



Dear Honorable Chairman Hauck, and committee members Hoytenga, Bellino, Hall, Mueller, Wendzel, Clements, Damoose, Outman, Hertel, Yancey, Garza, Witwer, Steenland and Jones,

My name is Stephen Linder, and I am executive director of the Michigan Cannabis Manufacturers Association. I am here to testify in support of House Bills 4740-4745 and House Bill 4517.

I would like to thank Representatives Outman, Clements, Yancey, Calley, Steenland, Lilly and Rabhi for their work on this legislation. I also want to thank Representative Rabhi for his Gram Shop bill, which will limit liability for cannabis companies.

The MCMA is comprised of the state's largest growers, processors and vertically integrated businesses representing close to \$1 billion of investment. Our members generate millions of dollars in state tax revenue, have hired thousands of employees, and provide products that adhere to the highest consumer health and safety standards. We are the General Motors, Fords and Chryslers of the cannabis industry.

These bills are critical because the regulated system under which we operate forces the industry to spend significant dollars to develop seeds that turn into products. These products are either smoked or consumed in edibles, and must pass rigorous mandated state testing. We are glad to do so since all of our companies provide medicinal products. Any product considered medicine should adhere to the same health and safety standards as medicines dispensed in pharmacies. We also produce high-quality, non-medicinal adult-use products that also must adhere to very high and rigorous mandated state testing.

Recently, individuals and nonregulated labs have developed intoxicants that mimic the high of cannabis. Because they are not listed in the MRA's formulary regulated compound — Delta 9 THC — these products are unscrupulously sold in the open marketplace and are available to anyone. You can find them in gas stations. You can find them in party stores. You can find them in smoke and vape shops. Because they are not illegal, there is no way to enforce their safety and purity. The most recent example is hemp-based Delta 8 THC products, which have comparable intoxicating effects as cannabis.

Michigan is not alone in wanting to address this imminent public health crisis. Twelve states have at least temporarily banned Delta 8 THC products, including Alaska, Arizona, Arkansas, Colorado, Delaware, Kentucky, Idaho, Iowa, Mississippi, Montana, Rhode Island and Utah. North Dakota, Alabama and Oregon are also considering Delta 8 product bans. We are not advocating banning these products. In the interest of protecting public health and safety, we are advocating regulating them and subjecting them to the same testing standards as every product that can get you high.

We just witnessed the vitamin E acetate vaping health disaster. Those who produced these vapes did so believing they were safe. The government's response was to pause vapes until a process was put into place to determine what was in them. Those vapes were not intoxicants. Delta 8 products and other similar products are intoxicants, and our position is that anything that mimics a cannabis high must be regulated, whether it comes from the refinement of hemp distillate, the refinement of cannabis distillate, or products created without organic material in a lab.

All of these products must be subject to regulation and strict testing before they are sold to Michigan consumers. That means they must be processed through a licensed MRA processor before being sold by an MRA-licensed provisioning facility. Just like any iteration of alcohol has to be approved through the regulatory system, so should derivatives of cannabis.

There is nothing worth compromising the purity of our products and the health and safety of our customers and all Michiganders. Consumer product research and development, whether for food, chemical or other types of consumer goods, is always evolving. The weakness of any government-created and government-regulated system is that no one can contemplate new iterations of products.

That is why governmental agencies continually revise their rules to account for new products that enter the marketplace, whether for motor vehicles, household products, pharmaceuticals or cannabis. Delta 8 and other intoxicants that mimic a cannabis high are no different, and immediate action is needed to protect consumers and all Michiganders. We respectfully urge this committee and the Legislature to pass these bills.

Sincerely,

Stephen Linder, Executive Director  
Michigan Cannabis Manufacturers Association

### **About the Michigan Cannabis Manufacturers Association**

The MCMA is a 501(c)(6) trade association comprised of the largest investors in Cannabis manufacturing infrastructure, Grow and Process Licensees, and vertically integrated Cannabis businesses in Michigan. The membership of the MCMA drives the supply chain of Cannabis products in Michigan and employs the largest number of employees in the industry.

## An unregulated, weed-like drug dubbed ‘CBD on crack’ has spiked in popularity. Now the legal pot industry is calling for a crackdown.

★ [chicago.suntimes.com/platform/amp/cannabis/2021/4/12/22378819/delta-8-thc-wake-bakery-canna-cafe-marijuana-cannabis-botanic-alternatives-dispensary-cbd](https://chicago.suntimes.com/platform/amp/cannabis/2021/4/12/22378819/delta-8-thc-wake-bakery-canna-cafe-marijuana-cannabis-botanic-alternatives-dispensary-cbd)



Sukaina Jallow prepares a drink infused with Delta-8-THC at Wake-N-Bakery, a coffee shop and bakery in the Lake View neighborhood, Friday afternoon, April 9, 2021.

Pat Nabong/Sun-Times

There's a new high in town.

