



The Office of  
**Minnesota Attorney General Keith Ellison**  
helping people afford their lives and live with dignity, safety, and respect • [www.ag.state.mn.us](http://www.ag.state.mn.us)

March 24, 2024

Representative Zach Stephenson  
Chair, Commerce Finance and Policy  
Committee  
State Office Building  
St. Paul, MN 55155

Representative Tim O'Driscoll  
Ranking Minority Member, Commerce  
Finance and Policy Committee  
State Office Building  
St. Paul, MN 55155

**Re: Hose File 4377**

Dear Representative Stephenson, Representative O'Driscoll, and committee members:

Part of my job as Attorney General is to recommend statutory changes to protect consumers. I write in support of Houe File 4377. This important legislation is necessary to protect consumers, particularly Minnesota's youth and other vulnerable populations, from the emerging public health issue of copycat packaging for THC edibles that use famous brands enticing children to inadvertently consume these products.

In June of 2022 the FDA issued a warning stating that between Jan. 1, 2021, and May 31, 2022, national poison control centers received 10,448 single substance exposure cases involving edible products containing THC<sup>1</sup>. Of these cases, 77% involved patients 19 years of age or younger. Widely available and often easily mistaken for name brand snacks such as Oreo cookies, Doritos chips and others, THC copycat products often are unintentionally given to children or mistaken by children for the brand name snack products, resulting in unsuspecting children ingesting large amounts of THC.

This legislation would add a new prohibition to the cannabis packaging prohibitions provided by Minnesota Statutes section 342.62, subd. 3, passed as part of the Cannabis Legalization legislation in the 2023 Session. This new prohibition would prohibit persons from selling, offering for sale, or facilitating the sale of empty packaging that, if used, would be a violation of cannabis packaging prohibitions. The bill would also provide the Attorney General's Office with authority to enforce this prohibition through section 8.31, the Attorney General Office's consumer protection statute.

---

<sup>1</sup> <https://www.fda.gov/food/alerts-advisories-safety-information/fda-warns-consumers-about-accidental-ingestion-children-food-products-containing-thc>



The Office of  
**Minnesota Attorney General Keith Ellison**  
helping people afford their lives and live with dignity, safety, and respect • [www.ag.state.mn.us](http://www.ag.state.mn.us)

I strongly encourage your committee to advance this important bill. While we may not all agree on the best regulatory scheme for cannabis and THC generally, we can all agree that copycat THC edibles pose a grave risk to the health, safety, and welfare of our children. Prohibiting the selling of empty packaging is an important part of helping to protect Minnesota's children.

Thank you for allowing me to provide my recommendations. If you have any questions or would like additional information, my team and I would be happy to help in any way that we can.

Sincerely,

A handwritten signature in blue ink that reads "Keith Ellison". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

KEITH ELLISON  
Attorney General

---

**In support of MN HF4377, prohibiting sale of empty packaging that would violate MN cannabis law  
Hearing before House Commerce Finance and Policy 3/25/24  
March 23, 2024**

Dear Chair Stephenson and Members of the House Commerce Finance and Policy committee;

Thank you for hearing this important legislation; and thank you to Chair Stephenson for bringing it forward.

General Mills is a Fortune 500 food company based in Golden Valley, MN. We make food the world loves - beloved household brands including Cheerios, Betty Crocker, Old El Paso, Annie's, and pertinent to today's discussion, Cinnamon Toast Crunch, Trix, and other cereals and snacks well known to families, including children.

We support HF4377 because over the last several years, poison control centers across the country have fielded thousands of calls relating to THC exposure, the vast majority of which involved children. We have discovered that sellers of marijuana edibles purchase pre-printed bags with our Company's brand imagery on them, fill the bags with marijuana-laced consumables, and then sell the product to consumers.

General Mills works with law enforcement in instances where marijuana edibles have been sold in packaging that illegally uses our brands and logos and sometimes even adulterated versions of our actual products.

General Mills and our peer food companies spend millions of dollars every year to ensure that our products meet stringent safety standards. When the public sees our brands, they rightly expect that those products are safe to consume. Unfortunately, the makers of this packaging do not hold themselves to the same standards. The use of General Mills brands gives the false impression that these products come from us and dangerously misleads the public into believing that there is a reputable food safety assurance that comes with these products.

Minnesota's cannabis law already prohibits the sale of cannabis in packaging like this. However, it's not illegal to manufacture or sell the empty bags, preprinted and ready to fill. They are easy to find online, as you can see in the recent search result examples included at the bottom of this letter. Too often, this means that enforcement only begins to act after these dangerously packaged products are on the market. The legislation presented today seeks to help close that loophole and help law enforcement get ahead of these bad actors, by prohibiting the sale of **empty** bags.

