

Parent Power: How You Can Make a Difference on Delta-8 and Kratom!

By Ellen Snelling

Ellen Snelling started grassroots advocacy as a parent who saw a problem and knew she had to do something about it. She joined the Hillsborough County Anti Drug Alliance (HCADA) in 2000 and currently serves as the Board Chair. Ellen chairs the Tampa Alcohol Coalition (TAC) and participates on the HCADA Marijuana Task Force and Prescription Drug Abuse Task Force. She is a volunteer for Mothers Against Drunk Driving and serves on the Florida Coalition Alliance and Florida Impaired Driving Coalition.

When I first started grassroots advocacy efforts 25 years ago, I felt overwhelmed by Big Alcohol and other industries that profit from addiction. How could anyone make a difference? Over the years, I have discovered that one person CAN make a difference, especially when we combine forces with other parents and community activists.

Find Others and Do the Research

I first learned about delta-8 THC two years ago when I saw a national news story about a child who ate a cake pop from a smoothie shop in Tarpon Springs, FL, and became so sick he had to be rushed to the emergency department. The parents were shocked to find out that the child was diagnosed with THC poisoning. He had accidentally been given a THC-laced cake pop at Groovy Smoothie, a local snack shop.

How could this happen in a state where marijuana is illegal? I teamed up with my friend Teresa Miller, another passionate mom who has a child in recovery. We started investigating and discovered [the delta-8 loophole](#). This loophole in federal hemp laws allowed high-potency THC products to be sold in gas stations and convenience stores in Florida and many other states.

The federal Farm Bill that legalized hemp in 2018 defines hemp as containing less than 0.3% delta-9 THC—anything above this threshold is legally considered marijuana. Bad actors from the hemp industry started synthesizing delta-8 THC and infused it into products that looked just like children's candy and snacks.



These toxic products proliferated before legislators and health officials could regulate or ban them. Hemp extract exposures increased astronomically after 2018 when the Farm Bill passed. Unsuspecting children and adults consumed hemp products thinking they were safe but ended up in emergency rooms. Alerted to the issue, Florida Poison Control Centers began collecting data on delta-8 THC exposures.

Share What You've Learned

Armed with data and research, Teresa and I met with prevention coalitions and educated them on the dangers of Delta-8. We purchased delta-8 products from local convenience stores, gas stations, and smoke shops to show as examples. We also designed posters, flyers, and colorful educational handouts. We educated teachers, parents, nurses, resource officers, and students in the schools, then reached out to government officials including, city council members, county commissioners, and state legislators.

Local Foundations, Media, and Decision-Makers

We created quite a stir and gained media attention, which helped to further spread the word about these harmful products. Our big break came when we partnered with the [Drug Free America Foundation](#), the Florida Office of Drug Control, and other coalitions around the state to travel to the State Capitol in

Tallahassee for Prevention Advocacy Day in 2023. We successfully educated our state leaders about these products and the Farm Bill loophole.

**Support
SB 1698/HB 1613**

**CLOSE THE
LOOPHOLE for
Delta-8 & all THC
Hemp Products**

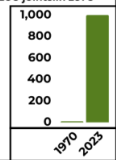
Children & teens are being deliberately targeted and tempted by Delta-8 businesses:

- Easy access to highly potent Delta-8 THC products
- Candy-like packaging
- Multiple stores located near schools

Many stores do not comply with existing regulations.

"Golden Goat": 10,000mg infused THC gummies/package:

- One gummy contains 1,000 mg, whereas a joint in 1970 had only 10 mg.
- In other words eating one gummy is equivalent to smoking 100 joints in 1970



WHAT IS THE DIFFERENCE BETWEEN HEMP & MARIJUANA?

Hemp and Marijuana are the same plant species- the main difference is the THC potency.

Delta-8 THC and other intoxicating cannabinoid products are **synthetically infused** to produce extremely toxic hemp products.


THE PROBLEM:

High potency Delta-8 THC products including edibles- candy, cookies, gummies, syrups, snacks, drinks, oils, smokeables, and vape cartridges are being sold at gas stations & vape shops throughout Florida.

