

June 21, 2023

The Honorable Debbie Stabenow
U.S. Senate
731 Hart Senate Office Building
Washington, DC 20510

The Honorable John Boozman
U.S. Senate
555 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Glenn “GT” Thompson
U.S. House of Representatives
400 Cannon House Office Building
Washington, DC 20515

The Honorable David Scott
U.S. House of Representatives
468 Cannon House Office Building
Washington, DC 20515

Dear Chairwoman Stabenow, Ranking Member Boozman, Chairman Thompson and Ranking Member Scott:

We, the undersigned organizations, are writing to strongly request that the 2023 Farm Bill explicitly address the unintended consequences that have arisen from the legalization of hemp in the 2018 Farm Bill. These issues include the proliferation of psychoactive substances and products made from the cannabidiol (CBD) in hemp to manufacture and sell “look-a-like,” “imitation” or “marijuana like” products such as delta-8 THC, delta-10 THC and THC-0. These substances have intoxicating, psychoactive and hallucinogenic effects and are widely sold in gas stations, convenience stores and online in states and communities across the nation. These products are ostensibly legal at the federal level and are widely available and purposely made attractive to youth.

With no regulatory oversight and very limited laboratory testing these synthetic cannabinoids are chemically synthesized from the CBD in hemp through processes which can result in impurities and dangerous chemicals being left behind in the final product such as strong acids and residual heavy metals.¹ These psychoactive synthetic cannabinoids can be smoked or added to vapes and edibles and are commonly sold at gas stations, smoke shops, convenience stores, bodegas and online.² These products are purposely named, packaged and marketed in ways that make them particularly attractive and dangerous to kids. For example, many delta-8 THC products display bright colored cartoon characters and names which are specifically designed to appeal to children such as “Grape Ape”, “Girl Scout Cookie”, “Pineapple Express,” “S’mores Chocolate”, “Space Gods” and “Rainbow Sourbelts”.^{3,4}

The psychoactive effects of using synthetic cannabinoids such as delta-8 THC, delta-10 THC and THC-0 can vary. Delta-8 is psychoactive and can get users high, although it is described as “diet weed”.⁵ Scientists are still learning about delta-10 THC, but it is also psychoactive and causes feelings of euphoria.⁶ THC-0 can have hallucinatory effects⁷ and can be three times more potent than delta-9 THC.⁸ In addition, recent research has shown that use of THC-0 could risk inciting another wave of e-cigarette or vaping product use-associated lung

¹ Erickson, B.E. (2021 August 30). Delta-8-THC craze concerns chemists. *C&EN: Chemical and Engineering News*. <https://cen.acs.org/biological-chemistry/natural-products/Delta-8-THC-craze-concerns/99/i31>

² Kary, T. (2021 June 2). Pot producers are pushing to clamp down on delta-8 THC. Bloomberg. <https://www.bloomberg.com/news/articles/2021-06-02/a-pot-knockoff-sometimes-made-with-household-acid-draws-scrutiny>

³ Partnership to End Addiction. (n.d.). Delta-8 THC: What you need to know about ‘cannabis light’. *Partnership to End Addiction*. <https://drugfree.org/article/delta-8-thc/>

⁴ Courtesy Jennifer Husmann. Project Coordinator, Area Substance Abuse Council. Cedar Rapids, IA.

⁵ Kaufman, A. (2023 April 15). Battle over delta-8 is heating up nationally. Here’s what to know about the ‘diet weed’. *USA Today*. <https://www.usatoday.com/story/news/health/2023/04/15/what-is-delta-8/11521735002/>

⁶ *Ibid.*

⁷ Murray, E. (2022, March 22). The Risks Involved with Using THC-0. *Addiction Center*. <https://www.addictioncenter.com/community/risks-thc>

⁸ *Ibid.*

injury (EVALI).⁹ EVALI is thought to be caused by the inhalation of Vitamin E acetate, which, when heated, releases a powerful lung toxicant called ketene. Vaping THC-0 may also release ketene and damage the lungs of users.¹⁰ They may contain more than the allowable 0.3 percent of THC; toxins; and more of or different synthetic cannabinoids than what are listed on the labels.¹¹

Now that Congress is working on the 2023 Farm Bill, we strongly recommend that this legislation contain language to prohibit the manufacturing and sale of these intoxicating, psychoactive compounds derived from the cannabinoids in hemp. We propose to amend 7 USC §1639o(1) by adding the following language to the end of that section:

“It shall be prohibited to use or convert the THC, CBD or any other cannabinoids derived from hemp to manufacture or sell any psychoactive substances and products. Testing, control and enforcement for all psychoactive substances and products made from any cannabinoids in hemp, except for the testing, control and enforcement of the 0.3% THC allowable in hemp, shall take place after the hemp has left the farm where it was produced and has entered into processing channels”.

The explosion in the availability of intoxicating, psychoactive synthetic substances and products derived from using the CBD and THC in hemp is a huge problem that needs to be fixed. We strongly urge the Agriculture Committees to include language in the 2023 Farm Bill to prohibit the use of any cannabinoids in hemp to manufacture or sell psychoactive, intoxicating or hallucinogenic substances and products. The legislative change we are proposing would not impact the legitimate farming of hemp.

Thank you in advance for considering our views and our proposed legislative language to address this important issue.

Sincerely,

American Academy of Addiction Psychiatry

American Psychological Association Services

Americans Against Legalizing Marijuana

Becca Schmill Foundation

CADA of Northwest Louisiana

CADCA

Cannabis Industry Victims Educating Litigators

College on Problems of Drug Dependence

Community Connections

Consumer Federation of America

⁹ Benowitz, N.L., Havel, C., Jacob, P., O'Shea, D.F., Wu, D., Fowles, J. (2022 December 12). Vaping THC-0 acetate: Potential for another EVALI epidemic. *Journal of Medical Toxicology*, Vol. 19. pp. 37-39. <https://doi.org/10.1007/s13181-022-00921-3>

¹⁰ *Ibid.*

¹¹ Erickson, B.E. (2021 August 30). Delta-8-THC craze concerns chemists. *C&EN: Chemical and Engineering News*. <https://cen.acs.org/biological-chemistry/natural-products/Delta-8-THC-craze-concerns/99/i31>

D.A.R.E. America

DEA Educational Foundation

Deerfield Valley Community Partnership

Drug Free America Foundation, Inc.

Drug Free Collier

Every Brain Matters

Foundation for Healthy Generations

Friends of NIDA

Georgians for Responsible Marijuana Policy

Institute for Behavior and Health, Inc.

International Certification & Reciprocity Consortium

Lost Voices of Fentanyl

MATFORCE, the Yavapai County Substance Abuse Coalition

Mothers Against Prescription Drug Abuse

NAADAC, the Association for Addiction Professionals

National Association for Children of Addiction

National Association of Addiction Treatment Providers

National HIDTA Directors

National Highway Directors Association

National Prevention Science Coalition to Improve Lives

North Carolinians Against Legalizing Marijuana

Partnership to End Addiction

Prevention Alliance

Prevention Network Board of Directors

Save our Society from Drugs

Smart Approaches to Marijuana

Treatment Communities of America

Washington State Public Health Association

WestCare Foundation