

TEXAS HEMP POLICY

AND THE EXPLOSION OF YOUTH-FRIENDLY INTOXICATING CANNABIS PRODUCTS

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TEXANS FOR
SAFE AND
DRUG-FREE
YOUTH

ABOUT US

Texans for Safe and Drug-Free Youth is committed to our vision of ending underage alcohol, tobacco, and other drug use.



We **shape a healthier future** by creating communities where our children can thrive. We **grow knowledge and confidence** by providing facts and evidence-based approaches to youth leaders, families, schools, communities, and other agencies, equipping them with the best tools and information they need to join us in creating change. As a statewide coalition, we **work tirelessly for all Texans**.

Overview

Understanding the Problem

Illustrating the Problem in Texas

Advocating for Change

Communities in Action

Cannabis Harms

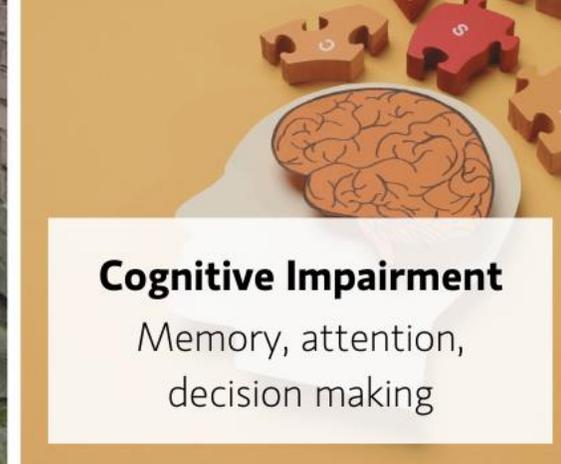


Mental Health Problems

Psychosis, paranoia, anxiety, depression

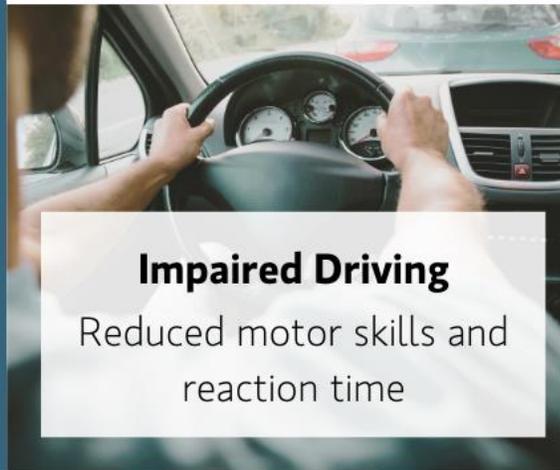


Addiction, Dependence, Withdrawal Symptoms



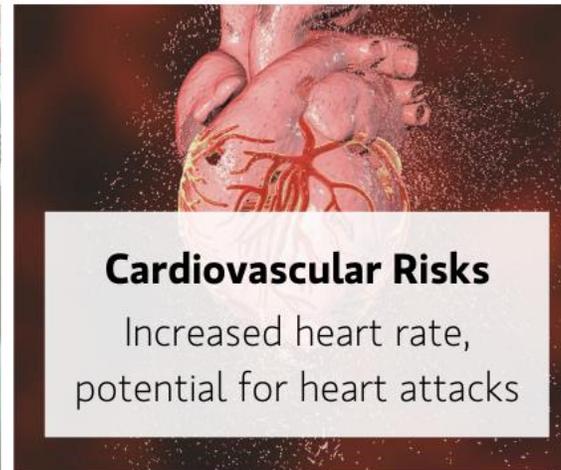
Cognitive Impairment

Memory, attention, decision making



Impaired Driving

Reduced motor skills and reaction time



Cardiovascular Risks

Increased heart rate, potential for heart attacks



Respiratory Disorders

Bronchitis, lung infections (especially from smoking)

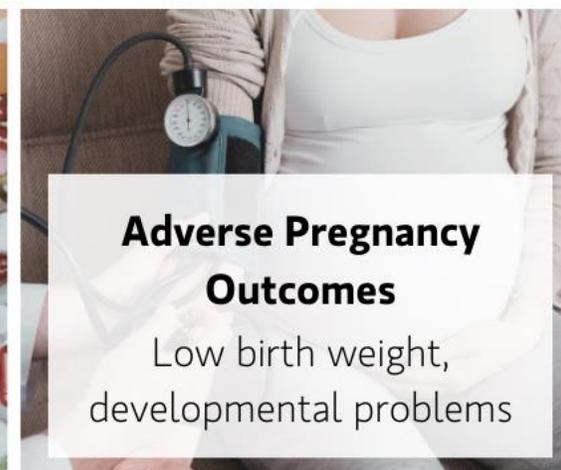


Social & Behavioral Problems

Relationship, employment, school problems



Interactions with Medications



Adverse Pregnancy Outcomes

Low birth weight, developmental problems

**Nationwide, recreational legalization
increases cannabis use frequency by
about 20%, on average.**

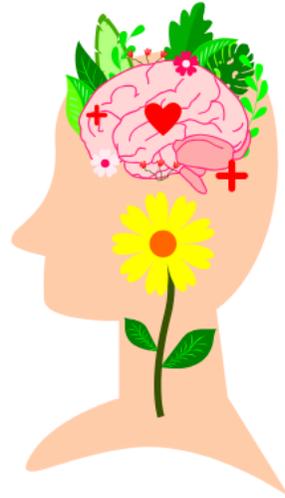
**Alcohol is the drug
most commonly involved
in impaired driving crashes.
Alcohol combined with cannabis
is the second.**

It is the most common combination of drugs involved in fatality and serious injury crashes.

BRAIN
DEVELOPMENT



MENTAL HEALTH



COORDINATION



ADDICTION



More THC = More Consequences

Semi-Synthetic Cannabis Products

Before 2020

Nearly all intoxicating cannabis products contained delta-9 tetrahydrocannabinol (THC) - it was the most naturally abundant.

Since 2020

Many new types of “hemp-derived” (i.e., chemically created) intoxicating cannabis products entered the U.S. market.

HEMP

“Rope not dope.”



