

Press Release

July 24, 2023

FOR IMMEDIATE RELEASE

CONTACT:

Dr. Sharon Harris

516- 676-2008

[safeglencove@yahoo.com](mailto:safeglencove@yahoo.com)

### **SAFE Glen Cove Coalition: FDA, FTC Issue More Warnings Over Hemp-Derived Synthetic THC**

The U.S. Food & Drug Administration (FDA) and the Federal Trade Commission (FTC) targeted the companies for their online sales of products containing the synthetic form of THC. Six companies in five states have received warnings for selling illegal products containing delta-8 THC made from industrial hemp. Most states are working to reign in the synthetic products, which have proliferated after demand for off-the-shelf CBD extracts stagnated and prices and margins were trimmed; the struggling CBD producers found an outlet among the disreputable makers of delta-8 products. Delta-8 THC naturally occurs in hemp but only in trace amounts. Disreputable producers are turning out high-concentration delta-8 by putting hemp-derived CBD through a process in the lab. Delta-8 produces a psychoactive effect that is milder than that associated with delta-9 THC, the more common variety of THC found in marijuana.

The U.S. Drug Enforcement Administration asserted earlier this year that delta-8 and other forms of hemp-based synthetic THC do not meet the federal definition of hemp and are therefore controlled substances subject to federal laws for drugs. FDA rules bar the marketing of cannabis derivatives in food products, with both CBD and delta-8 THC unapproved for human and animal consumption. According to the FDA, they have repeatedly warned against making their products appeal to children. The products are offered in forms such as candy, chips, vapes and beverages in packaging and under brand names and designs that mimic well-known snack food brands. Consumers may confuse the products with existing brands, FDA maintains, bringing the risk of unintended THC consumption. FTC cited the companies for “illegally selling copycat food products containing Delta-8 tetrahydrocannabinol.” Marketing edible THC products that can be easily mistaken by children for regular foods is reckless and illegal. Companies must ensure that their products are marketed safely and responsibly, especially when it comes to protecting the well-being of children.

While delta-8 products are not legal to buy in New York, hemp-derived delta-9 THC products remain theoretically legal to buy, provided they aren't made through isomerization like delta-8. However, most recently, the New York Office of Cannabis Management communicated to hemp companies that they consider such high-THC hemp products a serious public health risk.

They are working on emergency regulations to address this issue and to clarify the permissible THC limits for hemp products. It is most likely that hemp delta-9 will not be legally available for much longer. Alternatives such as delta-10 and THC-O are banned in NY. However, HHC is a natural hemp component and is produced via a chemical process called “functionalization.” Under the current regulations, HHC products are most likely permissible.

State regulators have made it clear delta-8 products are not permitted in New York’s hemp program, citing safety and regulatory concerns. There are no concrete plans to allow its use, possession or sale outside of the regulated marijuana program. While delta-8 THC is currently permitted in New York’s medical marijuana program, it is still unclear if it is permissible in the state’s adult-use program.

SAFE is the only alcohol and substance use prevention agency in Glen Cove. Its Coalition is concerned about cannabis use- especially in youth as their brains are developing. The Coalition is conducting a prevention awareness campaign entitled “Keeping Glen Cove SAFE; Underage Marijuana Use,” to educate and update the community regarding marijuana use and its negative consequences. To learn more about the SAFE Glen Cove Coalition please follow us on [www.facebook.com/safeglencovecoalition](https://www.facebook.com/safeglencovecoalition) or visit SAFE’s website to learn more about Cannabis/Marijuana use at [www.safeglencove.org](http://www.safeglencove.org).