



MDDCSAM is the Maryland state chapter of the American Society of Addiction Medicine whose members are physicians and other health providers who treat people with substance use disorders.

HB1078 Cannabis - Regulation – Revisions
House Health & Government Operations Committee

March 9, 2022

FAVORABLE

Delta-9-tetrahydrocannabinol (THC) is the primary psychoactive cannabinoid chemical in the cannabis plant which produces the euphoria or “high.” Delta-8-THC is a chemical analogue of delta-9-THC, also found in the cannabis plant. Delta-8-THC can also be made synthetically. Delta-8-THC, like delta-9-THC, produces euphoria and a “high,” although probably less potently than delta-9-THC.¹

Current federal and state law make delta-9-THC and cannabis plants and products containing 0.3% or more delta-9-THC illegal as “marijuana.” A cannabis plant containing less than 0.3% delta-9-THC is considered hemp, and is legal. Delta-8-THC is currently in an ambiguous legal situation, as it is not mentioned by name in current law. Thus, products containing delta-8-THC are marketed as “legal highs.”²

HB1078 adds delta-8-THC to delta-9-THC as chemicals whose presence at 0.3% or more makes a cannabis plant or product “marijuana,” therefore illegal under current law, and not hemp, which is legal. This addition makes sense from a public health perspective. Delta-8- and delta-9-THC are pharmacologically similar. Both have potential to cause public health harms such as impaired driving and cannabis use disorder.

MDDCSAM urges a favorable report.

References:

1. Babalonis S, et al. (2022). $\Delta 8$ -THC: Legal status, widespread availability, and safety concerns. *Cannabis and Cannabinoid Research*. 6(5):362-365.
2. Kruger JS & Kruger DJ (2022). Delta-8-THC: Delta-9-THC’s nicer younger sibling? *Journal of Cannabis Research* (2022) 4:4.