2018 Farm Bill

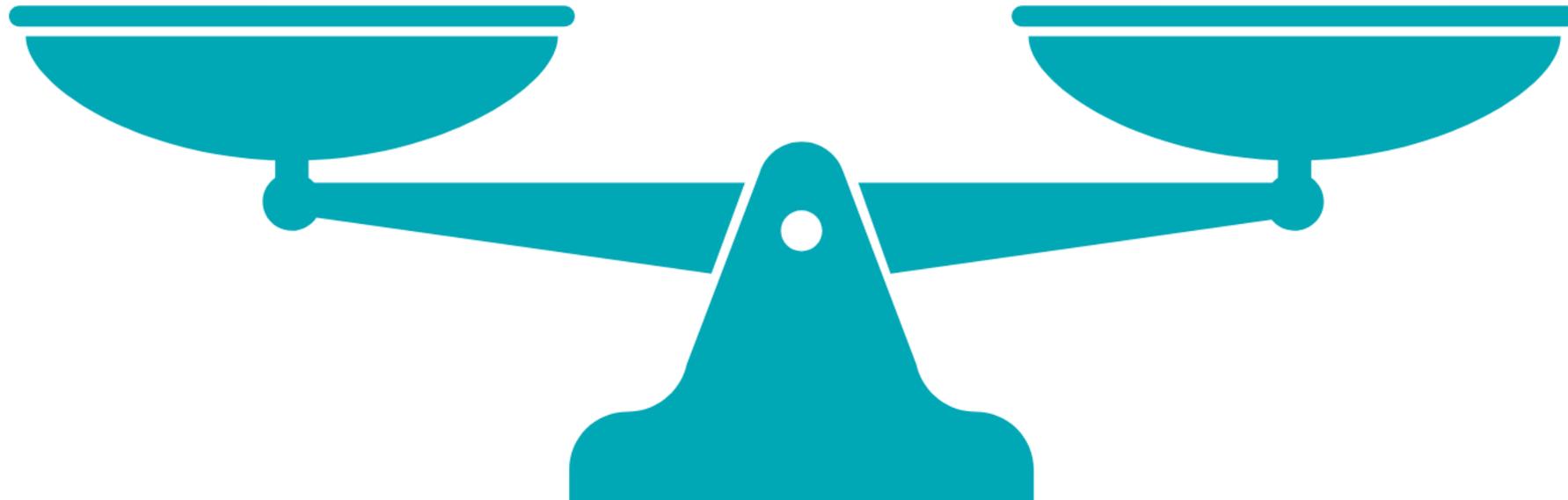


“CANNABIS”

“HEMP”

$> 0.3\% \Delta 9$

$\leq 0.3\% \Delta 9$



2018 Farm Bill



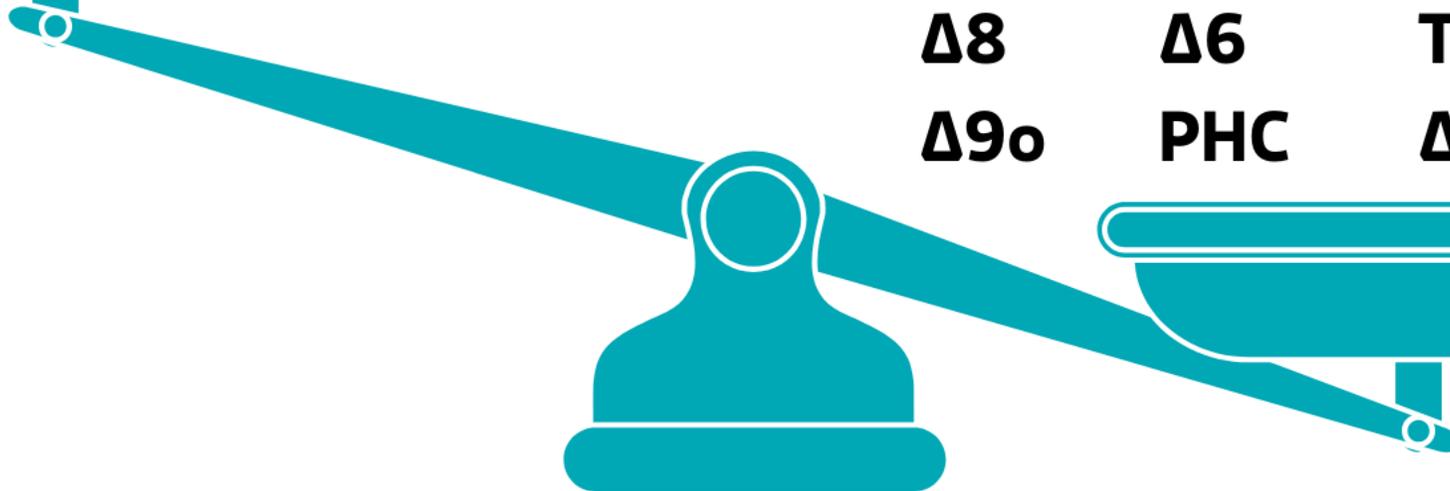
“CANNABIS”

> 0.3% Δ9



“HEMP”

| | | | |
|-------|-------|------------|-------|
| HHC | THC-B | THC-O | HHC-O |
| THC-A | THC-P | THC-JD | HHC-P |
| Δ10 | Δ11 | THCV | HXC |
| Δ8 | Δ6 | THC-M | HXC-P |
| Δ9o | PHC | Δ9 edibles | |



Semi-Synthetic Cannabis Products

Intoxicating Effects

- Similar to Delta-9 THC
- Some marketed as more or less potent

2023 Assessment

- Involved 3 online cannabis retailers
- 26 intoxicating compounds documented in hemp-derived ICPs
- Examples: Delta-8 THC, Delta-10 THC, HHC
- THC-O-acetate (THCP), “fully synthetic” because it does not naturally exist

What are they called?



