

Regulating Cannabis like Fish

Caleb McMillan

Regulating [cannabis](#) like fish? Excuse me, what? According to [Leah Heise](#), the [cannabis industry](#) can learn much from commercial fishing.

An accomplished cannabis exec, Leah's been the CAO of Ascend Wellness Holdings, the CEO of Women Grow, CXO of 4Front Ventures and President of Chesapeake Integrated Health Institute.

While at Ascend, Leah focused on growing the business from 73 employees to more than 1300 in less than 18 months, taking the company from \$19M in revenue in 2019 to a \$1.6B market cap in 2021.

Leah is also a [medical cannabis](#) patient, having discovered the herb after being hospitalized over 35 times for pancreatitis.

Leah Heise is a cannabis expert. Her expertise is unparalleled, unlike the so-called "experts" in the media who spew drug war propaganda.

So when she says the [cannabis industry](#) has much to learn from commercial fisheries, our ears perk up.

Regulating cannabis like fish? Say what?

Regulating Cannabis from Stigma

Having experience in the regulatory landscape, Leah knows what's working and what's doomed to fail. And unfortunately, most legal states have been regulating cannabis from a position of stigma.

"We do everything by piecemeal, by litigation. It's very costly to the system and there's just a better, more streamlined way to do it," says Leah. "And I think that potentially regulating it similar to a commercial fishing industry may be the way to do it."

Of course, Leah points out that there are other options, and this is just one of many ideas. But, she says, "These regulators need to understand the things they are regulating."

"They're doing it from a place of stigma and lack of education," Leah says. "We have to turn back one hundred years of stigma and propaganda."

Whether it's racial stigma or false beliefs that cannabis will rot your brain, Leah emphasizes education. From scientific papers proving cannabis' efficacy to patient stories to studies that associate legal cannabis with fewer cases of domestic abuse and alcoholism.

"The industry and the plant need a rebrand," says Leah. "It's not Cheech and Chong. It's everyone; it's diverse. Anybody could be using this, from your great-grandmother to your child, depending on what they have. It's not going to make their brains die or reduce IQ."

Regulators Need Education

Simply put, the public (and many regulators) are uneducated on cannabis. Drug warriors amplify its alleged harms while marginalizing its medical and therapeutic benefits.

But how would regulating cannabis like fish help? Leah admits that if the feds get involved, a strong regulatory body needs to be created.

“Or just let the states do it,” she says. “We don’t necessarily need another layer on top.”

But suppose the federal government does step in and institute national cannabis regulations. What can we learn from the commercial fishing industry?

Regulating Cannabis like Fishing Industry

What can the cannabis industry learn from commercial fishing? How does one regulate cannabis like fish?

“Fisheries is a highly regulated industry,” says Leah. “Because the government’s trying to balance the interests of the environmental groups with the interest of the commercial fishing industry.”

Yes, they are separate products, but both are natural and come from the Earth. Likewise, generations of people work in the industry, whether it’s multiple generations of fishermen (and women). Or the legacy farmers in the cannabis industry (especially in black and brown communities).

With the commercial fishing industry, there’s the problem of overfishing. “In an effort to save the planet, and the fisheries themselves, the federal government has stepped in,” says Leah.

And she sees opportunities for the cannabis industry and its regulators to learn from the commercial fishing industry.

Commercial fishing regulators don’t regulate from a place of stigma. “I haven’t seen a single state,” says Leah, referring to legal cannabis states, “where there’s not a massive lawsuit. And even with Schedule III, there’s going to be lawsuits.”

Learning from the Commercial Fishing Industry

Leah prefers a more comprehensive way of regulating cannabis, which borrows from the successes of the commercial fishing industry.

“They design things called fishery management plans,” she says. “Scientists in the government will come forward and say, ‘okay we’re starting to see Atlantic sea scallops start to collapse. We’re seeing a decline in the number of new pollock. And we need to come up with a fishery management plan to work this.’”

Leah says the commercial fishing industry has councils with different stakeholders, from environmental groups to commercial industries to [recreational](#) groups.

“They come together to regulate themselves,” says Leah. “It speeds up the process and really eliminates a lot of the issues in terms of getting sued, because stakeholders at least feel like they have a voice.”

“Nobody walks away happy,” Leah adds. “Which is kind of what happens with any real decent negotiation, right? Everybody’s giving a little.”

Leah thinks having a board of stakeholders would prevent things like canopy caps or taxing inside the supply chain. Things that ultimately hurt the industry and only empower illicit markets.

The problem, says Leah, is that current cannabis regulators “aren’t holistically looking to see what the impacts are,” of the various regulations they’ve instituted.

Regulating Cannabis like Fish – Unintended Consequences?

Is there any state already doing this? What are the odds D.C. will create cannabis regulations that embody the principles of the commercial fishing industry?

One of the biggest problems, says Leah, is the lack of money on the enforcement side. From her regulator days, Leah recalls:

We were handed often times very dense regulations to enforce. But we weren't given the money that we needed to be given to it, to hire the people, and train the people we needed to actually enforce those regulations.

The result is cannabis operators openly flaunting the rules because paying the fines is sometimes cheaper than observing the regulations.

There's also debate on how heavy cannabis regulations should be. Should we regulate it like alcohol? Or should we consider cannabis a vegetable no more dangerous than a carrot?

"I think that the polarization that exists in this industry exists in the country," says Leah, so there's no easy answer.

Unintended Consequences

But one thing to watch out for is the unintended consequences of regulation. Leah recalls visiting Africa, particularly Botswana, about a year ago.

"The Gates Foundation had contributed billions of dollars worth of mosquito nets," Leah recalls.

They thought that giving people mosquito nets would eliminate malaria. But what they didn't understand is that [the Botswanans] needed food. So what the people did was they used the nets to fish with. But the nets were covered with [pesticides](#). It killed off all the fish. And you still have malaria, and you have no food, and it's because there wasn't really a holistic decision in that instance. [The Gates Foundation] wasn't informed enough to answer what the real primary need was.

Unintended consequences are an unavoidable fact of life. In Canada, for example, the government legalized cannabis from a position of stigma and propaganda. The result is a thriving [black market](#) catering to consumer demands the legal market can't fulfill.

With that in mind, we asked Leah how likely, on a scale of one to ten, would the United States legalize and regulate according to rational and holistic principles? Will authorities regulate cannabis like fish?

If ten is the ideal and one is stigma and propaganda, what's the verdict?

"I think it's going to be less than 5," says Leah. And like the situation in Canada or the more restricted US legal states, the consequences of regulating from stigma suggest a robust illicit market.

"You can decide to go the legal route or you can decide to go the illegal route," says Leah. "But you're not going to make it go away."