



April 1, 2025

The Honorable Jacqui Irwin
Assemblymember, District 42
1021 O Street, Room 6220
Sacramento, CA 95814

**RE: AB 762 (Irwin) – Disposable, Battery-Embedded Vapor Inhalation Devices: Prohibition,
as amended March 28, 2025
NOTICE OF OPPOSITION**

Dear Assemblymember Irwin:

On behalf of the California Cannabis Operators Association (CaCOA), we regret to inform you of our opposition to AB 762, which would prohibit the sale, distribution, and offering for sale of disposable, battery-embedded vapor inhalation devices—including integrated cannabis vaporizers—beginning January 1, 2026.

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 your intent to reduce environmental waste and promote public health. However, AB 762 is both premature and counterproductive to California's efforts to build a safe, sustainable, and legally compliant cannabis market. 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. This ban would eliminate the only mechanism that exists to inform 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.* Enacting another prohibition will only drive consumers further into the unregulated market, where products are untested, potentially dangerous, and subject to no environmental or quality controls. It will also further reduce tax revenue, eliminate opportunities to educate consumers on responsible disposal, and increase waste — all without achieving the bill’s stated goal.
- **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 medical 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 not discarded after one use — they are used over weeks or months. 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 packaging and waste disposal laws. AB 762 unfairly penalizes this progress while rewarding illicit manufacturers with a larger market share.

For these reasons, we respectfully oppose AB 762 and urge you to reconsider this measure in light of its likely unintended consequences. 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 there are more balanced policy approaches that can improve environmental outcomes 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 or CaCOA's legislative advocate, Justin Fanslau justin@fanslauga.com.

Sincerely,



Amy O'Gorman Jenkins

Executive Director

California Cannabis Operators Association