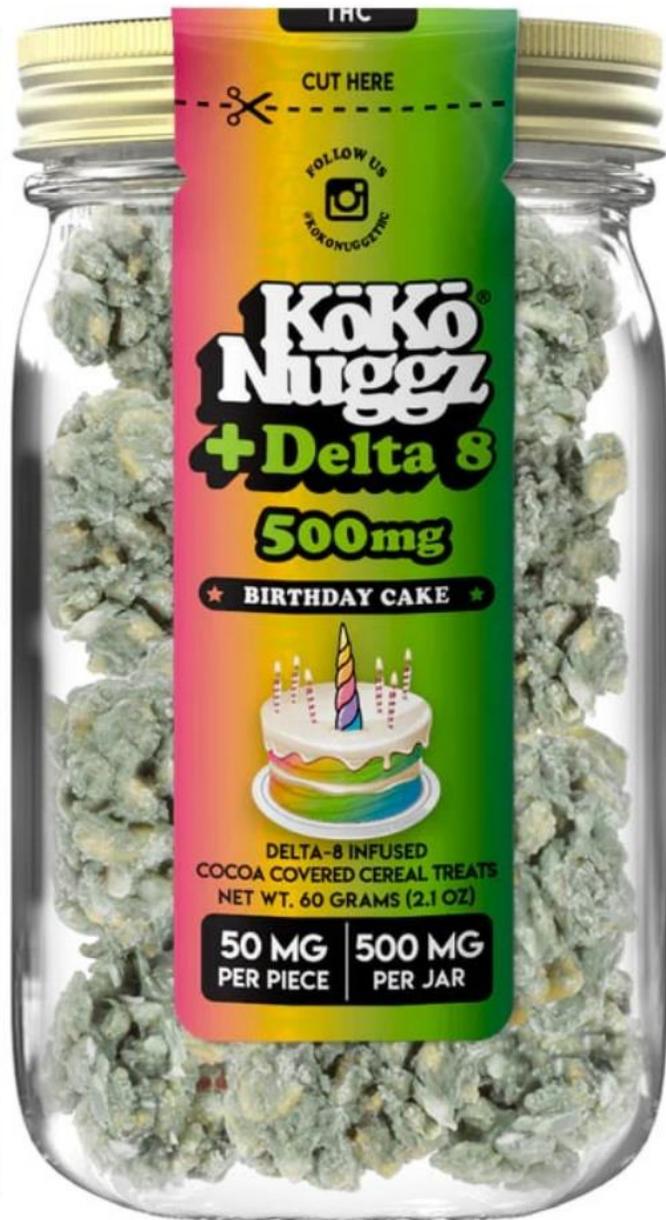
Semi-Synthetic Cannabis Products



Hemp-Derived Intoxicating Cannabinoids



Derived Psychoactive Cannabis Products



DPCP

Derived Psychoactive Cannabis Products

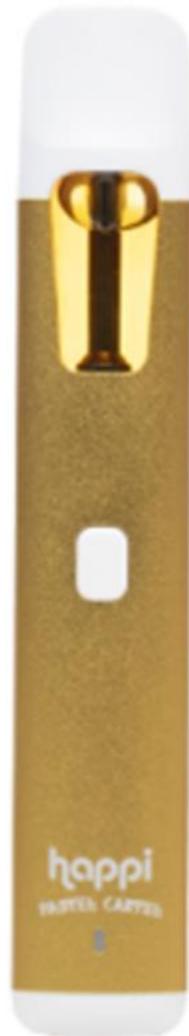
These products include delta-8 and a number of other intoxicating chemicals.



DELTA-8



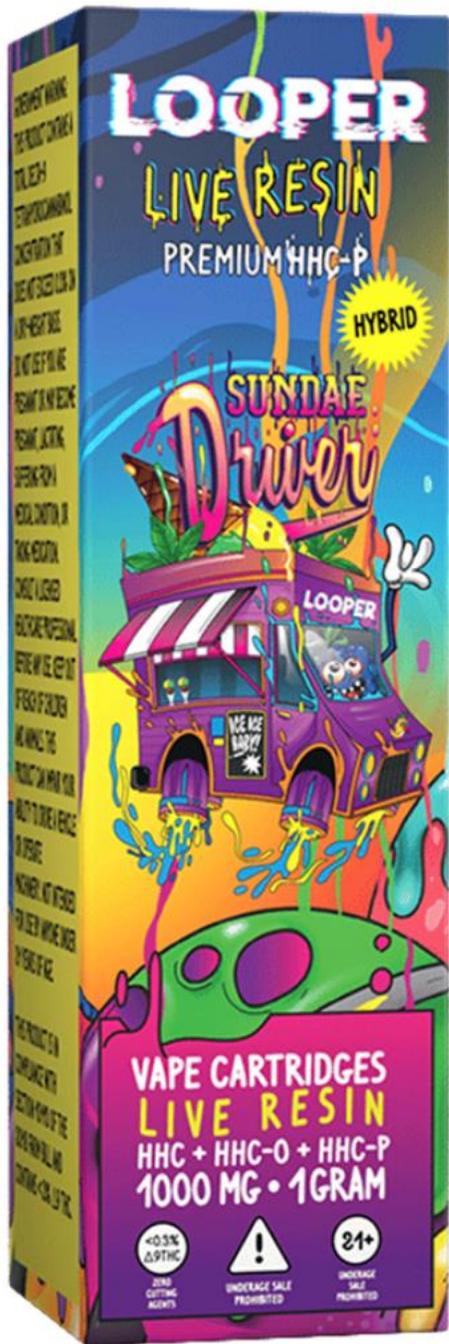
DELTA-9



DELTA-10



HHC



LIVE RESIN



BLENDS

Harms from Derived Cannabinoids



- Most are new to market & understudied
- Use is associated with acute psychiatric disorders; lung, chest, heart disorders; Injuries and poisonings
- From 2021 - 2022, US Poison Control Centers managed 82% more cases involving exposure to delta-8 THC
- Studies suggest severe negative health consequences, similar to those from delta-9 THC
- Raises new concerns about product quality and byproducts/contaminants

Shapes social norms and perceptions; makes substances more desirable, acceptable, accessible



Availability, price, and advertising are major determinants of use, especially among young people



Important policy levers for prevention include retail availability, pricing strategies, and restricting advertising to youth



Best practices and best buys



Why Marketing Matters

Hemp Gummies Are Sending Hundreds of Kids to Hospitals

Surge of THC products, vapes has states struggling to regulate the booming market

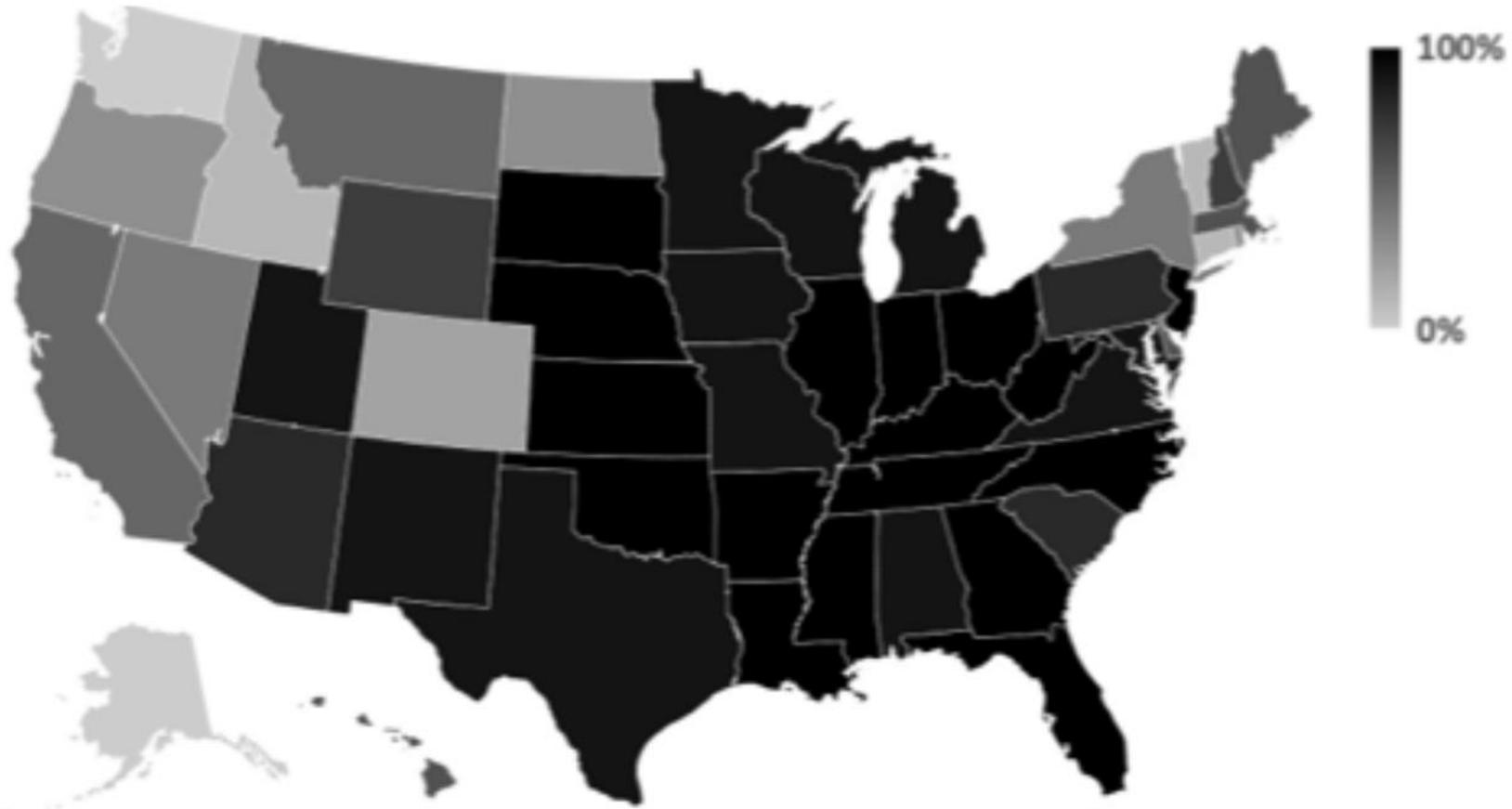


Products advertised as containing Delta-8 THC are sold at a smoke shop. GENE JOHNSON/ASSOCIATED PRESS

