

September 16, 2025

The Honorable John Hoeven  
Chairman, Senate Appropriations  
Subcommittee on Agriculture  
Room S-128, The Capitol  
Washington, DC 20510

The Honorable Jeanne Shaheen  
Ranking Member, Senate Appropriations  
Subcommittee on Agriculture  
Room S-128, The Capitol  
Washington, DC 20510

The Honorable Andy Harris  
Chairman, House Appropriations  
Subcommittee on Agriculture  
2362-A, Rayburn House Office Building  
Washington, DC 20515

The Honorable Sanford Bishop, Jr.  
Ranking Member, House Appropriations  
Subcommittee on Agriculture  
1036 Longworth House Office Building  
Washington, DC 20515

The Honorable Susan Collins  
Chairwoman  
Senate Appropriations Committee  
Room S-128, The Capitol  
Washington, DC 20510

The Honorable Patty Murray  
Ranking Member  
Senate Appropriations Committee  
Room S-128, The Capitol  
Washington, DC 20510

The Honorable Tom Cole  
Chairman  
House Appropriations Committee  
H-307, The Capitol  
Washington, DC 20515

The Honorable Rosa DeLauro  
Ranking Member  
House Appropriations Committee  
1036 Longworth House Office Building  
Washington, DC 20515

Dear Chairman Hoeven, Ranking Member Shaheen, Chairman Harris, Ranking Member Bishop, Chairwoman Collins, Ranking Member Murray, Chairman Cole and Ranking Member DeLauro:

We the undersigned national and state public health, medical, law enforcement, and consumer protection organizations – as well as families harmed by these products – urge you to include language in the final FY 2026 Agriculture Appropriations bill that closes the loopholes in the 2018 Farm Bill by redefining hemp to specifically exclude hemp-derived THC and all other psychoactive substances derived from hemp that have similar effects to delta-9 THC – the main intoxicating chemical in marijuana. These loopholes have resulted in the nationwide availability of highly intoxicating hemp-derived THC products.

The 2018 Farm Bill’s definition of hemp has been interpreted by the hemp industry as “legalizing” hemp-derived THC and all other psychoactive substances derived from hemp (e.g., delta-8 THC, delta-10 THC, HHC, THC-O, etc.) that have similar effects as delta-9 THC.<sup>1-2</sup> The

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<sup>1</sup> LoParco, C.R., Rossheim, M.E., Walters, S.T., Zhou, Z., Olsson, S., & Sussman, S. (2023). Delta-8 tetrahydrocannabinol: a scoping review and commentary. *Addiction*, 118(6):1011–28. doi: 10.1111/add.16142 <https://pubmed.ncbi.nlm.nih.gov/36710464/>

<sup>2</sup> Rossheim, M.E., LoParco, C., Henry, D., Trangenstein, P.J., & Walters, S.T. (2023). Delta-8, Delta-10, HHC, THC-O, THCP, and THCV: What should we call these products? *Journal of Studies on Alcohol and Drugs*. doi: 10.15288/jsad.23-00008

<sup>3</sup> Rossheim, M.E., LoParco, C.R., Tillett, K.K., Treffers, R.D., Livingston, M.D., & Berg, C.J. (2024). Cannabis products in vape shops: United States, 2023. *Research Society on Marijuana (RSMJ)*.

<sup>4</sup> Rossheim, M.E., Tillett, K.K., Vasilev, V., LoParco, C.R., Berg, C.J., Trangenstein, P.J., Yockey, R.A., Sussman, S.Y., Siegel, M., & Jernigan, D.H. (2024). Types and Brands of Derived Psychoactive Cannabis Products: An Online Retail Assessment, 2023. *Cannabis and Cannabinoid*

current definition of hemp has created serious challenges for regulators and public-health officials, while fueling widespread, largely unmonitored sales of highly intoxicating products. These substances are now sold nationwide – in gas stations, convenience stores, head shops and online – in ways that are purposely made both accessible and attractive to youth.<sup>3-7</sup> These substances are often sold in the form of gummies, chocolates, chips, candies, and cookies.<sup>1-4</sup> Many of these products display brightly 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”.<sup>8</sup> Consistent with concerns regarding youth access and appeal, national data from 2024 shows that one-in-eight 12<sup>th</sup> graders (12.3%) reported using delta-8 THC in the past year.<sup>9</sup> This is likely an underestimation of their use, considering the dozens of other hemp-derived THC and other psychoactive products derived from hemp in addition to delta-8 THC being sold across the United States.<sup>2-4,7</sup>

Hemp-derived THC products and other psychoactive products derived from hemp are chemically synthesized or converted from the CBD in hemp through processes which result in impurities and dangerous chemicals such as strong acids and heavy metals being left behind in the final product.<sup>1,10</sup> 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.<sup>11</sup> Research suggests that use of hemp-derived THC products and other psychoactive products derived from hemp is associated with acute psychiatric disorders including severe psychosis, and lung, chest, and heart disorders, as well as injuries and poisonings.<sup>1,11-14</sup> However, we will not know the full extent of their harms for many years.

