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# Marijuana Is Too Strong Now

As weed has become easier to obtain, it has become harder to smoke.

By Malcolm Ferguson



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**A** STRANGE THING has happened on the path to marijuana legalization. Users across all ages and experience levels are noticing that a drug they once turned to for fun and relaxation now triggers existential dread and paranoia. “The density of the nugs is crazy, they’re so sticky,” a friend from college texted me recently. “I solo’d a joint from the dispensary recently and was tweaking just walking around.” (Translation for the non-pot-savvy: This strain of marijuana is not for amateurs.)

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In 2022, the federal government reported that, in samples seized by the Drug Enforcement Administration, average levels of tetrahydrocannabinol, or THC—the psychoactive compound in weed that makes you feel high—had more than tripled compared with 25 years earlier, from 5 to 16 percent. That may understate how strong weed has gotten. Walk into any dispensary in the country, legal or not, and you’ll be hard-pressed to find a single product advertising such a low THC level. Most strains claim to be at least 20 to 30 percent THC by weight; concentrated weed products designed for vaping can be labeled as up to 90 percent.

For the average weed smoker who wants to take a few hits without getting absolutely blitzed, this is frustrating. For some, it can be dangerous. In the past few years, reports have swelled of people, especially teens, experiencing short- and long-term “marijuana-induced psychosis,” with consequences including hospitalizations for chronic vomiting and auditory hallucinations of talking birds. Multiple studies have drawn a link between heavy use of high-potency marijuana, in particular, and the development of psychological disorders, including schizophrenia, although a causal connection hasn’t been proved.

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“It’s entirely possible that this new kind of cannabis—very strong, used in these very intensive patterns—could do permanent brain damage to teenagers because that’s when the brain is developing a lot,” Keith Humphreys, a Stanford psychiatry professor and a former drug-policy adviser to the Obama administration, told me. Humphreys stressed that the share of people who have isolated psychotic episodes on weed will be “much larger” than the number of people who end up permanently altered. But even a temporary bout of psychosis is pretty bad.

One of the basic premises of the legalization movement is that marijuana, if not harmless, is pretty close to it—arguably much less dangerous than alcohol. But much of the weed being sold today is not the same stuff that people were getting locked up for selling in the 1990s and 2000s. You don't have to be a War on Drugs apologist to be worried about the consequences of unleashing so much super-high-potency weed into the world.

The high that most adult weed smokers remember from their teenage years is most likely one produced by “mids,” as in, middle-tier weed. In the pre-legalization era, unless you had a connection with access to top-shelf strains such as Purple Haze and Sour Diesel, you probably had to settle for mids (or, one step down, “reggie,” as in regular weed) most of the time. Today, mids are hard to come by.

The simplest explanation for this is that the casual smokers who pine for the mids and reggies of their youth aren't the industry's top customers. Serious stoners are. According to research by Jonathan P. Caulkins, a public-policy professor at Carnegie Mellon, people who report smoking more than 25 times a month make up about a third of marijuana users but account for about two-thirds of all marijuana consumption. Such regular users tend to develop a high tolerance, and their tastes drive the industry's cultivation decisions.

The industry is not shy about this fact. In May, I attended the National Cannabis Investment Summit in Washington D.C., where investors used the terms *high-quality* and *potent* almost interchangeably. They told me that high THC percentages do well with heavy users—the dedicated wake-and-bakers and the joint-before-bed crowd. “Thirty percent THC is the new 20 percent,” Ryan Cohen, a Michigan-based cultivator, told me. “Our target buyer is the guy who just worked 40 hours a week and wants to get high as fuck on a budget.”

Smaller producers might conceivably carve out a niche catering to those of us who prefer a milder high. But because of the way the legal weed market has developed, they're struggling just to exist. As states have been left alone to determine what their legal weed markets will look like, limited licensing has emerged as the favored apparatus. That approach has led to legal weed markets becoming dominated by large, well-financed “multistate operators,” in industry jargon.

Across the country, MSOs are buying up licenses, acquiring smaller brands, and lobbying politicians to stick prohibitions on home-growing into their legalization bills. The result is an illusion of endless choice and a difficult climate for the little guy. Minnesota's 15 medical dispensaries are owned by two MSOs. All 23 of Virginia's are owned by three different MSOs. Some states have tried to lower barriers to entry, but the big chains still tend to overpower the market. (Notable exceptions are California and Colorado, which have a longer history with legal marijuana licensing, and where the markets are less dominated by mega-chains.) Despite the profusion of stores in

some states and the apparent variety of strains on the shelf, most people who walk into a dispensary will choose from a limited number of suppliers that maximize for THC percentage.

**I**F THE INCENTIVES of the market point to ever-higher concentrations of THC, one path to milder varieties would be government regulation. But legal weed exists largely in a regulatory vacuum.

Six years ago, my colleague Annie Lowrey observed that “the lack of federal involvement in legalization has meant that marijuana products are not being safety-tested like pharmaceuticals; measured and dosed like food products; subjected to agricultural-safety and pesticide standards like crops; and held to labeling standards like alcohol.” Very little has changed since she wrote that. Some states have limited THC percentages per serving for edibles, but only Vermont and Connecticut have potency caps on so-called flower, meaning the old-fashioned kind of weed that you smoke in leaf form. And then there’s the Wild West of legal hemp-derived THC products, which functionally have no potency limits at all.

[Read: Congress accidentally legalized weed six years ago](#)

Marijuana is still illegal under the federal Controlled Substances Act. States have been allowed to do their own thing, but the lack of federal legalization has meant a lack of federal regulation. In May, the Department of Justice officially proposed rescheduling marijuana from Schedule 1 under the CSA, where heroin is, to Schedule 3, where ketamine and anabolic steroids are. That change, if it happens, will dramatically expand *medical*-marijuana research and access, but it won’t affect the recreational market at all.

To establish an approach to marijuana legalization that protects consumers and gives them real choice and information about what they’re using, Congress would need to fully deschedule weed, not just reschedule it. Descheduling marijuana would circumvent the legal baggage of Schedule 3, allowing the federal government to ease into a nationally standardized set of health and safety regulations for recreational use, not just medical.

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Such a change would ideally allow the federal government, particularly the Food and Drug Administration, the power to regulate marijuana in the same way they regulate other uncontrolled substances such as alcohol and tobacco—by overseeing packaging, advertising, and distribution. Sellers could be required to create clear, standardized nutrition-fact-style labels that indicate true THC percentage, recommended dosages, and professional suggestions for what to do in the case of a bad high. A full descheduling would also shorten the research knowledge gap, because private marijuana companies could run FDA-approved tests on their products and develop modern regulatory strategies that align with public-health standards.

The history of drug enforcement in America was long one of discriminatory, draconian enforcement. But the shift toward legal weed has tacked too far in the opposite direction. If marijuana is to be sold legally, consumers should know what they're buying and have confidence that someone is making sure it's safe. If we can agree as a society that getting high on weed shouldn't be illegal, we can also agree that smoking weed shouldn't involve dissociating at a house party or running into the middle of a snowstorm because you think imaginary bad guys are after you. The sad irony of legalization is that as weed has become easier to obtain, it has become harder to smoke.

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## ABOUT THE AUTHOR

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Malcolm Ferguson is an assistant editor at The Atlantic.

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