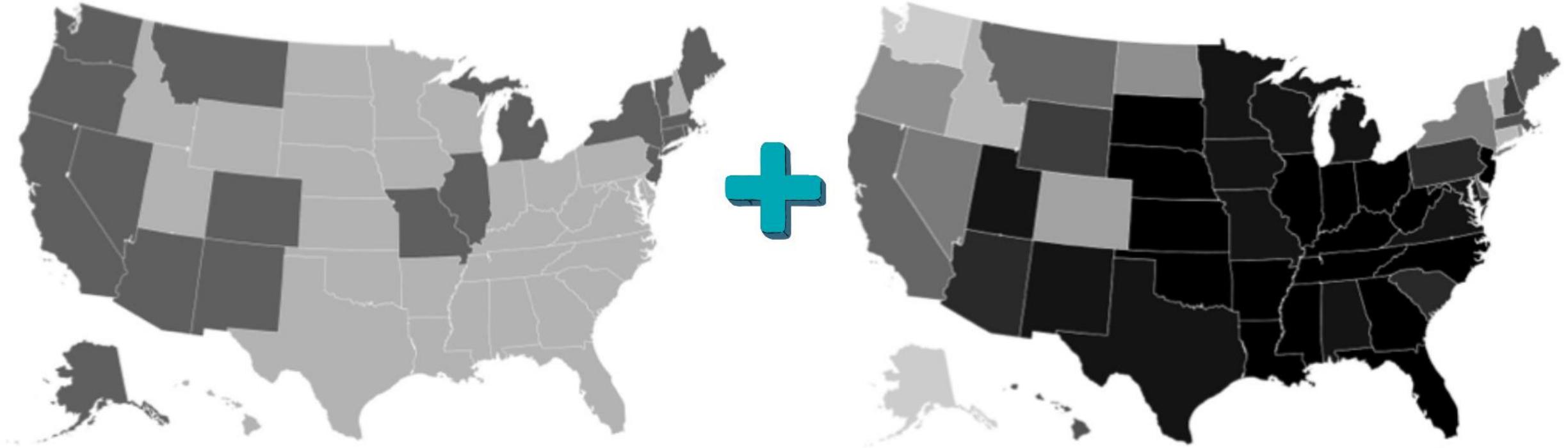
Where can kids buy THC?

Vape Shops: November – December 2023

Sell Intoxicating Cannabis Products (ICPs)



Retail Availability of Intoxicating Cannabis Products



= all 50 States, Washington D.C., & Puerto Rico

“—

| *We basically sell the whole darn alphabet.*

“—

| *We have more blends than stuff on its own.*

-SMOKE SHOP RETAILERS

SMOKE

Delta-8 THC Retail Assessment Ft. Worth, 2021

Rosshem, M.E. LoParco, C.R., Walker, A., Livingston, M.D., Trangenstein, P.J., Olsson, S., McDonald, K.K., Yockey, R.A., Lunningham, J.M., Kong, A.Y., Henry, D., Walters, S.T., Thombs, D.L., & Jernigan, D.H. (2022). Delta-8 THC Retail Availability, Price, and Minimum Purchase Age. *Cannabis and Cannabinoid Research*. doi: 10.1089/can.2022.0079

Contacted 1,223 Stores

- 131 selling delta-8 THC at low retail prices
- 96% sold vapes and/or “flower”
- 76% sold edibles

Edibles Cost Less

- On average, edibles were \$8.58 less than flower/vapes

Location Distribution

- Delta-8 outlets in areas with worse economic conditions

Minimum Purchase Age of 21

- Most reported 21 as minimum purchase age
- 4% reported 18 years or no minimum age

Delta-8 THC Retail Assessment Ft. Worth, 2021

Potentially different than
what they actually do...



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Brands Matter

Siegel M, DeJong W, Naimi TS, Fortunato EK, Albers AB, Heeren T, Rosenbloom DL, Ross C, Ostrhoff J, Rodkin S, King C, Borzekowski DL, Rimal RN, Padon AA, Eck RH, Jernigan DH. Brand-specific consumption of alcohol among underage youth in the United States. *Alcohol Clin Exp Res*. 2013 Jul;37(7):1195-203. doi: 10.1111/acer.12084. Epub 2013 Feb 7. PMID: 23398328; PMCID: PMC3655157 and DiFranza, J. R., Eddy, J. J., Brown, L. F., Ryan, J. L., & Bogojavlensky, A. (1994). Tobacco Acquisition and Cigarette Brand Selection among Youth. *Tobacco Control*, 3(4), 334–338. <http://www.jstor.org/stable/20207102>

In the United States

- 25 alcohol brands comprise nearly half of all alcohol consumed by underage youth
- The first tobacco brand that youth smoke typically becomes their preferred brand

