



June 16, 2025

The Honorable Greg Abbott
Office of the Governor
P.O. Box 12428
Austin, Texas 78711

Governor Abbott,

As a former three-time White House Office of National Drug Control Policy (ONDCP) appointee and President and CEO of Smart Approaches to Marijuana (SAM), I urge you to protect kids in Texas and sign Senate Bill 3 into law.

As you know, SB 3, spearheaded by Lieutenant Governor Dan Patrick and Senator Charles Perry, would close the loophole permitting dangerous drugs like Delta-9 and Delta-8 THC to be sold in stores throughout the Lone Star State. Despite federal lawmakers' good intentions to support the industrial hemp industry, the 2018 Farm Bill accidentally opened the door for hemp-derived, kid-friendly THC products to flood gas station and convenience store shelves. Almost overnight, corporations across the nation began creating, marketing, and selling these products, knowing full well that they were operating against the interests of families, public health, and public safety.

Delta-8 THC is psychoactive, intoxicating, and addictive. It can be as addictive as marijuana and have many of the same consequences. According to the FDA, Delta-8 THC use is known to cause hallucinations, vomiting, tremors, anxiety, dizziness, confusion, and loss of consciousness.¹ In 2022, a four-year-old child died after eating Delta-8 THC edibles. The Virginia Department of Health determined that the sole cause of death was Delta-8-THC toxicity.²

The industry has long exploited this loophole, using it to sell THC-infused candies, drinks, and vapes to impressionable kids. The companies most invested in seeing you veto SB3 are the very actors marketing their drugs to children across Texas. Products like Delta-9 THC "Caramel Popcorn"³ and "Fruit Punch M-Fusion Edibles"⁴ are the actual names of intoxicating products sold in Texas. Nationally, we have seen how hemp-derived THC candies like this have had a negative impact on the health and well-being of children.

¹ <https://www.fda.gov/consumers/consumer-updates/5-things-know-about-delta-8-tetrahydrocannabinol-delta-8-thc>.

² <https://www.cnn.com/2022/10/21/us/virginia-mother-childs-death-thc>.

³ <https://www.restartcbd.com/product/delta-9-infused-caramel-popcorn/>.

⁴ <https://www.d8austin.com/product-page/delta-9-cbd-fruit-punch-m-fusion-edibles-800mg>.

From 2021-2025, for example, over 10,000 Americans were poisoned by Delta-8 THC.⁵ Many of these exposures were in young children. Additionally, the Monitoring the Future survey found that 12.3% of 12th graders used Delta-8 THC in 2024, up almost a full percentage point from 2023. Delta-8 THC has the same harmful impacts on teens and their developing brains as Delta-9 THC.⁶ Indeed, the FDA recently warned THC marketplace Puredozo that Delta-8 “an unsafe food additive” and that it is “a prohibited act to introduce adulterated food into interstate commerce”; the agency also cited U.S. Code mandating fines and possible jail time for violating this law.⁷ Anyone concerned about youth use of marijuana, alcohol, tobacco, or any other drug must be equally concerned about the sale and use of hemp-derived cannabinoids.

Governor, you have the power to curtail these harms today. By signing SB 3 into law, you would be putting the safety and well-being of children and families above the bottom line of an addiction-for-profit industry. While these companies profit, Texas kids are suffering the consequences. I urge you to sign SB 3 and protect the health and safety of Texas families.

Sincerely,
Dr. Kevin Sabet, PhD
President & CEO
Smart Approaches to Marijuana (SAM)
Foundation for Drug Policy Solutions (FDPS)

⁵ <https://poisoncenters.org/track/delta-8-THC#:~:text=As%20of%20April%2030%2C%202025.8%20THC%20related%20exposure%20cases.>

⁶ <https://monitoringthefuture.org/wp-content/uploads/2024/12/mtf2025.pdf>.

⁷ [https://www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-letters/latro-inc-698196-03252025.](https://www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-letters/latro-inc-698196-03252025)