A growing number of Chicago businesses are now exploiting a loophole in federal law that appears to allow the unfettered sale of a trendy hemp byproduct called Delta-8-THC, which has commonly been described as “marijuana-lite” or “diet weed.”

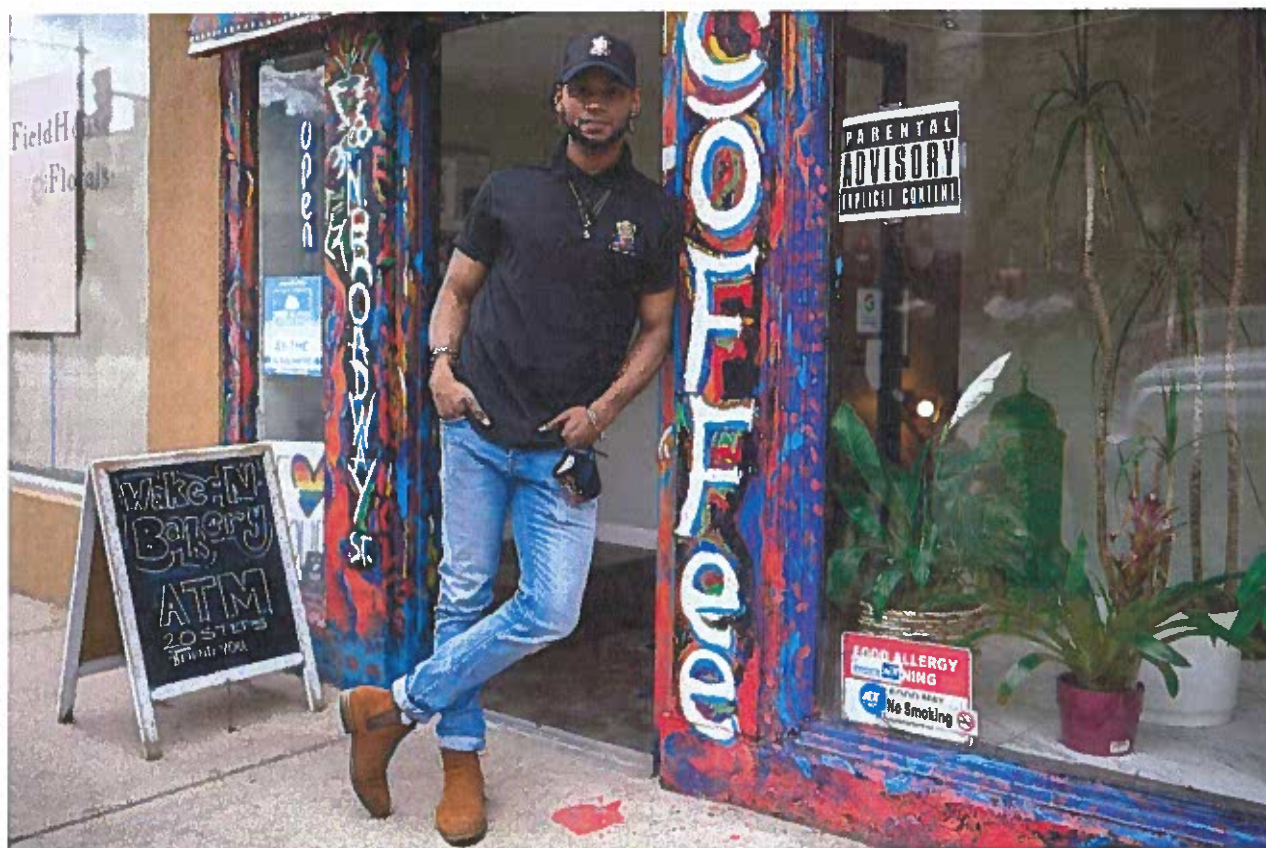
Retailers across the city have started selling a variety of Delta-8 products in settings that resemble licensed cannabis dispensaries but aren't subject to the same stiff regulations. Many sell everything from edibles to vaping cartridges, as well as smokable hemp flower sprayed with Delta-8 extract.

Some places are even dosing food and drinks with Delta-8 and allowing customers to consume it on site. That flies in the face of a hard-fought provision in the state's marijuana legalization law that tightly regulates public consumption, which isn't allowed in Chicago yet.

Those spots have become extremely popular — with lines stretching down the block.

“People travel to Chicago because it's Chicago and they make it a point to stop here because of the vibe,” said Adryan Delgado, the manager of Wake-N-Bakery, a coffee shop in Lake View that sells drinks and pastries infused with Delta-8 and CBD.

Waits can be 30 minutes to get inside, Delgado said.



Adryan Delgado manages Wake-N-Bakery, a coffee shop and bakery that sells CBD- and Delta-8-THC-infused products in Lake View.