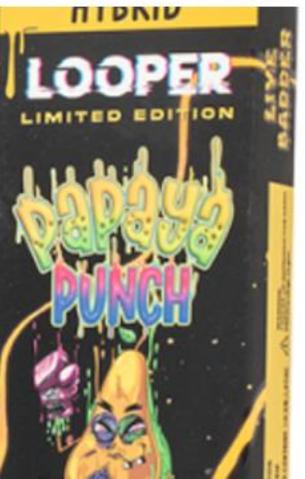
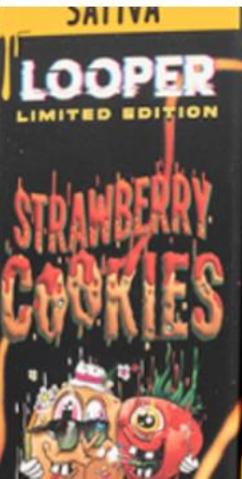
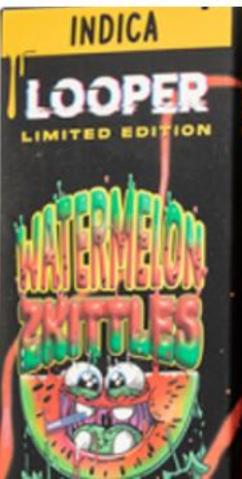
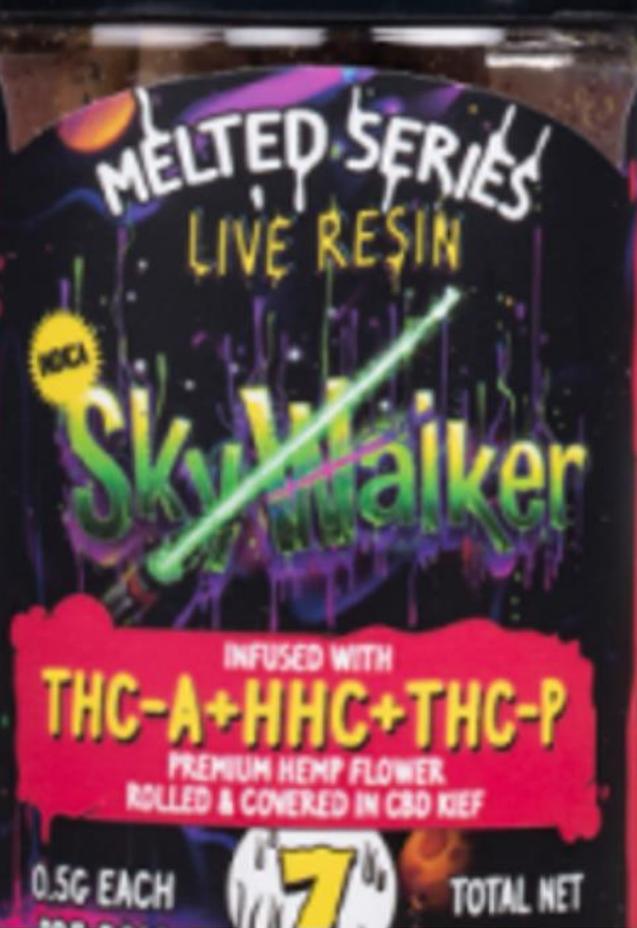
Public Health & Policy

- Brand-related insights have been crucial in crafting targeted public health campaigns and policy measures aimed at curbing use among vulnerable populations
- Insights can help inform the development of laws, public health campaigns, and counter-advertising initiatives

Ft. Worth, TX: Brands

- Cake
- Medusa/Modus
- Torch
- Urb
- Kik
- Tyson
- 3Chi
- Casper
- Hidden Hills
- Esco Bars
- Happi
- Hometown Hero
- STNR
- Bomb Bars
- Baked
- Hi On Nature
- Looper
- Space God





Texas Policies

Compassionate Use Program

Legalization of Industrial Hemp



Loopholes in the Law

HUNDREDS OF CANNABINOIDS IN PLANT

There are hundreds of cannabinoids with psychoactive properties, such as Delta-8. These products are commonly seen and widely available in smoke shops and gas stations.



DIFFERENT PROPERTIES OF CANNABINOIDS

Different cannabinoids have psychoactive properties. E.g., tetrahydrocannabinol (THCA) converts to psychoactive Delta-9 when heated.



0.3% THC CAN MEAN DIFFERENT THINGS

Delta-9 is measured in the dried flower of the plant, but products aren't always dry. 0.3% of one gummy bear is a significantly larger amount than 0.3% of a dried flower.



**Illustrating the
problem in Texas...**



STATEWIDE SURVEY

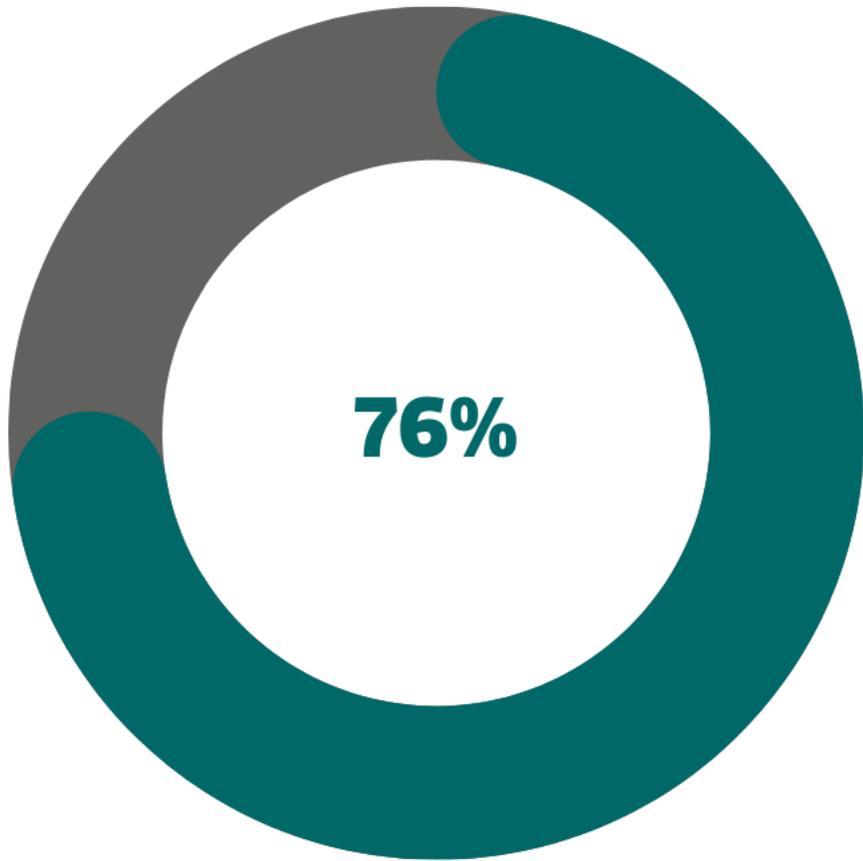


of Texans support regulations on dispensary locations, keeping outlets away from school and other youth-friendly areas



of Texans support marketing regulations, including bans on characters, superheroes, celebrities, pot leaves, and depictions of use

76% of Texans Favor Regulating THC Content



- Capping THC%; taxing based on THC%
- 1 “dose” = 10 mg; separate packaging
- Accurate THC% and warning labels
- Adequate product testing and facilities
- Minimum pricing; no promotions

SMITH
CLASSES

KNIFE MAKING
CLASSES

FINE GIFTS

Smoke Shop
+ NOW OPEN! +
CBD - E-Cigs - Cigars - Delta-8

SMOKE SHOP
Exotics



MATT
ATTAY

What does high

OPEN

I like to collect
KNIVES



COMMUNITY CANNABIS MONITORING TOOL

Submitting an Image

1. Please Enter Your Name:

Betsy Jones

2. Please Enter Your Email Address:

bjones@txsdy.org

3. What kind of image are you sharing?

- A picture of an ad I saw on Social Media
- A picture of an ad I received via email
- A picture of an ad I received in the mail
- A picture of an ad (e.g., billboard, poster, etc.) I saw in my community
- A picture of a store I saw in my community
- A picture of cannabis products I saw in my community
- Other (please specify)



Submitting an Image

4. Where did you see the image of the cannabis product or ad you're sharing? (If you're sharing an ad mailed to a home, please provide the street name and zip code of where the ad was mailed.)

Street Name:

Zip Code:

5. Please describe how you came across the image you're sharing. (If you saw the ad on Social Media, please indicate which platform - e.g., Facebook, Instagram, TikTok, etc.)