This is a narrow fix, scoped to packaging that, once filled, would violate the cannabis law as passed last year. By making the sale of such bags illegal, we take steps to go upstream and shut off the supply of packaging.

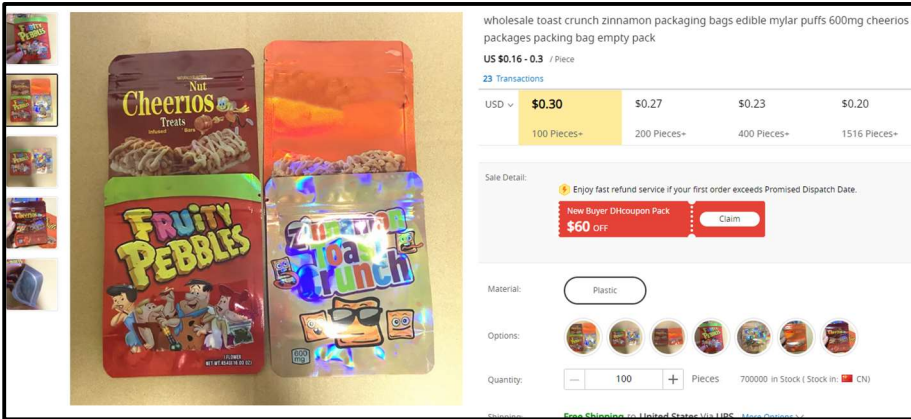
As Minnesota's marijuana market continues to grow, now is the time to take this extra step to protect your constituents – especially children – from the ingestion risks posed by copycat edibles.

Thank you very much.



Mike Geise  
**Chief Intellectual Property Counsel**  
**General Mills**

Screenshots from DHGate.com search results for “mylar bags” – retrieved Friday March 8, 2024



wholesale toast crunch zinnamon packaging bags edible mylar puffs 600mg cheerios n packages packing bag empty pack

US \$0.16 - 0.3 / Piece

23 Transactions

USD	\$0.30	\$0.27	\$0.23	\$0.20
	100 Pieces+	200 Pieces+	400 Pieces+	1516 Pieces+

Sale Detail:

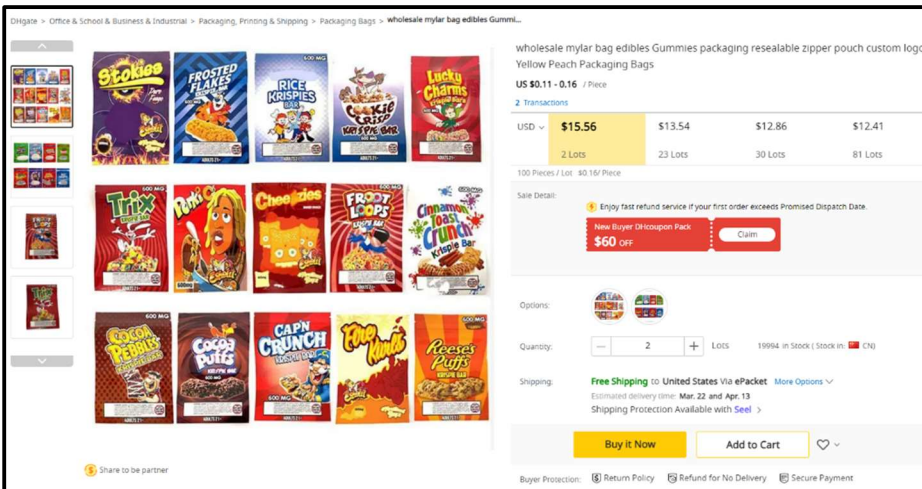
Enjoy fast refund service if your first order exceeds Promised Dispatch Date.

New Buyer DHcoupon Pack **\$60 OFF** Claim

Material: Plastic

Options:

Quantity: 100 Pieces 700000 in Stock (Stock in CN)

wholesale mylar bag edibles Gummies packaging resealable zipper pouch custom logo Yellow Peach Packaging Bags

US \$0.11 - 0.16 / Piece

2 Transactions

USD	\$15.56	\$13.54	\$12.86	\$12.41
	2 Lots	23 Lots	30 Lots	81 Lots

100 Pieces / Lot 40 16/ Piece

Sale Detail:

Enjoy fast refund service if your first order exceeds Promised Dispatch Date.

New Buyer DHcoupon Pack **\$60 OFF** Claim

Options:

Quantity: 2 Lots 19994 in Stock (Stock in CN)

Shipping: Free Shipping to United States via ePacket More Options

Estimated Delivery time: Mar. 22 and Apr. 13

Shipping Protection Available with Seal

Buy It Now Add to Cart

Buyer Protection: Return Policy Refund for No Delivery Secure Payment