Pat Nabong/Sun-Times

Delta-8 is similar to Delta-9-THC, the psychoactive compound in weed that gets users high, though it's extracted from hemp and not marijuana. Those selling Delta-8 claim it has all the upsides of pot and none of the buzz-killing side effects, like anxiety and paranoia.

Entrepreneurs seized on Delta-8 after the federal Farm Bill of 2018 made legal the distribution and sale of hemp and its byproducts. That law explicitly excluded Delta-9, but there's no mention of its mellower relative.

As Delta-8's popularity has grown, the influential trade group that represents Illinois' licensed pot businesses has started lobbying state and federal lawmakers for stricter regulations while raising concerns about its safety. State Rep. Bob Morgan, a pro-pot Democrat from Deerfield, has already introduced legislation that would require products containing Delta-8, CBD and other unchecked cannabinoids to be tested and labeled.

"Many of these products are unsafe, untested, and it's only a matter of time before someone gets hurt," Morgan said on Twitter Monday, noting the bill is slated for a House vote this week.

Though Delta-8 is currently sold at some dispensaries in the state, the Cannabis Business Association of Illinois is also pushing to completely prohibit its sale outside those controlled environments.

Pam Althoff, a former state senator who now serves as the trade group's executive director, said Delta-8 sellers are increasingly cropping up in "cannabis deserts," where licensed pot shops haven't opened. She described Delta-8 as a potentially dangerous "substitute" for legal weed — and one that's being sold at lower prices.

"Delta-8 is creating a competitive market without being subject to the same standards and regulations and rules that the cannabis industry is," noted Althoff, who likened the Delta-8 dilemma to the deadly vaping and synthetic marijuana crises that previously roiled the nationwide cannabis industry.



Products containing Delta-8-THC are displayed at Botanic Alternatives, located at 2497 N. Milwaukee Ave. in the Logan Square neighborhood, Thursday afternoon, April 8, 2021.

Pat Nabong/Sun-Times

That stark warning was echoed by the owner of a cannabis testing lab who noticed multiple “red flags” when he tested Delta-8 products bought off store shelves in Chicago. The tester, who asked to remain anonymous, said he was most concerned that one brand of vaping cartridges had high levels of residual solvents and heavy metals, namely lead and chromium.

“They’re not testing for that. ... Heavy metals were directly attributed to the ‘Vapegate,’” said the tester, who shared the results with the Sun-Times.

On top of that, he also found that some Delta-8 products have illegal levels of Delta-9 — meaning some stores are essentially selling weed.

### **Primed for pushback?**

Despite those alarms, some Chicago businesses profiting off the Delta-8 craze are thriving.

Wake-N-Bakery opened just three days after sales of recreational weed kicked off and soon became a hotspot on the heels of a viral TikTok video. Delgado said the shop has also gotten a huge boost from selling items laced with Delta-8, which he described as “CBD on crack.”



Baked goods that are infused with Delta-8-THC and CBD are for sale at Wake-N-Bakery in the Lake View neighborhood, Friday afternoon, April 9, 2021.

Pat Nabong/Sun-Times

“We do not compete with the dispensaries. We don’t compete with other bakeries. We don’t compete with other coffee shops. We’re pioneering it because no one’s doing it the way that we’re doing it,” Delgado said of Wake-N-Bakery’s business model.

Delgado claimed the shop has grown into “more than a half a million dollar company,” saying his team has already been offered franchising opportunities.

Thomas Fisher, the owner of Botanic Alternatives in Logan Square, said selling Delta-8 has also been beneficial for his business, but sales haven’t exactly been through the roof. He sells Delta-8 flower, as well as edibles, tinctures and vaping cartridges infused with the psychoactive substance. The store also stocks various hemp-derived cannabinoids — like CBD and CBG — and certain types of “adaptogenic” mushrooms.

“We specialize in everything the dispensary does not focus on,” said Jeff Trout, the store’s general manager. “Local dispensaries focus on Delta-9-THC, that’s what their license specifically allows them to sell.”



Jeff Trout, general manager of Botanic Alternatives, arranges products in the shop in the Logan Square neighborhood, Thursday afternoon, April 8, 2021.

Pat Nabong/Sun-Times

The next round of highly sought-after marijuana dispensary licenses have been mired in controversy and delays but will likely be worth millions. However, businesses like Botanic Alternatives and Wake-N-Bakery don't need a special license to sell Delta-8.

The shops also aren't subject to the same strict testing requirements, though Fisher and Delgado claimed they ensure their respective supplies have been screened for contaminants. Botanic Alternatives sources its Delta-8 from Florida, while Wake-N-Bakery makes its own isolate.

As for a potential crackdown, Delgado said it would be devastating for Wake-N-Bakery if Delta-8 sales were relegated only to dispensaries. But Fisher and Trout seemed far less concerned.

"We were a business before Delta-8 [and] we're going to be a business after Delta-8," said Fisher. "If anything changes, we just need to be ready and poised to continue on."



