market share. Experts can help by identifying front-runners, investing in them, and publicly recognizing their rigorous work (Bennett 2019).

Opportunities, Challenges, and Recommendations

The legalization of cannabis provides a special opportunity to apply lessons from other sectors and improve on their disappointing social and environmental results. Accordingly, activists have rallied around the idea of making cannabis “ the first ” to achieve a number of goals, such as proportional representation of women in leadership and prioritizing racial justice.

Several features of the cannabis sector make it particularly well suited for ethical consumerism. First, because cannabis is sold in a limited number of highly regulated retail spaces (or, in Canada, on websites), the consumer experience can be carefully crafted, regulated, and analyzed. Consumers are required, in most places, to interact with budtenders, providing an opportunity for point of purchase education. Budtenders are required (in most places) to keep detailed purchasing records, enabling dispensaries to track information about consumer habits. Market research firms have already developed sophisticated tools for understanding the cannabis consumer. Second, because cannabis is increasingly sold as “ edibles, ” consumers accustomed to ethical purchasing of food may have an easier time earmarking cannabis for ethical consumption. Third, and related, as the markets for organic, fair trade, and biodynamic beer, wine, and liquor continue to grow, consumers may be

better equipped to consider the supply chains behind adult consumption products. Finally, because many consumers are actively learning about new products and techniques for consuming cannabis and accessing research about the potential effects of cannabis, they may be more likely to access and internalize educational materials for it than for products with which they already feel familiar.

Ethical consumerism in cannabis also faces many challenges, although there are clear ways in which these can be overcome. First, budtenders, one of the key sources of consumer information, are often not knowledgeable about social and environmental issues or ethical products. The responsibility for providing consumers with accurate information rests not only on budtenders but also on the dispensaries that train them, the growers and processors that supply them, and the policy makers that regulate them. Budtenders should be required to earn credentials from an accredited provider. Second, there is very little information about what might be lost if consumers do not act responsibly. Industry actors need to be more forthcoming about the social and environmental impacts of cannabis cultivation and legalization. By highlighting concerns and educating the public, they motivate consumers to leverage their purchasing power. Third, sustainability advocates within the cannabis sector need support from experts from other industries. Cannabis organizations and businesses should bring environmental and labor advocates to key decision-making tables. Likewise, organizations with relevant expertise should offer their support to the new industry. Media can contribute by highlighting the positive contributions that non-cannabis leaders make in the sector and (more broadly) work to undermine the stigmas that discourage participation. These small shifts—informing budtenders, discussing social and environmental issues, and collaborating with experts—could generate meaningful impacts on ethical consumerism and, thus, communities and the environment.

Notes

- 1 “Semi-legal” refers to sectors in which consumption, production, and transaction activities all occur both legally and illegally, with many actors moving between legal and illegal markets or operating in both at the same time (Bennett 2017).
- 2 1961 Single Convention on Narcotic Drugs, 1971 Convention on Psychotropic Substances, and 1988 Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.
- 3 Each year, about one in 100 US agricultural workers experiences acute pesticide poisoning (PAN 2010).
- 4 In some places, it is illegal to grow outdoors.
- 5 See, for example, the “International Guide to Fair Trade Labels.”
- 6 “Normalization,” in this context, refers to widespread acceptance, marked by easier access, higher consumption rates, and greater tolerance from non-consumers (Parker, Williams, and Aldridge 2002).
- 7 Including, in the United States: Cannabis Certification Council (CCC), Certified Kind, Clean Green, EnviroCan, Foundation of Cannabis Unified Standards (FOCUS), Patient Focused Certification (PFC), Resource Innovation Initiative (RII), Oregon Sungrown Certified, and The Cannabis Conservancy (TCC); and in Canada: National Institute for Cannabis Health and Education (CannabisWise).

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