6. Please upload your image here.

Choose File

No file chosen

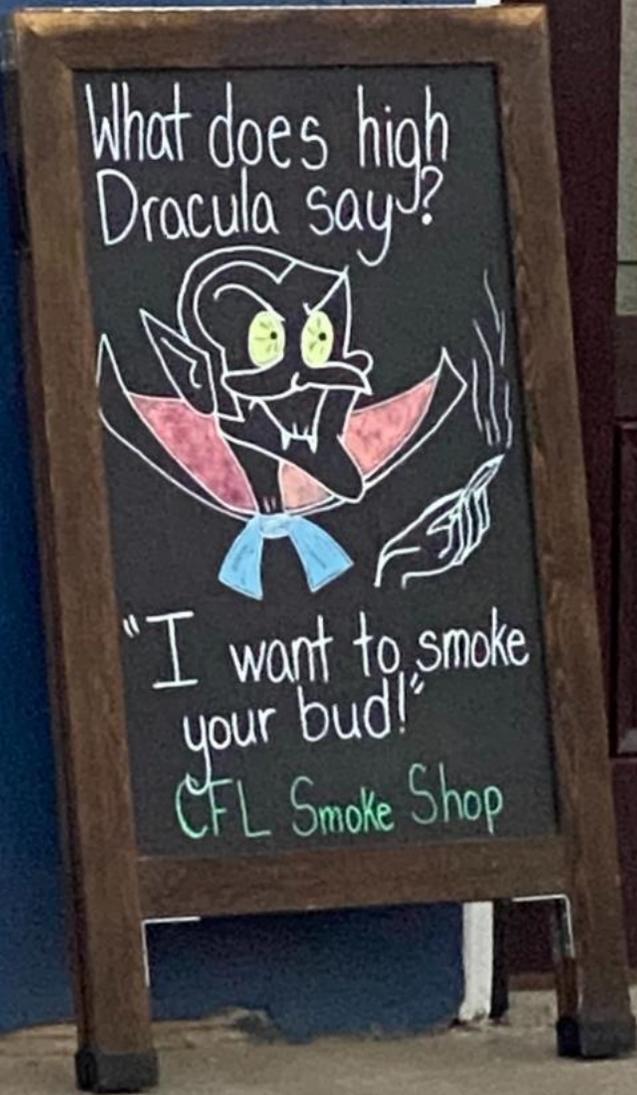
Prev

Done





STORES



USE OTHER DOOR
THIS DOOR IS LOCKED



STORES





PRODUCTS





PRODUCTS

★ CONSTITUENT SURVEY ★

I value your opinions and input, and that's why I like to hear from you as much as possible, but especially through a district wide questionnaire.

You can submit your responses electronically via email at district121.allison@house.texas.gov or by mailing this form to our Capitol or District office. Before you mail it in however, please fold and tape it with the return address on the outside.

Your responses to this questionnaire will help my staff and I get a feel for where our district stands on a variety of issues but, as always, feel free to contact our office directly with any questions or concerns. We stand ready to serve you.

1. What issues are important to you? Please circle as many that apply:

- | | | |
|--------------------------|-------------------------|-------------------------------|
| 2nd Amendment Rights | Border Security | Election Integrity |
| Criminal Justice Reforms | Education Reforms | Power Grid Reliability |
| Healthcare Reform | Law Enforcement Support | Human Trafficking Prevention |
| Reigning in Rogue DAs | Pay Raise for Teachers | Benefits for Retired Teachers |
| Water | Infrastructure | Transportation |
| Workforce Development | | |
| Other: _____ | | |

2. Do you support Texas using taxpayer dollars to build its own border wall or other means to address illegal entry? Please circle one. Yes No

Comments: _____

3. Do you support the repeal of the STAAR standardized tests? Please circle one. Yes No

Comments: _____

4. Would you support opting out of spring and fall time changes? Please circle one. Yes No

If yes, do you support Standard or Daylight Savings time? Please circle one. Yes No

Comments: _____

5. Would you support a constitutional amendment to legalize cannabis in Texas? Please circle one. Yes No

If yes, under any age, amount, or other restrictions? Please circle one. Yes No

Comments: _____

6. Do you support casino gambling in Texas? Please circle one. Yes No

Comments: _____

MOOD

100% legal THC

No ID or medical card needed.



"I liked the quality. Gave me the mood I was wanting."

Paul N.

Enjoy **20% OFF** + a **FREE** 5ct of gummies
with code: **MOOD20GUMMIES**

Only at hellomood.com

Details on back.

MAILERS

Munchies | Buy Unrivale: x +

deltamunchies.com

MOTHER'S DAY GIFT

FREE 300MG WATERMELON GUMMIES
ON ALL ORDERS OVER \$60

US M

SEARCH

SHOP ▾ LEARN MORE ▾ LAB RESULTS WHOLESALE BLOG EARN \$10

LOGIN / REGISTER CAR

TOP-SHELF THC-A

DIAMOND INFUSED PREROLLS

DOUBLE DINKS

THC-A DIAMOND INFUSED PREROLLS

1.5 GRAMS PER PREROLL

- GLAZED WITH LIQUID DIAMONDS
- MADE WITH PREMIUM HEMP
- ROLLED AND DUSTED IN KIEF
- INFUSED WITH THC-A DIAMONDS
- NEVER SPRAYED

BERRY

ONEY BACK GUARANTEE

BUY NOW, PAY LATER

LIVE

35% OFF STOREWIDE

HAPPY MOTHER'S DAY

Ditch the boring gifts and give Mom the gift of relaxation

[Shop Now](#)

Showing 1

Terms and Conditions apply. 35% discount applied automatically at check out. Gummies and Mother's Day Bundles not included in promotion. Good Feels C cannot be combined with this offer. Other coupons cannot be combined with this offer. at midnight PDT.

Mother's Day SALE

20% OFF

Use code: **CBD4MOM**

urb vegan gummies

HempFlax LILAC BATH SOAP

Cookie Crunch LIMITED EDITION MILK CHOCOLATE

DELTA 8 300MG

*Offer not valid on wholesale orders. Excludes Starz & Bickel and Pulfoo products. Cannot be combined with any other offer. Expires 5/31/23. Subject to change without notice.

Mother's Day SPECIAL SALE

Get up to 55% OFF our exclusive Mother's Day collection.

[Find Gifts Moms Love >](#)

VIHA HEMP COMPANY

HOME PRODUCTS ▾ LEARN ▾ BLOG LOGIN

Experience The Possibilities Of Hemp

FLOWSTATE

DREAMS

ZEN

SOOTHY

Mother's Day Sale

5+

\$30 OFF \$175+

CODE: MOM30

[SHOP](#)

OTHER OFFERS. VOID WHERE PROHIBITED.



**Submit photos
of cannabis
products and
marketing here.**





WHAT'S HAPPENING AT THE LEGISLATURE?

“—

*Luck is what happens when
preparation meets opportunity.*

-SENECA

2024 Interim Charge: **Banning Delta 8 and 9**

What is an interim charge?

1

Directive for legislators to study certain policy issues in advance of next session

2

Lt. Governor's office and Speaker of the House issue lists of interim charges based on citizen or lawmaker requests and state priorities

3

Senate and House committees study these topics through hearings, research, and expert testimony

Why was the interim charge important?