Though Trout raised the possibility of pivoting to selling another legal cannabinoid — like Delta-10 — Althoff specifically noted that her group wants any psychoactive hemp derivative barred from being sold outside dispensaries.

The association's pushback comes as lawmakers and regulators in Oregon consider whether to take similar action. In a news release on March 20, the Oregon Liquor Control Commission noted that Delta-8 products aren't currently subject to testing and could potentially be bought by children — concerns shared by Althoff.

In addition to lobbying state legislators, Althoff's group has also sent a letter to Illinois' congressional delegation "drawing their attention to the dangers of Delta-8." That move was made after officials in the Illinois Department of Agriculture made it clear that most Delta-8 products on the market are coming from other states.

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# The health concerns of Delta-8-THC

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 [ndsuspectrum.com/the-health-concerns-of-delta-8-thc](https://ndsuspectrum.com/the-health-concerns-of-delta-8-thc)

Marijuana is recreationally legal in 15 out of the 50 states, 36% of Americans live in a legal state. If you could not already tell, the buzz is in the air and CBD shops have been popping up in states where marijuana is still not legal.

In 2018 hemp was federally decriminalized if it had less than 0.3% Delta-9 THC. legalization of hemp included its 144 different cannabinoids and three kinds of THC: THCA, THCV and Delta-8 THC. Delta-9 THC is what gives users the potent marijuana high and is still federally illegal. Delta-8 is almost molecularly identical to Delta-9 and delivers very similar highs, but it is legal, sort of...

## Chemical structure

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Delta-8 has the same chemical formula as delta-9, but one of its carbon double bonds is located in a different position. Delta refers to the chemical double bond in the molecule's structure. So delta-9 has a carbon bond on the ninth carbon ring, while delta-8 has its bond on the 8th carbon bond.

## Production/Science/quick history

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Delta 8 is one of the 144 naturally occurring cannabinoids; it naturally occurs in hemp only in trace amounts. Although delta 8 can be naturally extracted from hemp, this process is very inefficient. The natural levels of delta 8 in a plant never exceed one percent. Most producers synthetically create delta 8 from hemp or CBD isolate through a chemical isomerization process.

CBD isolate is dissolved in 0.005molar H<sub>2</sub>SO<sub>4</sub> in glacial acetic acid ( or any kind of acid); after boiling and mixing the solution for 18 hours, the CBD converts into delta-8 and delta-9 THC. Then a process neutralizes the acid and extracts the THC from the solution. Another less common practice is thin-film distillation, where manufacturers utilize vacuums, temperature manipulation and scientific equipment to convert Delta-9 THC to Delta-8.

## Effects

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Delta-8-THC has been reported to have around half the potency of delta-9-THC because it binds to the CB1 and CB2 receptors less efficiently. Different unidentifiable THC isomers can be detected in many delta-8 extracts; this could be another reason for the reduced potency.

## Safety/chromatography/residuals

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Chromatography is the industry standard for testing THC products. After some research, very few websites or producers provided full chromatography results of their delta-8 products. Certificates of authenticity show a breakdown of residual solvents and the different concentrations of THC in the product.

Companies have been known to “shop” for COA’s or labs to approve their product. There are no widely accepted standards for identifying delta 8 peaks on a Chromatography. No industry standard exists to test for byproducts from the conversion process. The Delta 8 industry is completely unregulated. This means anyone can order CBD isolate from china and convert it to THC from their basement lab. Nothing stops a Delta-8 producer from lying about their products. Delta-8 has the potential to be safe, but the lack of regulation means extreme caution should be taken.

### **Legality/opinion/political/call to action for legalization:**

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Last August, the DEA stated that the farm bill doesn’t cover synthetically derived tetrahydrocannabinol that doesn’t come directly from the hemp plant. Which would mean delta 8 falls under the controlled substances act just like delta 9.

According to the New York Times, federal agencies such as the DEA are still considering the options for enforcement and regulation of Delta-8-THC. “Dealing in any way with Delta-8-THC is not without significant legal risk,” Alex Buscher, a Colorado lawyer who specializes in cannabis law told the New York Times.

Many lawyers argue that this doesn’t actually change the legality status and the farm bill remains uncontested in court. Untested cartridges have been known to test positive for illegal levels of Delta-9 and police are reported to have arrested people with Delta-8 products.

Some states have already made Delta-8 products fully illegal. These states include Alaska, Arizona, Arkansas, Colorado, Delaware, Idaho, Iowa, Mississippi, Montana, Rhode Island and Utah.

Dangerous synthetic marijuana alternatives have been killing people for years. The government needs to take decisive action to legalized and regulate the marijuana industry. Delta-8 is being sold to high school students at local vape shops in the Fargo/Moorhead area. The products are not being lab tested, which means dangerous bi-products from the chemical synthesis could be left in them. Something needs to be done about this legal loophole.

