



January 6, 2026

The Honorable Marc Berman  
Chair, Assembly Business and Professions Committee  
1021 O Street, Suite 8130  
Sacramento, CA 95814

**RE: Opposition to AB 762 (Irwin) – Disposable, Battery-Embedded Vapor Inhalation  
Devices: Prohibition  
Hearing: January 13, 2026**

Dear Chair Berman:

The [California Cannabis Operators Association](#) (CCOA) respectfully but strongly opposes AB 762 (Irwin), which would prohibit the sale, distribution, and offering for sale of disposable, battery-embedded vapor inhalation devices, including integrated cannabis vaporizers.

CaCOA is the largest cannabis trade association in California, representing the backbone of the legal industry and providing a unified voice for licensed operators across the supply chain. Serving over 50% of the state's population, CaCOA advocates for policies that foster a thriving, regulated marketplace while upholding strong labor standards and prioritizing public health, consumer safety, youth protection, and community well-being.

We appreciate the intent to reduce environmental waste and promote public health. However, AB 762 is counterproductive to California's efforts to build a safe, sustainable, and legally compliant cannabis market. Rather than advancing those goals, the bill would undermine the regulated market and expand the illicit market, which is well known for causing severe environmental damage through illegal cultivation practices, unmanaged waste, and unlawful water diversion. Below are our key concerns:

- **AB 762 undermines recently enacted regulations that promote responsible disposal.** AB 1894 (L. Rivas, 2022) established labeling and marketing requirements for integrated cannabis vaporizers, including mandatory language instructing consumers to dispose of empty vapes at a hazardous waste facility. These provisions took effect in July 2024 and were designed to address the very environmental concerns raised by AB

762. Legal operators are already complying, investing in education and labeling. Prohibiting these products now would eliminate the only enforceable mechanism currently in place to educate consumers about proper disposal.

- **Empowering the illicit market, not eliminating it.** AB 762 does nothing to remove integrated vaporizers from the market; it only ensures that these products will be sold illegally rather than legally. According to the Department of Cannabis Control's 2024 economic analysis, *an average of 11.4 million pounds of unlicensed cannabis is produced annually in California, with about \$2 billion of that consumed in-state*. This prohibition would predictably shift consumer demand toward unlicensed sellers, where products are untested, potentially dangerous, and subject to no environmental or quality controls. It will also eliminate opportunities to educate consumers on responsible disposal, and increase waste, all without achieving the bill's stated goal.
- **AB 762 will reduce funding for environmental and other voter-mandated public programs.** By diverting consumers away from licensed retailers and into the illicit market, the bill will further erode legal cannabis sales and the tax revenues they generate. All-in-one, battery-embedded vapor products account for an estimated 12 percent of total legal cannabis sales statewide. Eliminating this category from the regulated market would place over \$75 million in annual cannabis excise tax revenue at risk. Cannabis tax revenues fund environmental restoration, youth prevention and education programs, public health services, and community reinvestment in communities disproportionately harmed by prior cannabis enforcement. Weakening the regulated market directly undermines these programs while doing nothing to reduce overall consumption or waste.
- **The bill will endanger public health by pushing consumers toward untested, unsafe devices.** Cannabis products sold by licensed operators undergo mandatory lab testing for heavy metals, microbial contaminants, pesticides, residual solvents, and more. These safety protocols do not apply to illegal products, many of which use substandard materials that break, leak, or leach toxins when heated. Cannabis regulations also prohibit the inclusion of harmful non-cannabis additives like vitamin-E acetate, propylene glycol, MCT oil, and synthetic cannabinoids, which are associated with EVALI (vaping-related lung injuries) and other illnesses. The 2019 vaping crisis, which resulted in 68 deaths and was traced back to such additives, is a testament to the very real dangers of unlicensed products. Legal vapes are not the problem; unregulated ones are.
- **Patients depend on integrated vaporizers that are safe, accessible, and long-lasting.** Non-rechargeable, integrated vaporizer devices are a critical tool for medicinal cannabis patients, particularly those managing chronic pain or mobility impairments. Many patients with arthritis or dexterity challenges rely on these devices because they do not

require the fine motor skills needed to attach cartridges to separate batteries. Characterizing these devices as “single-use” is misleading: a typical 0.5 mL vape delivers around 150 doses (or puffs), while a 1.0 mL version provides more than 300. These products are used over weeks or months, not discarded after a single use. AB 762 would unfairly restrict access to these devices for vulnerable patients, pushing them toward less safe and unregulated alternatives.

- **Legal cannabis operators are committed to environmental stewardship.** The regulated industry already exceeds many environmental standards. Legal cannabis is cultivated sustainably, manufactured without harmful additives, and subject to robust packaging and waste disposal laws. AB 762 would penalize this compliance while effectively rewarding illicit manufacturers by increasing their market share.

For these reasons, we respectfully oppose AB 762 and respectfully urge you to oppose this measure. Rather than achieving its intended goals, AB 762 will empower illicit actors, reduce opportunities to educate consumers on proper disposal, and undercut tax-generating legal sales that fund youth programs, public health services, and environmental restoration.

We believe more balanced policy approaches are available that address environmental concerns without jeopardizing consumer safety or weakening California’s regulated cannabis market.

Should you have any questions or require additional information, please don’t hesitate to contact me at (707) 291-3270 or [amy@precisionadvocacy.co](mailto:amy@precisionadvocacy.co).

Sincerely,



Amy O’Gorman Jenkins  
Executive Director  
California Cannabis Operators Association (CaCOA)

Cc: Members, Assembly Business and Professions Committee  
Assemblymember Jacqui Irwin