Trying to regulate hemp-derived THC products and other psychoactive products derived from hemp will not work.<sup>1-3</sup> These products remain widely available in many states that have tried to ban them.<sup>3,7</sup> To protect the health and safety of our communities, we need to completely close the federal loophole by explicitly excluding these products from the definition of hemp. These products are continually innovated to circumvent existing regulations, underscoring the urgent need for a comprehensive ban to effectively curtail their availability.<sup>1-3</sup>

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Research. doi: 10.1089/can.2023.0266

<sup>5</sup> Egan, K.L., Villani, S., & Soule, E.K. (2023). Absence of Age Verification for Online Purchases of Cannabidiol and Delta-8: Implications for Youth Access. *Journal of Adolescent Health*. doi: 10.1016/j.jadohealth.2023.01.020.

<sup>6</sup> Rossheim, 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

<sup>7</sup> LoParco, C.R., Tillett, K.K., Berg, C.J., & Rossheim, M.E. (in press). Online retail of derived psychoactive cannabis products: Age and shipping restrictions. *Journal of Adolescent Health*.

<sup>8</sup> Partnership to End Addiction. (2023). Delta-8 THC: What you need to know about ‘cannabis light’. <https://drugfree.org/article/delta-8-thc/>

<sup>9</sup> Miech, R.A., Johnston, L.D., Patrick, M.E., & O’Malley, P.M. (2025). Monitoring the Future national survey results on drug use, 1975–2024: Overview and detailed results for secondary school students. Monitoring the Future Monograph Series. Ann Arbor, MI: Institute for Social Research, University of Michigan. Available at <https://monitoringthefuture.org/wp-content/uploads/2024/12/mtf2025.pdf>

<sup>10</sup> Geci, M., Scialdone, M., & Tishler, J. (2023). The Dark Side of Cannabidiol: The Unanticipated Social and Clinical Implications of Synthetic Δ8-THC. *Cannabis and Cannabinoid Research*. 8:2, 270-282. <https://doi.org/10.1089/can.2022.0126>

<sup>11</sup> Burgess, A., Hays, H.L., Badeti, J., Spiller, H.A., Rine, N.I., Gaw, C.E., Ding, K., & Smith, G.A. (2024). Delta-8 tetrahydrocannabinol, delta-10 tetrahydrocannabinol, and tetrahydrocannabinol-O acetate exposures reported to America’s Poison Centers. *Clin Toxicol* (Phila). 62(4):256-266. doi: 10.1080/15563650.2024.2340115. Epub 2024 Apr 30. PMID: 38686923.

<sup>12</sup> Leas, E.C., Harati, R.M., Satybaldiyeva, N., Morales, N.E., Huffaker, S.L., Mejjorado, T., & Grant, I. (2023). Self-reported adverse events associated with Δ8-Tetrahydrocannabinol (Delta-8-THC) Use. *Journal of Cannabis Research*, 5(15). Doi: 10.1186/s42238-023-00191-y

<sup>13</sup> Bozman, M.E., Manoharan, S.V.R.R., & Vasavada, T. (2022). Marijuana variant of concern: Delta 8-tetrahydrocannabinol (Delta-8-THC, Δ8-THC). *Psychiatry Research Case Reports*, 1(2). Doi: 10.1016/j.psycr.2022.100028.

<sup>14</sup> Miller, C.R., Burk, B.G., Fargason, R.E., & Birur, B. (2023). Delta-8-THC association with psychosis: A case report with literature review. *Front Psychiatry*. doi: 10.3389/fpsyt.2023.1103123

As the FY 2026 Agriculture appropriations bill moves forward, we strongly urge you to support the House-passed language on this issue in the final conference version of the legislation.

Thank you for your attention to this important matter and for your consideration of our views.