# Delta 8: The Sudden Buyer Craze and Hazy Legal Status for a Hemp Product

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**N** [newsweek.com/delta-thc-hemp-1583417](https://www.newsweek.com/delta-thc-hemp-1583417)

A new cannabis product commonly called Delta 8 is confusing law enforcement officials throughout the country. The flower buds look, smell and taste (when smoked) like marijuana, and it even contains a type of THC. Yet, this particular cannabis, which experienced a tremendous surge in popularity in 2020, is seemingly legal to buy and consume even in many states where recreational marijuana remains against the law.

Before getting too far into the legal gray area of Delta 8, though, readers should be cautioned that products containing it have not been FDA-tested or FDA-approved. It's always recommended to speak with your doctor before introducing anything new to your body and be advised that smoking, vaping, or otherwise imbibing any kind of cannabis product could adversely affect your health. Anyone using Delta-8 THC should also be aware it will turn up on a drug test as regular THC, and thus could cause one to fail the test should it exceed the accepted limit.

For readers with only a passing knowledge of the cannabis world, there are also some terms to understand. First, marijuana and hemp are the same species of plant, which is cannabis. The plant is further classified as sativa, indica, or ruderalis—though ruderalis is considered a subspecies by many botanists—as well as hybrid combinations of the three. Although hemp is synonymous with cannabis, in legal terms hemp is the non-drug form of the plant, whereas marijuana is cannabis associated with getting people high. This effect in marijuana is caused by the psychoactive cannabinoid THC (tetrahydrocannabinol) or, more specifically, Delta-9 THC. (Marijuana is cannabis with higher concentrations of Delta-9 THC, compared to the trace amounts found in hemp.) Estimates vary, but there are believed to be more than a hundred cannabinoids in each cannabis plant. These include CBD, CBN, Delta-9 THC and Delta-8 THC.

While CBD and Delta-9 THC (usually just referred to as THC) are undoubtedly the most well-known cannabinoids, Delta 8 suddenly, and seemingly out of nowhere, became immensely popular within the last year. Though first discovered in 1941, the compound has largely been ignored for decades due to its limited availability and comparatively moderate effects. However, following the recent and rapid popularity of CBD, Delta 8 has suddenly exploded as the latest cannabis trend and is now sold at everywhere from head shops to gas stations.

Retailers who specialized in CBD before introducing Delta 8 in 2020 reported a drastic spike in sales to *Newsweek*, which they partly attributed to its supposed anxiety-relieving properties helping people cope with pandemic-related stress. Though it's still early for solid estimates, Trevor Yahn-Grode of cannabis industry analytics company New Frontier Data recently told *MedPageToday.com* that Delta 8 had retail sales of at least \$10 million in 2020.

In recent months, local news outlets have been carrying stories about shops that typically peddle products like CBD being targeted by police for carrying Delta 8. When police departments in states where marijuana is not legal get tipped off about businesses selling weed over-the-counter to customers, they have at times shown up with warrants. However, when presented with paperwork stating the legality of Delta 8, they often leave with only confiscating the seemingly illicit plant products without attempting any arrests.

Currently, 17 states in the U.S. have legalized the recreational use of Delta-9 THC-containing marijuana, yet Delta-8 THC itself is more readily available and believed by its proponents to be technically legal everywhere, even if some states have prohibited its sale. What's the argument for this? For one, hemp itself is federally legal, though each state has different laws and restrictions regarding byproducts derived from hemp, including CBD.

"The federal Agriculture Improvement Act of 2018 amended the federal Controlled Substances Act of 1970 so that hemp plants containing no more than 0.3 percent THC are no longer classified as a Schedule I controlled substance under federal law," Paul Armentan, deputy director of NORML (National Organization for the Reform of Marijuana Laws), explained to *Newsweek*. "The act also broadened the definition of 'hemp' (Section 297A) to include 'any part of the plant, including...extracts [or] cannabinoids' that do not possess greater than 0.3 percent THC on a dry weight basis. Delta-8-THC is one of some 120 cannabinoids organic to cannabis. So, in theory, if one were able to access Delta-8 from a legally sourced hemp plant, the federal law would classify that compound legal."

When then-President Donald Trump signed the Agriculture Improvement Act (commonly referred to as the Farm Bill), he and industrial hemp proponent Mitch McConnell likely didn't predict it would help bolster the already growing market of CBD. (One recent estimate predicts CBD sales in the U.S. could reach \$1.8 billion by 2022.) There's also no way they could have possibly foreseen the current consumer enthusiasm with smoking hemp rich in Delta-8 THC.

As their names suggest, Delta-8 THC and the better-known Delta-9 are remarkably similar chemically, and both cause reactions by binding to the body's endocannabinoid system. They also both produce intoxicating effects when consumed. But whereas Delta-9 THC can cause a potentially heavy effect on users' perceptions, Delta-8 is milder. Some users compare it to the less-intense weed enjoyed by enthusiasts in the 1960s and '70s before levels of Delta-9 THC became so high as to produce anxiety in some users.