- **FDA warns serious health risks** for users including vomiting, rapid heart rate, psychosis and death.
- **Emergency room** visits for children ingesting Delta-8 has significantly increased the past few years.
- **Teens** are experiencing cannabis induced psychosis, (similar to schizophrenia), suicidal thoughts & suicide.
- **Other side-effects** include cognitive memory & judgment impairment, hallucinations, vomiting, anxiety, paranoia, loss of consciousness, and more.
- **Drivers high** on Delta-8 THC are causing **fatal crashes**.
- **New THC synthetically infused products** arrive at stores daily- THC-0, HCC, THC-A, THC-Bomb & more.
- Regulating Delta-8 THC & similar products **costs millions of dollars**, from testing equipment, testing personal, to law enforcement and more.

WHAT LEGISLATION HAVE OTHER STATES PASSED ?

27 states have banned or highly regulated Delta-8: AK, CA, CT, CO, DE, HI, ID, IA, KA, LA MA, MI, MN, MS, MT, NH, NV NY, ND, OR, RI, TN, VA, UT, VT, WV, and WA.




THE RECOMMENDATION: Banning Delta-8 saves millions of dollars; saving lives is priceless.

- **Save time and money:** BAN Delta-8 THC products from both in-store and online sales in Florida. These and other trending drug products are extremely difficult to regulate. Manufacturers continue to find loopholes and create ingenious ways to market and sell their products.
- **Save Lives:** More crucially, prevent the devastating consequences that impacts every community.
 - **Protect families** from addiction leading to broken families, homelessness, incarceration, repeated recovery attempts, despair, and the loss of loved ones.
 - **Safeguard businesses** from unemployable work sources, on-the-job injuries, & impaired employees.
 - **Protect our roads** from permanent injuries or fatal crashes.
- Banning these products will **prevent Florida from becoming the Delta-8 destination state.**
- Consider significantly increasing the penalty fees for statute noncompliance.

Let's prioritize the safety and well-being of all Floridians over industry profits.

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We came equipped with [one-pagers on delta-8 THC](#) and sample products such as delta-8 Skittles and Nerds Rope, which clearly appeal to children. The legislators were not aware these products were being sold and getting into kids' hands. After we educated the legislature, Senator Colleen Burton took this information seriously and was empowered to sponsor a bill that demanded a process to ban delta-8 and regulate delta-9 in hemp extracts* and protect public health and safety, especially for our youth and young adults.



Teresa Miller and Ellen Snelling with Representative Linda Chaney.

While it was hard work over two legislative sessions, it paid off. In March 2024 we scored a victory. Data, research, advocacy, and the power of parents defeated the industry! SB 1698 passed both the House and the Senate and is expected to be signed into law by Governor Ron DeSantis any day now. SB 1698 makes delta-8 THC illegal, restricts delta-9 THC to 5 mg per serving and 50 mg per package, and forbids marketing to children.

You can also get involved by opposing other bills involving other dangerous substances, such as Kratom, another addictive natural substance with potential for abuse. Florida had two kratom-industry friendly bills entitled “Kratom Consumer Protection Act” HB 861 and SB 842. The kratom lobby is another industry introducing legislation in each state, as well as at the federal level.

HB 861/ SB 842
Kratom: An Urgent Public Health Crisis

Critical Concerns:

Alarming Mortality Rates: Over 500 deaths in Florida alone before June 2022 linked to kratom, underscoring the grave danger posed by unregulated use.

Kratom Industry: The industry challenges the accuracy of medical examiners in the number of deaths attributed to kratom, suggesting an overcount. However, the lack of specialized testing equipment likely leads to a significant undercount of kratom-related fatalities.

The FDA has not approved Kratom for any medical use. In addition, DEA has listed kratom as a Drug and Chemical of Concern.

Alabama, Arkansas, Indiana, Rhode Island, Vermont, and Wisconsin have banned kratom, along with at least three cities — Denver, San Diego and Sarasota, Florida.

"Lawmakers in Florida and across the country have been swayed by industry-backed lobbyists for the American Kratom Association, who've crafted legislation that primarily preserves the right to buy and sell kratom." Tampa Bay Times Documentary



Kratom History: Kratom, a plant native to Southeast Asia. The fresh or dried kratom leaves are commonly chewed or brewed into tea, to combat fatigue. **In stark contrast, in the United States, kratom consumption takes a markedly different form, with highly concentrated pills, capsules, and liquids being the norm.**



Overview: The absence of regulatory oversight has led to a market flooded with products of variable quality and potency, often accompanied by misleading claims about health benefits.