Addiction Policy Forum

Allen County Agency for Substance Abuse Policy (KY)

American Academy of Addiction Psychiatry (AAP)

American Academy of Pediatrics (AAP)

Americans Against Legalizing Marijuana

CADCA

California Consortium of Addiction Programs & Professionals

California Narcotic Officers' Association

Cannabis Impact Prevention Coalition, LLC

Cannabis Industry Victims Educating Litigators (CIVEL)

Cannabis Industry Victims Seeking Justice (CIVSJ)

CatholicVote

Charting Careers, Inc. (MD)

Citizens for a Safe and Healthy Texas

Coalition for Community Services

College on Problems of Drug Dependence

Consumer Federation of America (CFA)

Creative Arts Outreach Ministries, Inc. (MD)

CWD International (TX)

D.A.R.E. America

DEA Educational Foundation

Drug Enforcement Association of Federal Narcotics Agents (DEAFNA)

Drug Free America Foundation, Inc.

Drug Watch International, Inc.

DUID Victim Voices

DuPage County Health Department

Eagle Forum

Eagle Forum of Alabama

Elks Lodge 1108 (CA)

Every Brain Matters

Family Research Council

Foundation for Healthy Generations

Foundation for Drug Policy Solutions

Georgians for Responsible Marijuana Policy

Healthy Communities Alliance (IL)

Hermosa Coalition for Drug-Free Kids (CA)

Hillsborough County Anti-Drug Alliance (FL)

Illinois Prevention Network

Informed Families The Florida Family Partnership

Institute for Behavior and Health, Inc.  
International Academy on the Science and Impact of Cannabis  
Iowa Alliance of Coalitions for Change  
Johnny's Ambassadors Youth THC Prevention  
Jones County Safe and Healthy Youth Coalition (IA)  
Law Enforcement Dimensions (MA)  
Lost Voices of Fentanyl  
MATFORCE  
Minnesota Prevention Alliance  
Minnesota Prevention Alliance Foundation  
Mothers for Awareness and Prevention of Drug Abuse (MAPDA)  
National Association for Children of Addiction (NACOA)  
National Alliance of State Drug Enforcement Agencies (NASDEA)  
National Drug Free Workplace Alliance  
National HIDTA Director's Association (NHDA)  
National Narcotic Officers' Associations' Coalition (NNOAC)  
National Prevention Science Coalition to Improve Lives  
New Jerseyans Against Legalizing Marijuana  
North Carolinians Against Legalizing Marijuana  
One Chance to Grow Up  
Parents Opposed to Pot  
Partnership to End Addiction  
Pennsylvania Against Legalizing Marijuana  
Prevention Alliance of Tennessee  
Raymond Coalition for Youth (NH)  
S.C.C.A.M. - Shasta, Siskiyou, and Lassen County Citizens Against Marijuana  
Save Our Society from Drugs  
SEED (Students Empowered to End Dependency) (ME)  
Shatterproof  
Smart Approaches to Marijuana  
Song for Charlie  
Student Assistance Services Corporation (NY)  
Step Up Anderson Township (OH)  
Students Against Destructive Decisions (SADD)  
Substance Awareness Coalition Leaders of Arizona (SACLaz)  
Texans for Safe and Drug-Free Youth  
The National Family Partnership  
The Scottsville Allen County Faith Coalition (KY)  
Tigard Turns the Tide (OR)  
Treatment Communities of America  
Washington State Public Health Association  
WestCare Foundation

Cc: The Honorable Mitch McConnell, The Honorable Susan Collins, The Honorable Jerry Moran, The Honorable Cindy Hyde-Smith, The Honorable Deb Fischer, The Honorable Markwayne Mullin, The Honorable Mike Rounds, The Honorable Jeff Merkley, The Honorable Tammy Baldwin, The Honorable Martin Heinrich, The Honorable Gary Peters, The Honorable Kirsten Gillibrand, The Honorable Jon Ossoff, The Honorable Andy Harris, The Honorable Robert Aderholt, The Honorable David Valadao, The Honorable John Moolenaar, The Honorable Dan Newhouse, The Honorable Julia Letlow, The Honorable Ben Cline, The Honorable Ashley Hinson, The Honorable Scott Franklin, The Honorable Sanford Bishop, Jr., The Honorable Chellie Pingree, The Honorable Lauren Underwood, The Honorable Marie Gluesenkamp Perez, The Honorable Marcy Kaptur, The Honorable Debbie Wasserman Schultz