Hometown Hero CBD, one of the largest and best-known Delta 8 companies, positions its products as relievers for stress and pain. Its founder and CEO, Lukas Gilkey, told *Newsweek*, "I can take Delta 8 and still be fully functional, and be fully comprehensive of what's going on, but I do get body relaxation with it, and a reduction in anxiety."



Gilkey sees Delta 8 "more as a wellness product" than marijuana's Delta-9 THC, which he feels is often "way too strong," adding Delta 8 also purportedly increases appetite and reduces nausea. As a result, he believes Delta-8 THC could better benefit those seeking the stress-alleviating qualities of cannabis but want to avoid getting too high, such as veterans suffering with post-traumatic stress disorder. Gilkey himself was a member of the Coast Guard, where he helped stop boats from bringing drugs into the country, before life took him into bitcoin-mining and eventually the CBD business. While he feels much of the war on drugs he saw firsthand was counter-productive, his love for the Coast Guard endures, and Hometown Hero CBD donates a portions of its profits to veterans.

Hometown Hero CBD got into the Delta 8 business right before the COVID-19 pandemic hit last year. The Georgia Hemp Company similarly found its way to Delta 8 last year after already establishing itself as a CBD business. Both companies also offer a range of products, from smokable flowers that are practically indistinguishable in appearance from marijuana, to vape cartridges, gummy edibles, and oils and tinctures. Gilkey and the Georgia Hemp Company's co-founder and managing partner Joe Salome both said their companies experienced a huge boost in sales after introducing the trendy cannabinoid to their lines.

"Delta 8 is basically viewed how CBD was several years—seemingly a gray area, but just because it has yet to be specially addressed," Salome said while describing its legality. Because the Farm Bill doesn't mention Delta-8 THC specifically, his company and others have tested the waters themselves. However, there is some dispute about whether it's being properly tested, as well as if it should be excluded from the Farm Bill's protection.

The argument for exclusion comes from the Drug Enforcement Administration's Interim Final Rule (the IFR) released last year, which stated that "synthetically derived tetrahydrocannabinols remain Schedule I controlled substances." Some, but not all, Delta 8-selling companies convert CBD into Delta-8 THC using isomerization, which could be argued as "synthetically derived." These companies argue that no matter how they gather distillates of Delta 8, it's still a naturally-occurring compound.

"So hemp farmers are sitting on this hemp flower not moving, and they apply the Delta 8 distillate and create Delta-8 THC hemp flower," Salome said. This explains how Delta 8 can exist in a flower form that closely resembles to marijuana, despite the fact that cannabis plants contain only a tiny portion of the actual cannabinoid—the distillate of Delta-8 THC is added to boost the hemp.

Opponents of Delta 8 liken it to the synthetic marijuana that flooded head shops years ago before the DEA banned it in 2011. Currently, states like Arizona and Colorado made sales of Delta 8 illegal, despite recreational marijuana being legal there. Other states have also completely restricted the sale of Delta 8, including Alaska, Arkansas, Delaware, Idaho, Iowa, Mississippi, Montana, Rhode Island and Utah.

Some people merely want more evidence of the safety of these products. Illinois State Rep. Bob Morgan, who favors legalized recreational marijuana, is one. On April 12, he tweeted about legislation he introduced to the Illinois House floor for Delta 8 to be tested. He wrote, "Many of these products are unsafe, untested, and it's only a matter of time before someone gets hurt."

Gilkey acknowledged the difficulty, as well as the need, for quality testing. While discussing Hometown Hero CBD's rigorous safety procedures, he said: "One of the problems with the industry right now is that there are no standards and testing for Delta 8. You've got labs all over the country that are testing for Delta 9 and Delta 8, but as far as I know, there's no SOP [standard operating procedure] for Delta 8. That's something that we're trying to wrap our heads around as an industry of how do we standardize this."

Which brings up perhaps the most important question: Is Delta 8 safe? In theory, all cannabinoids are considered not incredibly harmful—physically—in their purest form, since they interact with the body's natural receptors and mimics compounds naturally occur inside humans. Anecdotal evidence, at least, suggests any effects from Delta 8 consumption are generally mild with moderate intakes and wear off within hours. Though research isn't present, long-term and heavy use may have some lasting effects on the body, as is the case with all cannabis products.

However, since Delta 8 is not FDA-approved, it's important for potential customers to do a little research on their own, especially as some companies have begun hocking it on the cheap to cash in on the craze. Thus, products could be mixed with potentially dangerous solvents to make the mixes for vaporizers, edibles and distillates (including what's used to bolster the potency of hemp flower).

