



# HEMP-DERIVED CONSUMABLE PRODUCTS and the Concern for Children and Adolescents

## The Texas Hemp Program

The Texas Hemp Farming Act allows for the cultivation of the Cannabis Sativa L. plant with Delta-9 THC concentration of not more than 0.3% on a dry weight basis.<sup>1</sup> The Act puts hemp-derived THC products, such as “Delta-8”, within the same classification as CBD since its Delta-9 THC level is below the 0.3% threshold. However, it is important to note that while CBD is not psychoactive, *hemp-derived THC products are psychoactive and therefore impairing*. A 2023 research study found companies marketing at least *26 different intoxicating cannabinoids*, including Δ8 THC, Δ9 THC, Δ10 THC, THC-A, THC-B, THC-H, THC-JD, THC-P, and HHC.<sup>2</sup>

“Δ8-THC use prevalence is appreciable among US adolescents and is higher in states without marijuana legalization or existing Δ8-THC regulations. Prioritizing surveillance, policy, and public health efforts addressing adolescent Δ8-THC use may be warranted.”<sup>3</sup> For young drivers, the combination of developmental factors, lack of experience, and the psychoactive effect of THC makes its use particularly hazardous.<sup>4</sup>

- 1. Impaired Cognitive and Motor Skills:** Adolescents are already in a stage of brain development that affects cognitive and motor functions. The introduction of THC products can further impair these functions, exacerbating the natural developmental challenges and increasing the risk of impaired driving.
- 2. Increased Risk-Taking Behavior:** Youth are more prone to engage in risky behaviors, including substance use and impaired driving. THC can amplify this tendency by impairing judgment and decision-making abilities, leading to unsafe driving practices.
- 3. Lack of Experience:** Young drivers typically have less driving experience compared to older drivers. Impairment



- from THC can make it even harder for inexperienced drivers to handle unexpected situations on the road, increasing the likelihood of crashes.
- 4. Under-regulated Products:** Hemp-derived THC products are often sold in under-regulated markets, and their potency and purity can be inconsistent. Youth may be particularly vulnerable to the effects of contaminated or high-potency products, leading to greater impairment.
  - 5. Peer Influence and Perception:** Young people might perceive hemp-derived THC as a safer or less potent alternative to other cannabis products, which can lead to higher use rates. This misperception can result in increased use before driving and a greater risk of impaired driving among youth.
  - 6. Legal and Social Consequences:** While hemp-derived THC is often marketed as legal, it can still lead to legal issues if a young driver is caught under the influence. This can have significant consequences for their future, including legal trouble and potential impacts on educational and employment opportunities.
  - 7. Health Risks:** Adolescents are more sensitive to the effects of psychoactive substances, and THC could potentially have greater negative effects on their developing brains. The combination of these effects with the responsibilities of driving can be particularly dangerous.
- In a national study analyzing young drivers ages 16 to 20, researchers observed that DUI was more likely under the influence of cannabis than alcohol; however, a sizable proportion of those reporting DUI endorsed this behavior both for cannabis and for alcohol.<sup>5</sup> Compared to sober drivers, drivers under the influence of the combination of alcohol and THC have a 25x greater crash risk.<sup>6</sup>

## Youth Protections

When developing policies, it is important to consider public education, regulation integration between agencies, and enforcement.<sup>7</sup>

- **Retailer Locations: Where products can be sold**
  - » Limiting number and locations of retailers (zoning)
  - » Limiting hours/days of sales
  - » Must be 21 to enter/purchase
- **Packaging Requirements**
  - » Prominent Warning Labels
  - » Child-resistant packages
  - » Banning THC infused edibles likely to attract youth: candies, cookies, beverages
  - » Banning products with synthetic flavors and odors
- **Regulation of Price**
  - » Increased taxes
  - » Banning price promotions
- **Limitations on Advertising and Marketing:**
  - » Ban advertising on televisions, radio, billboards, and social media
  - » Limit advertising with youth audiences
  - » No cartoons, mascots or brand modeling after children's products
  - » Prohibit health and therapeutic claims



## References

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