

HB 3000 A DELTA-8-THC

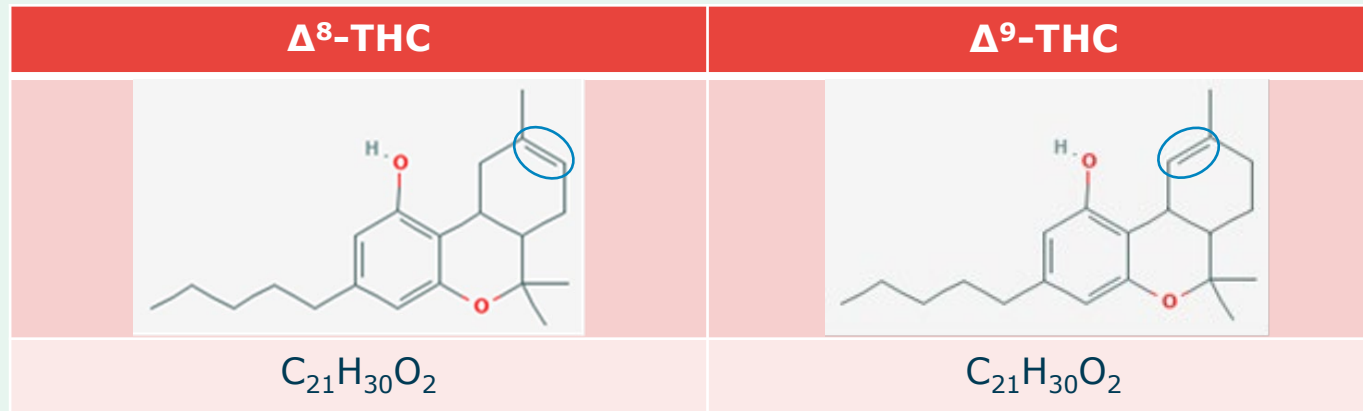
Presented by Steven Crowley,
OLCC Hemp & Processing Compliance Specialist |
April 19, 2021



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WHAT DELTA-8-THC IS

- Delta-8-THC (Δ^8 -THC, sometimes just called “Delta 8” or “D8”) is a close chemical relative of Delta-9-THC (Δ^9 -THC):