This makes verifying that it's lab-tested by a third-party, independent center important. Check the product packaging or the manufacturer's website for a certificate of analysis (COA), which is a document issued by quality assurance that confirms that a product meets its product specification. These documents often show actual test results done for quality control. Many companies print QR codes on the packaging, which buyers can scan to view the COA report. For a little assistance, the ACS Laboratory, which is one the top cannabis testing companies in the country, offers a comprehensive guide on how to read COAs.

Though Delta 8 may be the new cannabinoid fad now, one can expect others to be competing for headlines and customers' wallets. In fact, there is already another cannabis compound on the horizon causing quite a buzz (so to speak): Delta-10 THC. Whereas Delta 8 is often compared to the more body-relaxing cannabis indica, users of Delta 10 liken it to sativa, which not only associated with the "high" of Delta-9 THC but is also said to stimulate creativity and alertness. Since Delta 10 operates on the other end of the spectrum than Delta 8, yet also doesn't get one quite as intoxicated as Delta-9 THC, its appeal is evident.



With a hundred-plus cannabinoids, expect to keep seeing more introduced to stores as more as availability and the means to create the products increase. As Gilkey said, "There's going to be a lot of discovery and a lot of sort of fascinating things that happen as people start understanding more of what is in these plants."



## Cannabis compound known as Delta-8 sparks debate

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 [spectrumlocalnews.com/tx/south-texas-el-paso/news/2021/04/30/cannabis-compound-known-as-delta-8-sparks-debate](https://spectrumlocalnews.com/tx/south-texas-el-paso/news/2021/04/30/cannabis-compound-known-as-delta-8-sparks-debate)

TEXAS — Ask a hemp or cannabis enthusiast about their work and they'll share with you a similar passion for the plant. But an emerging cannabis compound known as Delta-8 is creating a bit of a divide. And now lawmakers at the state Capitol could decide to regulate it.

"We're big believers in what this plant can do for people," said Morris Denton, CEO of Compassionate Cultivation.

Compassionate Cultivation is the only legal medical marijuana dispensary headquartered in Texas. Denton says he's seen the medical benefits associated with cannabis in various forms but that Delta-8 remains a grey area.

"Who do you think regulates it now? Nobody. There is a recreational market for THC in the form of Delta-8 that doesn't impose an age restriction and, you know, that's concerning because THC is a substance, is a cannabinoid that gets you high," said Denton.

Zachary Maxwell works with farmers across the state on how to harvest hemp. He's the president of Texas Hemp Growers and sees things differently.

"Delta-8 is totally changing the market right now," Maxwell said.

Maxwell says the burst in Delta-8's popularity is good news for the state's hemp industry.

"Delta-8 isn't made in grow rooms or on farms. It's actually synthesized in the labs that create the CBD oil that we're all familiar with. When those labs are able to sell more oil to the marketplace, it means they're more prone to buy from hemp farmers in this state," said Maxwell.

There's a hemp bill making its way through the state Legislature that includes some tweaks to the current hemp program that would benefit growers across the state.

"It seems odd to us that there can be thousands of CBD stores that are selling 1% THC levels and we're only allowed to have one location for the entire state and we can only sell half the amount of THC. Why is one market is being penalized?" Denton asked.

Hemp farmers and medical cannabis producers currently operate under two separate programs in Texas, which means they're following different guidelines. Lawmakers have floated the idea of including a ban on Delta-8 in the hemp bill.

"When we hear discussion from the state legislators who are right now meeting about banning Delta-8 across the whole state, we're very concerned about that because we don't want to see these economic opportunities stripped from the hands of farmers," said Maxwell.

"We could create a highly reliable, consistent, high-grade Delta-8 product and sell a ton of it, but we view that market as being really opaque from a legal and legislative, or regulatory perspective, and we don't want to step into a market that lacks that kind of clear definition," said Denton.

While Denton would like lawmakers to create some clear definitions surrounding THC, Maxwell says if lawmakers do take action, he'd rather see the state treat Delta-8 like alcohol and tobacco. Lawmakers are also on pace to expand the state's medical cannabis program, which would allow more Texans to use the plant as medicine. It would also increase the amount of THC allowed.

# Alabama Senate Committee Passes Bill to Ban Delta-8 and Delta-10 Products

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✳ ganjapreneur.com/alabama-senate-committee-passes-bill-to-ban-delta-8-and-delta-10-products

TG Branfalt

The Alabama Senate Judiciary Committee last week approved a measure that includes an amendment to outlaw Delta-8-THC and Delta-10-THC, according to Alabama Political Reporter. Both cannabinoids can be derived from hemp.

The bill's original intent was simply to add the synthetic opioid tianeptine to the state's controlled substances list. The amendment was added to the bill by Republican Sen. Arthur Orr.

In a blog post, the Alabama Cannabis Industry Association rallied against the proposal.

