

June 12, 2025

The Honorable Governor Greg Abbott
Office of the Governor
1100 San Jacinto Blvd
Austin, TX 78701

Dear Governor Abbott,

As CADCA's President and CEO, I am writing to respectfully urge you to sign Senate Bill 3 (SB3) into law. CADCA strongly supports this legislation because it is urgently needed and is the most effective tool to protect Texas communities from the harms associated with recreational cannabis and synthetic intoxicating cannabis products. Today, CADCA is the largest substance use prevention non-governmental organization in the United States. CADCA represents over 7,000 community coalitions, including more than 100 coalitions throughout the State of Texas, composed of individuals from key sectors such as law enforcement, schools, youth, parents, healthcare, and others. We work alongside national partners including the CDC, DEA, NABCA, NIAAA, NIDA, SAMHSA, Walmart, and Johnson & Johnson.

Our mission is simple but vital: to prevent substance misuse, among both children and adults, before it starts.

Widespread Illegality

Intended to create an industrial market for hemp fiber and hempseed products, the 2018 Federal Farm Bill unintentionally facilitated legislative loopholes that, when manipulated by certain parties, have resulted in the manufacturing and distribution of recreational intoxicating cannabinoids in states such as Texas.¹ These intoxicating cannabinoids, including delta-8 THC, delta-9 THC, delta-10 THC, THC-P, and HHC, are synthetically created through chemical conversion from non-intoxicating CBD.¹ These substances mimic, and often exceed the potency of, marijuana, and are similar in nature to the K2/Spice epidemic that swept our country in the 2010s.²

Despite clear federal prohibitions under the FD&C Act, DEA rulemaking and letters, FDA/FTC warnings, and USDA regulations, these products are widely sold in Texas retail smoke shops disguised as "consumable hemp" due to loopholes in Texas law.² Unlike lawful hemp, most of these products are unapproved food and drug products that are explicitly illegal to introduce into or receive in interstate commerce.² For example, the FDA's 2025 warning letter regarding "Dozo D9 Smashers" confirms this product is adulterated and unlawfully sold – yet it remains available in Texas smoke shops today.^{2,3}

Texas Retail Industry Leaders: Deceptive Marketing of Hazardous and Often Illicit Substances

I would like to address a common theme seen in states like Texas – the industry argument that problematic products and practices are limited to a small group of "bad actors." I would refer your office to the findings of Dr. Rossheim's April 2024 surveillance study of Texas's largest retail chains.² These industry leaders are selling not only marijuana flower that is illegal for harvest in the State of Texas, but also pre-rolled cannabis joints, highly potent THC edibles, copycat cannabis foods, and 99% potency hash oil concentrates.² Simultaneously, each of these retail chains has also been identified as selling other dangerous products, which are illegally sold for recreational use

including tianeptine “gas station heroin”, synthetic kratom extracts, hallucinogenic mushrooms, nitrous oxide, and nitrite inhalants.² According to Dr. Rossheim, more than 35% of these retail locations were within 1,000 feet of schools, and each chain failed to verify ID at checkout.² Current “hemp” laws have enabled and emboldened an industry that openly sells high-potency intoxicants under the false pretense of legality, exploiting legal loopholes and minimal enforcement to operate as a de facto recreational market.

While operating in open violation of many state and federal laws, this industry is clearly targeting children.^{2,4} These intoxicants are marketed with bright colors, cartoon characters, and imitations of popular snack brands, clearly designed to attract youth.^{2,4} Consistent with this marketing, Texas poison control centers reported a nearly 500% increase in cannabis-related calls for children 5 years and younger between 2017 and 2022.⁵

Another pervasive claim is that retail chains in Texas are selling consumable hemp products for patient wellness and relief. These do not appear to be wellness businesses. The intent of such products and policies is to provide customers a recreational high, and to introduce those same customers to alternative methods of substance abuse.² In fact, the consumable “hemp” industry today in Texas is marketing and selling stronger, more addictive and more alternative intoxicants than those found in the most progressive of recreational marijuana states including California, Oregon and Colorado (Colorado even bans such products).² Texas is not a recreational cannabis state.

Propaganda about Economic Harms

I would also observe that many states attempting to ban recreational cannabis have continued to see media claims that such bans impact state agriculture. For states like Texas, this is a false narrative. SB3 does not amend the Agriculture Code of Texas and does not prohibit industrial hemp farming for fiber. As a reminder, hemp strains for fiber can grow over 14 feet tall, resemble bamboo and are excellent carbon sinks – such strains bear little resemblance to the marijuana look-a-like plants shown in media today. Furthermore, under current Texas law (Section 443.204), the processing or manufacturing of consumable hemp products for smoking is already illegal, meaning any farmer growing hemp for this purpose is already violating existing state law.