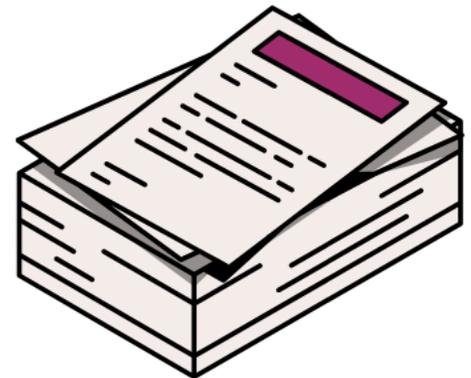
Opportunity to present info and build relationships with decision makers



Provided insight on positions of different organizations and industries



Resulted in committee report recommending a ban of the products



Derived Intoxicating Cannabis Products (DPCPs)

Texans for Safe and Drug-Free Youth

Images gathered and submitted by regional volunteers using the **Community Cannabis Monitoring Tool**

Prepared for the Senate Committee on State Affairs, Chair Senator Bryan Hughes
Interim Study on Banning Delta-8 and 9
May 29, 2024



District 11: Senator Mayes Middleton



District 27: Senator Morgan LaMantia



Charles Perry, Dist. 28 (R, Lubbock)

District 12: Senator Tan Parker

TAILORED INFO FOR COMMITTEE

YOUTH CANNABIS USE

Currently, there are several types of cannabis-based products available that cause impairment. As attitudes and policies about cannabis become more relaxed, it's becoming even easier for kids to gain access to these products.

17% In Texas, 17% of 7th - 12th graders have used marijuana at some point in their lives.

Nearly 1 in 5 high school seniors are current marijuana users.

↑15% In states where cannabis is legal, youth use is on the rise. Current use among Colorado's kids 15 and under has increased nearly 15% since 2017.

↑1,375%

The National Poison Data System saw a 1,375% increase from 2017 to 2021 in reports of children under age 6 who

WHAT DO TEXANS WANT?

Loopholes in legislation have resulted in an influx of "legal" cannabis products being regulated as "hemp" (e.g., Delta-8), even though they have psychoactive, impairing properties.



A 2022 survey conducted by Baselite & Associates shows an overwhelming number of Texans support regulatory measures that would protect Texas kids from harms related to cannabis legalization.



79% of Texans favor regulations on where stores that sell cannabis can be located.



78% of Texans favor regulations on cannabis marketing.



76% of Texans favor regulations on THC content.

WHAT SHOULD REGULATIONS INCLUDE?

| | | |
|---|--|---|
| <p>Limiting the number and location of stores that sell cannabis.</p> | <p>Banning the use of characters/heroes, celebrities, images of pot leaves, and depictions of cannabis use in ads.</p> | <p>Banning advertising on television, radio, billboards, and direct mail.</p> |
| <p>Capping the THC percentage in products.</p> | <p>Establishing a THC "dose" or "serving" at 10 mg and requiring separate packaging for each dose.</p> | <p>Taxing products based on THC content.</p> |

TxSDY.org

CANNABIS IN TEXAS: WHERE THINGS STAND

What is Cannabis?

Cannabis is a plant that contains compounds such as THC (tetrahydrocannabinol) and CBD (cannabidiol), which can affect the mind and body when consumed. Both hemp and marijuana are varieties of the cannabis plant, though they are distinct from one another based on the amount of THC they contain (less than 0.3% THC for hemp, greater than 0.3% for marijuana). THC is the psychoactive compound in cannabis that causes the "high."

Existing Texas Law

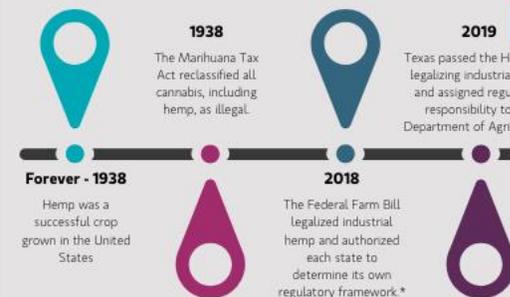
In Texas, the Compassionate Use Program authorizes the prescription and use of low-THC CBD oil for use by individuals suffering with specific medical conditions.

THC Regulations in Texas

The Department requires testing of hemp crops to ensure plants stay below 0.3% Delta-9 THC. Plant samples are tested no more than 2 weeks before the hemp is harvested.

The Health and Safety Code requires anyone manufacturing consumable hemp products to purchase a license and have products tested for Delta-9 THC. Products containing more than 0.3% Delta-9 THC "by dry weight" are not legal in Texas.

How Did We Get Here?



*Hemp is defined as any part of the plant Cannabis sativa L. containing 0.3% or less THC. The problem starts here: there is no standard way to measure 0.3%, and no ex

TxSDY.org | 512.442.7501

What Are the Loopholes?

Multiple Cannabinoids in the Cannabis Plant

- Current laws make Delta-9 THC illegal, but there are still hundreds of other cannabinoids in the plant, many of which have psychoactive properties.
- For example, Delta-8, is a psychoactive compound found in the cannabis plant.
- Delta-8 products are commonly seen and widely available in smoke shops and gas stations throughout the state. This includes things like gummies, capsules, tinctures, and vape cartridges.



