

# Delta-8 THC

Delta-8 THC is a synthetic cannabinoid derived from the hemp plant and is virtually identical to Delta-9 THC, the psychoactive component of marijuana that produces a “high.” Delta-8 carries similar risks including addiction, intoxication, and psychosis but is **commercially legal** federally and in many states and is sold in candy and vape-form at gas stations, convenience stores, and online.

Self-reported side effects from Delta-8 THC use and intoxication include: psychiatric disorders; respiratory, thoracic and mediastinal disorders; nervous system disorders including anxiety and paranoia (1).

## Delta-8 THC products are the result of a loophole in the 2018 Farm Bill

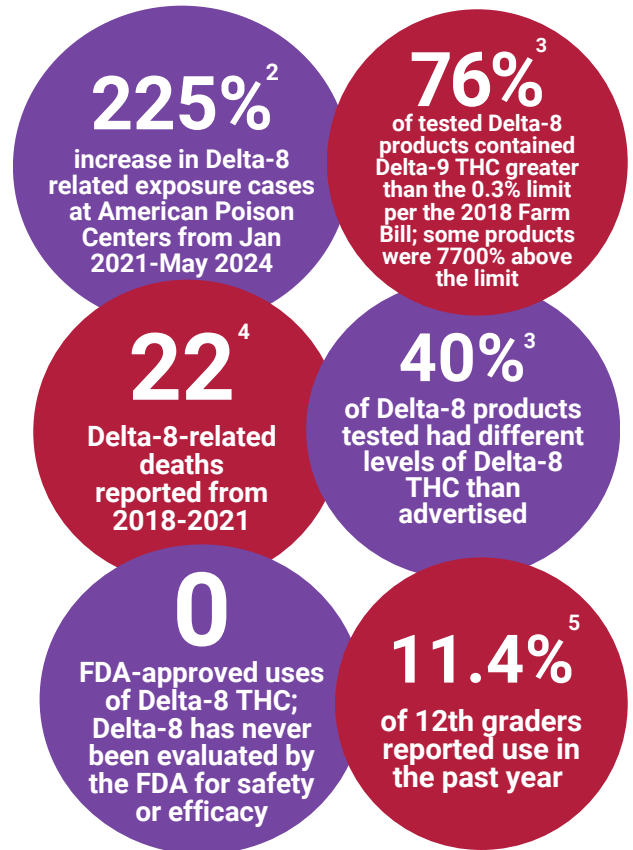
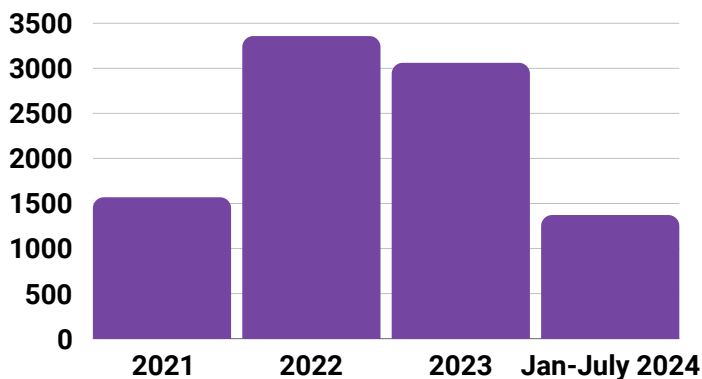


Delta-8 products are on the market as a result of the 2018 Farm Bill that legalized hemp and hemp-derived products. Delta-8 THC products are not extracted from a marijuana plant, but instead are synthetically produced through a chemical process (isomerization) that converts hemp-derived CBD into Delta-8 THC.

## Delta-8 THC has been responsible for an uptick in poison control cases

Since January 2021, America’s Poison Centers have managed 9,360 Delta-8 THC related exposure cases (6). Nearly half of these cases were accidental exposure to children. One pediatric case was coded with a medical outcome of death (7).

Delta-8 THC Poison Control Exposures from America’s Poison Centers (6)



## Federal ambiguity has resulted in a patchwork of state laws at various levels of enforcement

Hemp-derived THC products, including Delta-8 THC have been banned in over half of states and are regulated in dozens more. Nearly every state has a different law, but because of the federal loophole, these products are widely available on the internet and are shipped to all 50 states.

In one industry study, only 14% of Delta-8 THC online sellers had some form of age verification system for purchases. **Out of 44 companies, only 5 used an age verification form in compliance with the FDA age requirements and state laws,** requiring the customer to upload a photo of a government ID. One other required a signature on delivery of the package. The remaining 38 only had a pop-up asking the user to confirm they are over 18 or 21, with no other controls or verification (3).

Delta-8 is often manufactured in unsanitary conditions with the help of poisonous chemicals (7).

## Endnotes:

1. Leas EC, Harati RM, Satybaldiyeva N, Morales NE, Huffaker SL, Mejorado T, Grant I. Self-reported adverse events associated with  $\Delta$ 8-Tetrahydrocannabinol (Delta-8-THC) Use. *J Cannabis Res.* 2023 May 23;5(1):15. doi: 10.1186/s42238-023-00191-y.
2. America's Poison Control Center. (2024). Delta-8 THC. YTD Delta 8 THC Exposures America's Poison Control Center Poison Centers. Retrieved from <https://poisoncenters.org/track/delta-8-THC>
3. Johnson, L. (2021, October 21). CBD Oracle Lab study shows some delta-8 products are 7700% over the legal delta-9 THC limit. *CBD Oracle.* <https://cbdoracle.com/news/delta-8-thc-products-market-study-consumer-safety-and-legality/>
4. Simon TA, Simon JH, Hening EG, Gomez-Caminero A, Marcu JP. Delta-8, a Cannabis-Derived Tetrahydrocannabinol Isomer: Evaluating Case Report Data in the Food and Drug Administration Adverse Event Reporting System (FAERS) Database. *Drug Healthc Patient Saf.* 2023 Jan 29;15:25-38. doi: 10.2147/DHPS.S391857.
5. Harlow AF, Miech RA, Leventhal AM. Adolescent  $\Delta$ 8-THC and Marijuana Use in the US. *JAMA.* 2024;331(10):861–865. doi:10.1001/jama.2024.0865
6. America's Poison Centers. (2024). Delta-8 THC. America's Poison Centers - delta-8 THC. <https://poisoncenters.org/track/delta-8-THC>
7. Food and Drug Administration. (2022, May 4). 5 things to know about delta-8 tetrahydrocannabinol – delta-8 THC. U.S. Food and Drug Administration. <https://www.fda.gov/consumers/consumer-updates/5-things-know-about-delta-8-tetrahydrocannabinol-delta-8-thc>