Information requests from the Texas Department of Agriculture have shown that in the year 2024, only 181.5 acres of hemp crops were harvested statewide – this includes all types of hemp. This crop in total amounts to approximately one-millionth of Texas’s 125 million acres of farm and ranchland. Suggesting that SB3 will cripple Texas agriculture is both misleading and unsupported by the data. Per the national hemp report, in recent years, most of the intoxicating “hemp” flower harvested in the United States comes from only four states: Oregon, California, Colorado, and Kentucky.⁶

Regulation Alone Will Not Work

Some argue that we should simply regulate these products. However, experience shows that intoxicating cannabinoid manufacturers innovate specifically to evade regulation, using chemical variants like THC-P and HHC.¹ Defining and controlling every new compound is a losing battle, similar in nature to the issues law enforcement is having with synthetic fentanyl analogues today. As with synthetic cannabinoids like K2 and Spice, comprehensive bans have proven more effective than patchwork regulation.

Additionally, federal law already bans many of these products: the FDA has issued over 20 warning letters since 2021 for the illegal interstate sale of THC-infused food, and only three hemp-derived GRAS food products are legally approved in the U.S. (hempseed oil, hempseed protein powder, hulled hempseeds) – none of these GRAS products contain THC, and all are already exempted under Texas Administrative Code.

A Critical Opportunity for Action

SB3 provides much-needed clarity to law enforcement, public health agencies, and communities. The current legal ambiguity – created by inconsistent definitions and chemical innovation – is undermining enforcement efforts. SB3 would give local, state, and federal partners a clear legal framework, reducing confusion and enabling swift action against illegal operators. It offers a coherent legal framework for addressing a rapidly escalating public health threat, consistent with your past mandate to Texas District and County Attorneys in July 2019 that marijuana remains illegal in Texas. As noted in the joint letter signed by your office, Lt. Governor Patrick, and Speaker Bonnen, *“marijuana has not been decriminalized in Texas...the power to change the law is legislative and rests with the Texas Legislature under the Texas Constitution...”*⁷

SB3 builds on that foundation. It clearly defines what is legal and what is not, ensuring that retailers, manufacturers, and law enforcement can act with confidence. Without SB3, the current legal ambiguity will continue to be exploited – placing children, families, and communities at ongoing risk.

Closing

Governor Abbott, your leadership on this issue is deeply appreciated. Your actions as Governor of Texas are setting a national standard for how states can responsibly respond to the growing threat of intoxicating cannabis products masquerading as legal “hemp”. We respectfully urge you to sign Senate Bill 3 into law as approved by the Texas Senate. Doing so will help shut down illicit markets, protect youth, support law enforcement, and ensure a safer, healthier future for the State of Texas – and serve as a model for the rest of the country. Thank you.

Please do not hesitate to reach out if we can provide any further information or support.

Sincerely,



Barrye L. Price, Ph.D.
Major General, U.S. Army Retired
President and CEO, CADCA

- 1 Rossheim, M.E., LoParco, C.R., Tillett, K.K., Treffers, R.D., Livingston, M.D., & Berg, C.J. (2024). Intoxicating Cannabis Products in Vape Shops: United States, 2023. *American Journal of Preventive Medicine*, 67(5), 776-784. doi: 10.1016/j.amepre.2024.07.001
- 2 Rossheim, M.E. (2025). Hazardous and Illicit Products in Texas: Retail Surveillance of the Largest “Hemp” Retail Chains Selling Flower, Vapes and Edibles in the State of Texas, Houston, TX – April 2025. <https://txsdy.org/wp-content/uploads/2025/05/rossheimreport.pdf>
- 3 U.S. Food & Drug Administration (FDA). (2025). Warning letter to LaTro, Inc. Retrieved June 12, 2025 from: <https://www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-letters/latro-inc-698196-03252025>
- 4 U.S. Food and Drug Administration (FDA). (2023). FDA, FTC Warn Six Companies for Illegally Selling Copycat Food Products Containing Delta-8 THC. <https://www.fda.gov/news-events/press-announcements/fda-ftc-warn-six-companies-illegally-selling-copycat-food-products-containing-delta-8-thc>
- 5 Powers, V. (2023). Marijuana addiction and overdose in Texas. <https://www.utphysicians.com/marijuana-addiction-and-overdose-in-texas/>
- 6 National Agricultural Statistics Service (NASS), Agricultural Statistics Board, United States Department of Agriculture (USDA). (2024). National Hemp Report. <https://downloads.usda.library.cornell.edu/usda-esmis/files/gf06h2430/3t947c84r/mg74s940n/hempan24.pdf>
- 7 Office of the Texas Governor Greg Abbott. (2019). State Leaders Send Letter to District and County Attorneys Regarding Hemp and Marijuana Possession Cases. <https://gov.texas.gov/news/post/state-leaders-send-letter-to-district-and-county-attorneys-regarding-hemp-and-marijuana-possession-cases>