“It's premature to outlaw these potentially beneficial treatments for very serious conditions until research has been done. What we do know is that there have been no deaths attributed to delta-8-thc and cannabis is generally safer than even some over-the-counter medications. The Alabama Senate has the opportunity to regulate delta-8-thc and delta-10-thc in The Compassion Act so it is controlled but still accessible to people who will benefit from it in reducing suffering and improve quality of life.” – the ACIA in a blog post

ACIA President and Executive Director, Chey Garrigan, told the Political Reporter that the organization is “not opposed” to the original intent of the bill – to ban tianeptine – but stands opposed to “the criminalization of Delta 8 and Delta 10.”

In the blog post, the ACIA said that in addition to their public and individual health concerns brought by the amendment, the state would incur costs to enforce the ban.

“That's tax money that could go to roads,” the organization said. “But, if it is included as a medical cannabis product and is legalized and controlled through The Compassion Act, the state will receive taxes from the sale of it.”

The bill, which passed the committee 6-3, could be considered by the Senate this week.



# Washington Clarifies Delta-8 THC Not Legal Under Current Regulations

[ganjapreneur.com/washington-clarifies-delta-8-thc-not-legal-under-current-regulations](https://ganjapreneur.com/washington-clarifies-delta-8-thc-not-legal-under-current-regulations)



The Washington State Liquor and Cannabis Board (WSLCB) issued a [policy statement](#) this week to clarify that neither Delta-8 THC products nor the conversion of CBD, hemp products, or Delta-9 THC to Delta-8 THC, or any other cannabinoid, are currently allowed under Washington law.

In their statement, the LCB said it is aware of edibles and concentrates in Washington's cannabis market that contain Delta-8 THC and has confirmed the presence of [Delta-8 THC](#) products in markets outside of their jurisdiction. According to the statement, the controlled substances section of the Revised Code of Washington (RCW) indeed regulates "cis – or trans tetrahydrocannabinol" and their optical isomers.

Regulators additionally cited the [RCW](#) covering unfair business practices and said, "It is an unfair or deceptive practice ... for any person or entity to distribute ... or sell to a purchaser any product that contains any amount of any synthetic cannabinoid."

"For these reasons, delta-8 THC, as well as derivatives, extracts, cannabinoids, isomers, and CBD isolate from hemp or other sources that are genetically or chemically altered into compounds may not be produced or processed in LCB licensed facilities, and may not be sold in licensed marijuana retail stores." — WSLCB policy statement excerpt

In the statement, the WSLCB raises other concerns about unnatural chemicals produced during Delta-8 THC synthesis, lacking concentration and potency thresholds, and a shortage of labs capable of testing for the cannabinoid. Despite their ban on "genetically or chemically"

derived Delta-8, however, regulators said they will allow “cultivated” Delta-8 THC, seeming to carve out an exception for the cannabinoid if produced naturally by the cannabis plant.

Washington joins a growing list of states that have enacted or clarified cannabis industry rules related to the manufacturing and sale of Delta-8 THC products.



HEMP CBD

NOW  
HIRING

▲ 8 THC

18+  
NO  
CARD  
REQUIRED

4421-B

oper

RESERVED  
PARKING



WASH STATE  
WASH STATE  
WASH STATE

Hours











DELTA 8 PRO  
1999 FUSED  
PYRAMID  
GUMMIES

10 GUMMIES 25MG PER GUMMY 250MG TOTAL

- VEGAN
- NO ARTIFICIAL COLORS
- ORGANIC INGREDIENTS
- MADE IN USA



DELTA 8 PRO  
1999 FUSED  
PYRAMID  
GUMMIES

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THE HELPING FRIENDLY HEMP COMPANY

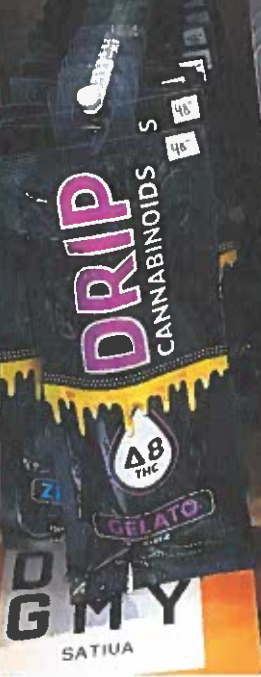
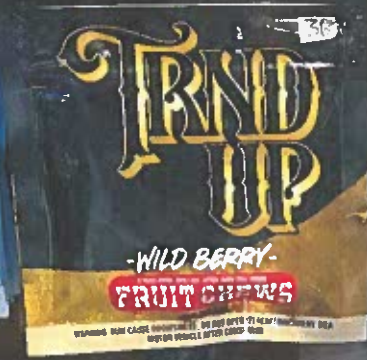
100% HEMP OIL EXTRACT - LAB TESTED - USA GROWN HEMP

100 MG PER PACKAGE 16 PIECES



FEDERALLY LEGAL DELTA8 THC

HEMP EXTRACT - DEA CERTIFIED LAB TESTED - CERTIFIED HEMP



Puff 48 40

D G M Y SATIVA



