June 10, 2024

North Carolina General Assembly
16 West Jones Street
Raleigh, NC 27601

Dear North Carolina Legislator,

I am Dr. Matthew Rossheim, Associate Professor at the University of North Texas Health Science Center in Fort Worth, TX. Since 2021, I have published in scientific journals 14 peer-reviewed research papers on intoxicating hemp-derived cannabinoids. As one of the nation's leading public health experts on intoxicating hemp-derived cannabinoids, I am reaching out regarding my concerns with **House Bill 563**. Specifically, this law **would legalize the retail sale of nearly all types of cannabis products that can get people "high."**

The definition of hemp in the 2018 Farm Bill has been exploited by those in the hemp industry in their creation and sale of many new types of cannabinoids (e.g., delta-8 THC, delta-10 THC, delta-11 THC, HHC, THC-H, THC-O, THC-P, etc.) that have intoxicating effects similar to delta-9 THC.[1-2] As a result, intoxicating hemp-derived cannabinoids have proliferated in communities across the country and are sold in gas stations, convenience stores, head shops and online, often in ways that are purposely made both accessible and attractive to youth.[3-8] Consistent with concerns regarding youth access and appeal, national data from 2023 shows that one-in-nine 12th graders (11.4%) reported using delta-8 THC in the past year.[9] This is likely an underestimation of their use, considering the dozens of other intoxicating hemp-derived cannabinoids in addition to delta-8 THC being sold across the United States.[2-4,7] Concerningly, some of the new hemp-derived cannabinoids (e.g., THC-O, THC-P) are marketed as being **30 times more potent** than delta-9 THC. **These are products that would be legalized in North Carolina under House Bill 563.**

The ways in which these companies are attempting to circumvent cannabis laws has introduced new products that are likely more harmful than delta-9 THC. These products are chemically created from the CBD in hemp through processes that result in impurities and dangerous chemicals such as strong acids and heavy metals being

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left behind in the final product.[1,10] There have been thousands of calls to U.S. poison control centers from use of these products, more than 30% for children 5 years and younger.[11] Research suggests that use of intoxicating hemp-derived cannabinoids is associated with acute psychiatric disorders including severe psychosis, and lung, chest, and heart disorders, as well as injuries and poisonings.[1,11-14] However, we will not know the full extent of their harms for many years.

Trying to regulate intoxicating hemp-derived cannabinoids will not work.[1-3] We know this because other states have failed massively when it comes to regulating these products.[1-3] It is actually impossible to "regulate" our way out of this problem because these products are being innovated specifically to get around any and all regulations.[1-3] For example, the intent of the proposed serving size provision for ingestible products in House Bill 563 is circumventable in many ways: (a) by using other types of THC beyond Delta-7, -8, -9, and -10, (b) by using other intoxicating hemp-derived cannabinoids e.g., HHC, (c) by cutting the same product into smaller pieces, or (d) by simply increasing the number of servings on the product label – some products on the market currently show more than100 servings in a single 8 ounce container. To protect the health and safety of our communities, **a comprehensive ban is needed to address the full spectrum of intoxicating cannabinoids.**

In addition to the issues regarding the bill legalizing intoxicating hemp-derived cannabinoids, there are two other major issues with it as currently written. First, the DEA has noted that THC-A does not meet the definition of hemp, because it converts to delta-9 THC when heated. Thus, THC-A should be included in the calculation of delta-9 THC by weight (rather than listed as an exception). Second, **those in the hemp industry will argue that House Bill 563 legalizes the sale of high potency delta-9 THC edibles/beverages,** because they will add high doses of THC to food/beverage products and use the weight of the food and beverages in calculating THC content per weight of the overall product. **These additional issues illustrate the ongoing challenges in trying to regulate these products** – that is, there is a large financial incentive for the industry to find loopholes in regulations, so they can sell intoxicating cannabis products.

The intent of the 2018 Farm Bill and House Bill 563 were never to legalize intoxicating cannabis products. Yet, bad actors have been exploiting gaps in legal language and prioritizing personal profit over public health and safety. **If House Bill 563 passes, North Carolina will, in effect, have a legalized retail cannabis market accompanied by some of the weakest regulations among states with legalized cannabis markets.**

Thank you for your attention to this critical matter. Your leadership can prevent further harm and safeguard the health and well-being of our communities. I am committed to supporting North Carolina legislators in addressing this urgent issue and helping keep dangerous substances out of our communities. Should you need further assistance or information, please do not hesitate to contact me.

Sincerely,

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