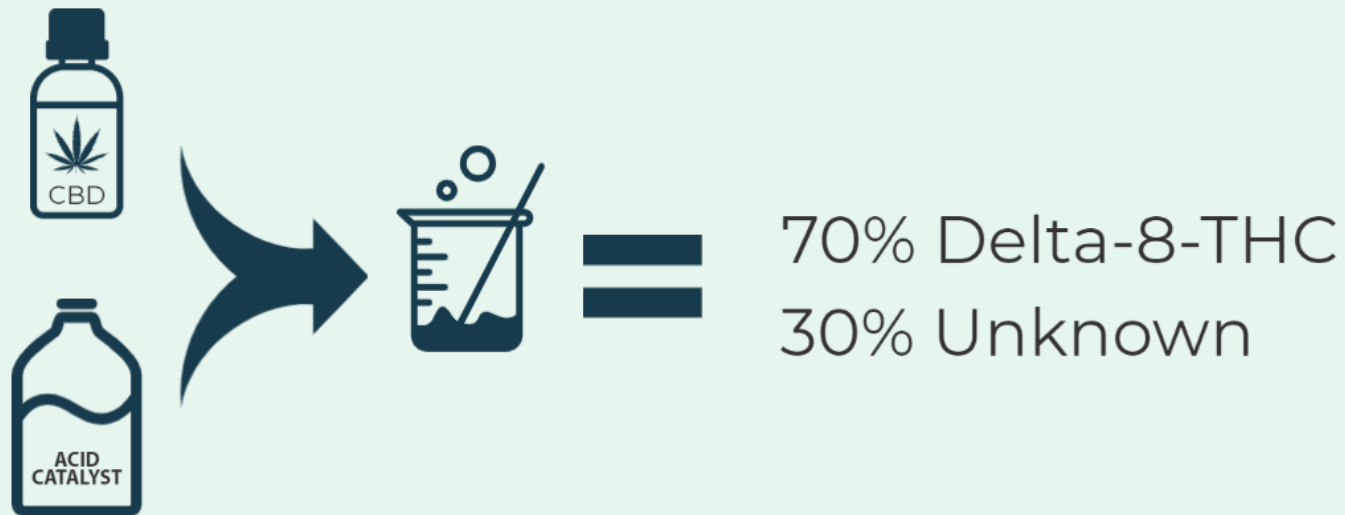


- Delta-8-THC is an intoxicating cannabinoid. Users reports effects very similar to Delta-9-THC, but less potent.
- Delta-8-THC has been reported to be naturally occurring in cannabis in **very low** concentrations, typically less than 0.1%.

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WHERE DELTA-8-THC COMES FROM

- The majority of Delta-8-THC on the market is created from CBD.
- CBD is extracted from cannabis. The extracted CBD is mixed with an acidic catalyst and heated for a period of time. This process converts much of the CBD to Delta-8-THC via “isomerization.” This also produces significant amounts of chemical byproducts with unknown health effects.



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WHY IT MATTERS

- Outside the OLCC market, these products are subject to very little regulation and may be sold by anyone and to anyone, including to minors.
- Delta-8-THC is not contemplated in statute.
- Testing for Delta-8-THC is not required.
- Testing for chemical reaction byproducts is not required.
- There are no clear potency or concentration limits on Delta-8-THC products.

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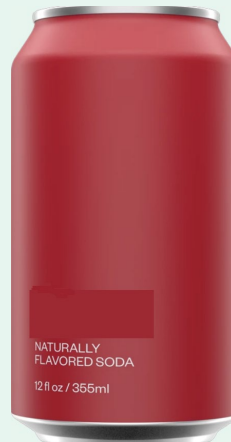
WHAT THE BILL DOES

- **Short-term:**
- Address the immediate issue of sales to minors and gaps in regulatory authority:
 - Prohibit sales of intoxicants to minors by allowing the OLCC to set potency limits for THC and artificially-derived cannabinoids.
 - Expand Oregon Department of Agriculture and OLCC authority to regulate cannabis and cannabinoids.
 - Clarify requirements for finished product testing of hemp cannabinoid consumable products.

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WHY POTENCY LIMITS?

- High-THC hemp edibles can legally be sold to consumers in Oregon, including minors, as long as they are below 0.3% Delta-9-THC.



What does 0.3% look like?		
	Hemp Potency Limit	Adult-Use Marijuana Limit
20 g pack of gummies	60 mg Δ^9 -THC	50 mg Δ^9 -THC
85g bar of chocolate	255 mg Δ^9 -THC	50 mg Δ^9 -THC
12 oz beverage	>1,000 mg Δ^9 -THC	50 mg Δ^9 -THC

(item pictured is not a marijuana or hemp item)

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WHAT THE BILL DOES

- **Longer-term:**
- Includes provision to raise the THC limit automatically if federal law increases.
 - Until federal law increase, keeps 0.3% THC as the limit. Note that 0.3% THC limit is the current limit in federal law and Oregon law.
- Establish a Task Force to consider the larger structural issues that allow intoxicating cannabis-derived products to be unregulated:
 - Where should these products fit into Oregon's legal cannabis markets?
 - What steps are necessary for adult consumers to be capable of making informed choices about consuming these products?
- Starts the process of bringing all processing of cannabinoids for human consumption in Oregon into a single regulated framework under OLCC.
 - The proposed change would require an OLCC Processor license by July 1, 2023 (due to a technical error, the current bill says by January 1, 2022).

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WHY LICENSURE?

- Currently, much of the supply chain is unregulated/untracked.
 - Only growers and primary processors register with ODA.
 - No Land Use Compatibility Statement required for secondary or tertiary processors.
 - Hemp extracts, including material with $>0.3\%$ THC, can be sold to unlicensed/unregulated secondary processors to formulate into vape cartridges, edibles, etc.
- Trackable supply chain so consumers have more confidence that:
 - Products have been properly compliance tested, with lab staff randomly selecting representative samples.
 - The lab results with a product actually come from the same production batch as the product the consumer is purchasing.