Different Cannabinoids Have Different Properties

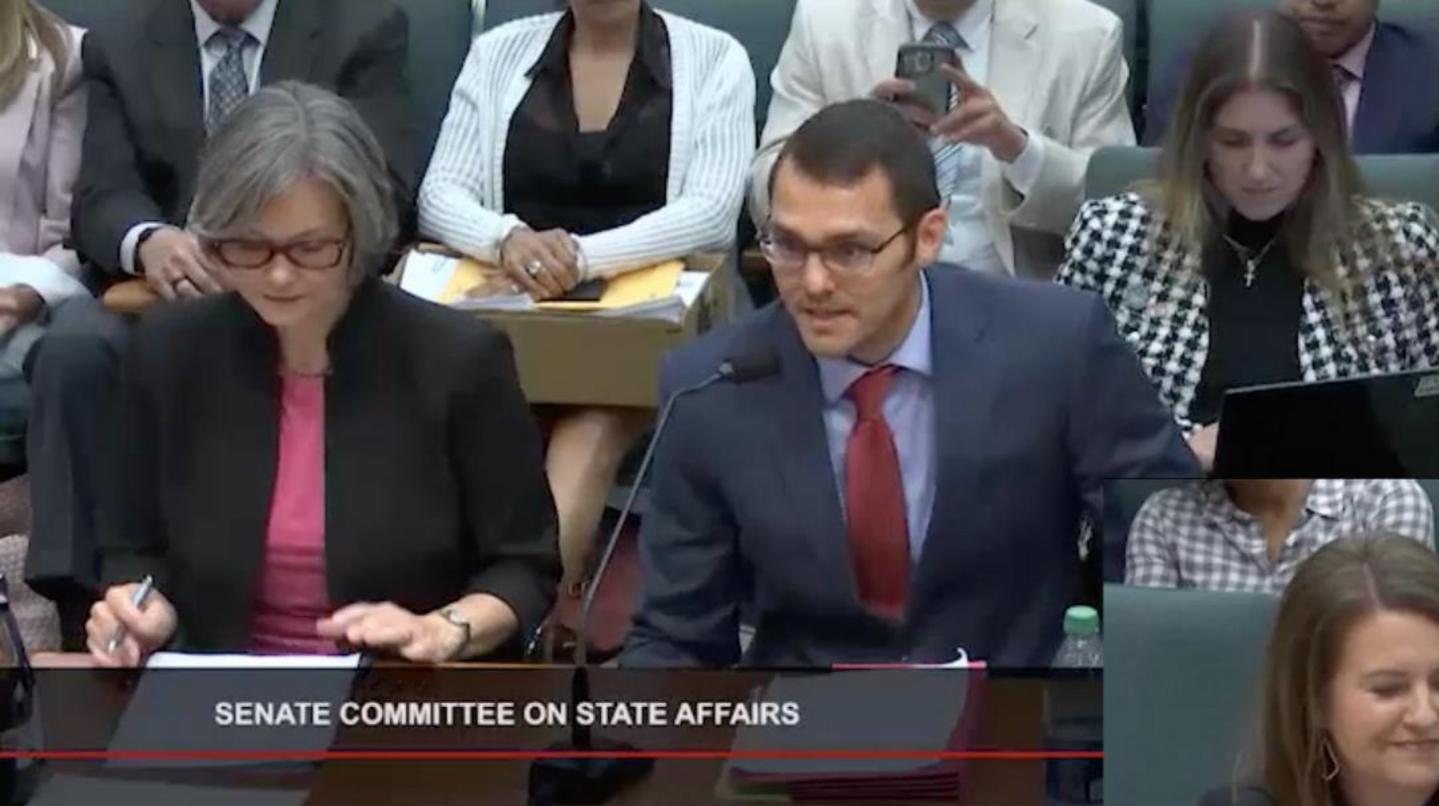
- Cannabinoids in the plant have psychoactive properties that behave differently.
- For example, tetrahydrocannabinol acid (THCA) is not psychoactive in its natural state, but converts to psychoactive Delta-9 THC when it is heated through smoking or cooking the plant.
- The federal ruling requires THCA and Delta-9 THC to be measured together to determine the true THC content in unprocessed plants. However, Texas law currently requires only that Delta-9 be measured.

0.3% THC Can Be Different Things in Different Products

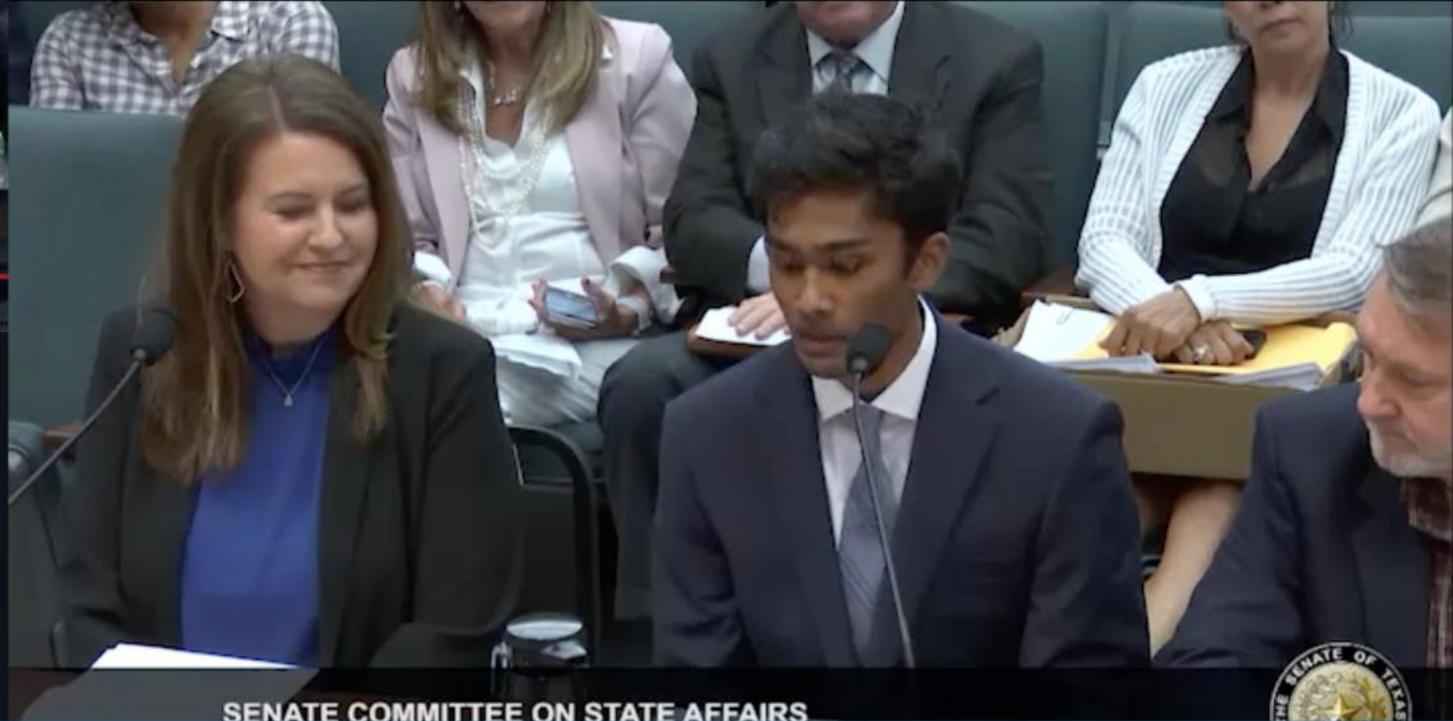
- Delta-9 THC is measured in the dried flower of the cannabis plant.
- Dried plant matter is comparatively lightweight, so 0.3% is a very small amount. However, cannabis products aren't always dried plants.
- Sodas, candies, and other edible products are much heavier than the flower; 0.3% of one gummy bear is a significantly larger amount – enough THC to have a considerable psychoactive effect.



ADDITIONAL ONE-PAGERS



SENATE COMMITTEE ON STATE AFFAIRS



SENATE COMMITTEE ON STATE AFFAIRS

TESTIMONY FROM STAKEHOLDERS

What's next?



2025 LEGISLATION

- Legislators working to ban products

SEAT AT THE TABLE

- TxSDY and community partners providing expertise and input on best practices for reducing youth access

ONGOING RELATIONSHIPS

- Maintaining role as prevention experts on this and other topics to build relationships and continue advocating for best practices

Volunteering as a Youth Advocate



Provide youth voice and perspective



Freedom to share my own words



Same training and review as everyone else



Same expectations of professionalism



Representing TxSDY and my community is different than representing myself alone

Collect and
synthesize data



Create issue briefs/
one-pagers



Advocate for best
practices with decision
makers



Be prepared when
opportunities arise



What can YOU do in your community?

THANK YOU!

Please contact us
with any questions.



Website

txsdy.org



Phone

512.442.7501



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matthew.rossheim@unthsc.edu

Betsy Jones

bjones@txsdy.org