

# Delta-8 THC

## Key Takeaways

- Following the enactment of the federal 2018 Farm Bill, Tennessee passed SB357 Southerland/HB844 Todd which removed hemp from the definition of marijuana and de-scheduled all hemp-derived cannabinoids from the state’s own controlled substances list, including delta-8 and delta-10 THC.
- Delta-8 THC is one of over 100 cannabinoids produced naturally by the cannabis plant but is not found in significant amounts in the cannabis plant. As a result, concentrated amounts of delta-8 THC are typically manufactured from hemp-derived cannabidiol (CBD).
- In the second session of the 112<sup>th</sup> General Assembly, there was much discussion on how this product should be regulated, unregulated, or outright banned in the state.

## Questions

1. **Should Farm Bureau policy specifically address Delta-8 THC?**
2. **Are hemp and its byproducts a potential market opportunity for Tennessee farmers?**

## Background

Following the enactment of the federal 2018 Farm Bill, Tennessee passed SB357 Southerland/HB844 Todd which removed hemp from the definition of marijuana and de-scheduled all hemp-derived cannabinoids from the state’s own controlled substances list, including delta-8 and delta-10 THC.

**This means delta-8, delta-10, CBD, CBN, and all other plant compounds derived from hemp are officially legal in Tennessee.** For delta-8 to be legal in Tennessee, it must be sourced from hemp carrying no more than 0.3% delta-9 THC.

**According to the Food and Drug Administration, delta-8 THC is a psychoactive substance found in the *Cannabis sativa* plant, of which marijuana and hemp are two varieties.** Delta-8 THC is one of over 100 cannabinoids produced naturally by the cannabis plant but is not found in significant amounts in the cannabis plant. As a result, concentrated amounts of delta-8 THC are typically manufactured from hemp-derived cannabidiol (CBD).

A common phrase used in discussions of delta-8 THC is “the toothpaste is already out of the tube.” Since this substance is legal on the federal level and there is no regulatory framework on either the federal or state level, it is commonly found at convenience stores and other places selling CBD.

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It is important for consumers to be aware that delta-8 THC products have not been evaluated or approved by the FDA for safe use in any context. **There is no age requirement to purchase the product or child protection packaging requirement.** Delta-8 is legal to purchase, use, possess, sell, distribute, and produce in Tennessee under state and federal law. The product may be marketed in ways that put the public health at risk and should especially be kept out of reach of children and pets.

**In the second session of the 112<sup>th</sup> General Assembly, there was much discussion on how this product should be regulated, unregulated or outright banned in the state.** Farm Bureau did not engage in the discussion. **Proponents contend it has potential for medical use and could provide a market for farmers. Opponents believe the product is unsafe and unfit for consumers and is a psychoactive substance.**

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## **Policy**

### *Health and Medical*

The Health and Medicine Division of the National Academies of Sciences, Engineering and Medicine has determined there is substantial evidence that medical use of cannabis is effective for the treatment of certain medical conditions. Individuals with legitimate health issues should have access to the medicinal properties in medical cannabis as a pharmaceutical. Modern pharmacology should be used to develop treatments based on science and sound medical guidelines. There should be rigorous procedures to prevent the abuse of cannabis through the medical system. We oppose the recreational use of marijuana and believe there must be safeguards to avoid allowing medical cannabis to be an avenue for recreational use.