HB 3000
DELTA-8-THC

Presented by Steven Crowley,
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WHAT IS DELTA-8-THC?

- Delta-8-THC ($\Delta^8$-THC, sometimes just called “Delta 8” or “D8”) is an intoxicating cannabinoid, chemically similar to the more common Delta-9-THC ($\Delta^9$-THC).

- It can be sold to minors and unknowing consumers on the open market in Oregon and other states or purchased on-line with no age verification.

- Delta-8-THC can be created from CBD by chemical processing. This also produces significant amounts of chemical byproducts with unknown health effects.

- Google Trends interest over time for “delta 8” web searches:
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DELTA-8-THC PRODUCT UNKNOWN BYPRODUCTS

70% Delta-8-THC
30% Unknown
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DELTA-8-THC PRODUCT EXAMPLES

Candies

Vapes

Gummies

Delta 8 Sprayed Pre-rolls
• This edible has about 40% less Delta-8-THC than advertised. It is also significantly more intoxicating than the label indicates, because it contains a large amount of Delta-9-THC that is not mentioned on the label.

• Advertised: Over 25 mg $\Delta^8$-THC

• Actual: 15 mg $\Delta^8$-THC and 8 mg $\Delta^9$-THC
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NOT JUST FINISHED PRODUCTS,
NOT JUST DELTA-8-THC
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DELTA-9-THC: OPEN MARKET VS. OLCC MARKET

ODA Hemp

Hemp grown and tested for THC

Tested less than 0.3% THC by weight

Hemp cookie pack weighing 80 grams

240 mg of THC, No Serving size limit, No Purchase limit, No Tax NO AGE RESTRICTION

 Equivalent to 48 marijuana servings

OLCC Recreational System

Marijuana grown and tested for THC

Can be transferred to the OLCC

Hemp cookie pack weighing 80 grams

10 mg of THC, 1 mg per serving ADULTS ONLY (+21)

Marijuana cookie pack weighing 80 grams

50 mg of THC, 5mg per serving Has purchasing limit Taxed ADULTS ONLY (+21)

SALES TO CONSUMER
• High-THC hemp edibles can legally be sold to consumers in Oregon, including minors, as long as they are below 0.3% Delta-9-THC.

What does 0.3% look like?
“Fun Size” of gummies

<table>
<thead>
<tr>
<th>20 g pack of gummies</th>
<th>Hemp Potency Limit</th>
<th>Adult-Use Marijuana Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>60 mg Δ⁹-THC</td>
<td>50 mg Δ⁹-THC</td>
</tr>
</tbody>
</table>

(item pictured is not a marijuana or hemp item)
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DELTA-9-THC ON THE OPEN MARKET

• High-THC hemp edibles can legally be sold to consumers in Oregon, including minors, as long as they are below 0.3% Delta-9-THC.

What does 0.3% look like?
Chocolate Bar

85g bar of chocolate
Hemp Potency Limit
255 mg Δ⁹-THC

Adult-Use Marijuana Limit
50 mg Δ⁹-THC

(item pictured is not a marijuana or hemp item)
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DELTA-9-THC ON THE OPEN MARKET

• High-THC hemp edibles can legally be sold to consumers in Oregon, including minors, as long as they are below 0.3% Delta-9-THC.

What does 0.3% look like?
Standard 12 oz soda can

<table>
<thead>
<tr>
<th>12 oz beverage</th>
<th>Hemp Potency Limit</th>
<th>Adult-Use Marijuana Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>&gt;1,000 mg Δ⁹-THC</td>
<td>50 mg Δ⁹-THC</td>
<td></td>
</tr>
</tbody>
</table>

(item pictured is not a marijuana or hemp item)
## HB 3000
COMPARING OREGON MARKETS

<table>
<thead>
<tr>
<th><strong>Hemp</strong></th>
<th><strong>Marijuana</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Most manufacture not licensed by any state agency&lt;br&gt;Sellers not licensed by any state agency&lt;br&gt;(could also sell online)</td>
<td>Processors and Retailers licensed and regulated by OLCC</td>
</tr>
<tr>
<td>No age restriction – could sell to minor of any age</td>
<td>Can only sell to consumer age 21+, medical cardholder 18+</td>
</tr>
<tr>
<td>Edibles may have up to 0.3% Δ⁹-THC by weight&lt;br&gt;(no maximum container size)</td>
<td>Potency limited based on product type&lt;br&gt;(e.g. 50 mg Δ⁹-THC limit for edible)</td>
</tr>
<tr>
<td>Limited testing required, very limited enforceability&lt;br&gt;No batch tracking&lt;br&gt;No oversight of impurities or manufacturing practices</td>
<td>Tested for potency, solvents, pesticides, etc.&lt;br&gt;Seed-to-sale tracking&lt;br&gt;Test results tracked to specific batches</td>
</tr>
<tr>
<td>Minimal labeling regulation</td>
<td>Subject to OLCC labeling rules, including label approval</td>
</tr>
<tr>
<td>Not taxed</td>
<td>Taxed</td>
</tr>
<tr>
<td>No distance restriction from school</td>
<td>Must be at least 500-1000 ft+ from school</td>
</tr>
</tbody>
</table>
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WHAT THE BILL DOES

• **Short-term:** Address the immediate issue of sales to minors and gaps in regulatory authority:
  - Prohibit sales of intoxicants to minors by allowing the Oregon Department of Agriculture to set potency limits for THC and artificially-derived cannabinoids.
  - Expand Oregon Department of Agriculture and Oregon Liquor Control Commission authority to regulate cannabis in their markets.

• **Longer-term:** Establish a Task Force
  - Begin work to address the larger structural issues that allow intoxicating cannabis-derived products to be unregulated.
  - Think about positioning Oregon as a forward-looking leader in cannabis regulation.
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WHY IS A TASK FORCE IMPORTANT?

• Structural issues in cannabis regulation:
  • Little meaningful regulation of intoxicating products made from hemp.
  • No clear regulation on the use of cannabis extracts as a starting material in the manufacture of rare or novel psychoactive substances.
  • No clear regulation on cannabis plants genetically engineered to produce high concentrations of rare or novel cannabinoids.

• Consider:
  • Where should these products fit into Oregon's legal cannabis markets?
  • What measures are necessary for consumer's to be capable of making informed choices about consuming these products?