- **Uninformed Consumers & Lack of Standards:** Products often lack dosing instructions, missing ingredient lists, warnings about potential risks and interaction with other substances. Leading to severe health outcomes to include death whether used alone or mixed with other substances.
- **Potency and Quality Concerns:** Without regulation, there's no guarantee of product consistency, potency, or safety. Highly potent kratom extracts are available without any restrictions on their chemical composition.
- **Life Threatening Health Effects:** Kratom's effects on the body include nausea, itching, sweating, dry mouth, constipation, increased urination, tachycardia, vomiting, drowsiness, and loss of appetite. Users of kratom have also experienced anorexia, weight loss, insomnia, hepatotoxicity, seizure, hallucinations, and death. DEA (Similar side-effects as opioids.)
- **Unregulated Market- Importing of Kratom:** It is illegal to import Kratom to the United States the industry often circumvent FDA oversight, by labeling products as not for human consumption, herbal supplements, fertilizer, research chemicals, or other categories, exploiting regulatory loopholes.
- **Lack of oversight** allows for the sale of unpredictable potencies and unsafe chemical compositions of kratom products in various forms from leaves to extreme concentrates sold in gas stations, smoke shops, and online platforms.
- **Unsafe Manufacturing Processes:** Lack of standardized manufacturing processes leads to variable product quality and potential contamination.

WHAT HAVE RESEARCHERS CONCLUDED?



Researchers express several concerns about Kratom, highlighting its potential for abuse, dependence, and health risks. They are worried about the lack of reliable research on its safety and efficacy, the variability in potency and purity of kratom products, and the risk of contamination.

- "7OHMHZ pills, which contain high levels of the potent kratom alkaloid 7-hydroxymitragynine, should not be available to consumers." Dr. Sharma, a University of Florida scientist who studies kratom, likened the pills to "legal morphine". "This should not be in the market."
- "Mixing kratom with certain substances could be harmful. kratom can slow enzymes that break down various medications and illicit drugs... Medical examiners have attributed more than 30 overdoses in Florida.
- The products that worry kratom scientists the most are concentrated extracts. Such products — often found in liquid or pill form — are far stronger than dried kratom powders should be banned until further research on efficacy, dosage, potency, disease-specific treatments & more.



Recommendation: Ban kratom to allow time for further research. This would not only alleviate the financial burden, estimated to be over \$2 million dollars per year on regulatory efforts and testing equipment, but more importantly, protect public health from the unpredictable, unsafe and often deadly effects of its consumption.

1. **Mandatory Labeling and Warnings:** Require labels to disclose kratom's chemical composition, potential health risks, and clear warnings about the danger of overdose and death, not to drive while using, may be addictive, pregnant women should not use and more.
 - a. **Limit the level of mitragynine and 7-hydroxymitragynine to .1% until further research proves safer levels exist** (the compounds with opioid-like effects) currently varying widely in products & often not listed as ingredients if any labels are on products.
 - b. **Ban of kratom extracts & concentrates until further research produces guidelines necessary safety and human consumption.**
2. **Require Rigorous Testing:** Enforce stringent testing requirements for all Kratom products, including testing for contaminants and accurate labeling of potency. Ensuring consumer safety through controlled potency and purity.
3. **Educate and Inform:** Launch public health campaigns about kratom's dangers, particularly highlighting the risk of fatalities and the importance of FDA regulation.
4. **Fund Research:** Increasing funding for research to determine if kratom can be safely utilized for medicinal purposes and to accurately identify side-effects and necessary consumer warnings.
5. **Monitor and Report Adverse Effects:** Establish a system for monitoring and reporting adverse effects related to Kratom use to better understand its impact on public health.

Conclusion: The escalating death toll and concerted efforts by the kratom industry to bypass FDA regulation present an urgent public health crisis. Legislators are called upon to act decisively to regulate kratom, ensuring the safety and well-being of the public. Through informed policy and stringent oversight, we can mitigate the risks associated with kratom use and prevent further loss of life.



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www.rethinkpot.org/kratom

Teresa and I developed an [educational flyer on kratom](#) and distributed it to our legislators. We also spoke at a Senate committee hearing in opposition to SB 842 and helped stop the bill in its tracks. Next year, we plan to connect with the bill sponsors and recommend either a ban or tight regulations to keep consumers safe.

If you find an emerging drug issue in your community, don't be afraid to speak up and demand action! As parents, we must do all within our power to keep our kids safe.

