



# Washington State Liquor and Cannabis Board

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# Current Landscape

## Hemp-Derived Cannabinoids (Delta 8)

- Impairing, unregulated, untested
- Chemically converted from hemp-derived CBD
- Widely available online and mass-marketed in retail stores not licensed for cannabis sales
- Industry is divided over how to handle

### *Common themes from stakeholders*

- *Delta-8, other impairing cannabinoids should be regulated*
- *Artificial (fake) cannabinoids should not be in the marketplace*





# LCB's Strategic Response

## Iterative, Three-pronged Approach:

### Research and Analysis

- Legal
- Academic (literature review)
- Scientific (plant chemistry)

### Policy Development

- Agency request legislation
- Issued [Policy Statement PS21-01](#) (THC compounds other than delta-9)
- Robust internal and external discussion
- Ongoing evaluation



# LCB's Strategic Response

## Rule Development

- Expanded, inclusive stakeholder engagement
- Focused rule inquiry
- Well-designed rule proposal
- Creates a frame to implement future legislation



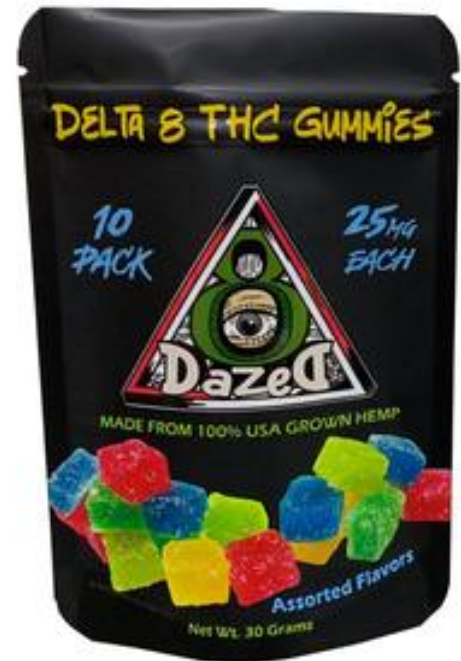
## Key Issues

- Address concerns of stakeholders related to impairing cannabinoids that are not clearly covered in RCW
- Improve public health and safety through regulating all impairing cannabinoids, current and future
- Establish definitions for common terms to mitigate the risk of misinterpretation and increase consistency in understanding and application of law
- Provide opportunities to use non-impairing cannabinoids beyond CBD as additives to “marijuana”
- Mitigate youth access risks
- Improve ability to respond to emerging issues relating to impairing cannabinoids



# Regulatory Gaps

- False or misleading statements
- Structure or function claims
- Mimicking packaging of well known candy, snack products
- Packaging and advertising may be especially appealing to persons under 21
- THC concentration definition in statute recognizes only Delta-9 THC
- Federal Farm bill did not envision hemp as impairing consumer product





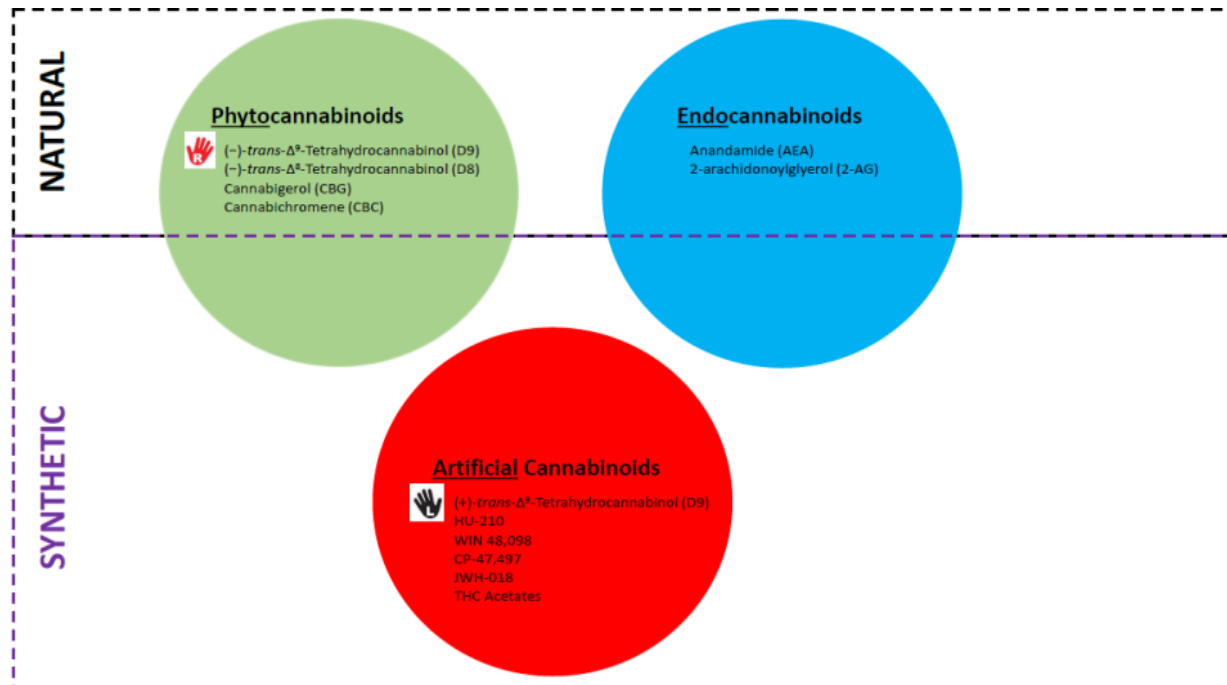
## Policy/Legislative Goals

- Address concerns about impairing cannabinoids that are not clearly covered in RCW
- Improve public health and safety through regulating all impairing cannabinoids, current and future
- Mitigate risk of youth access
- Improve ability to respond to emerging issues relating to impairing cannabinoids
- Allow science to inform policy
- Limit sales of impairing cannabinoid products to only licensed cannabis businesses



## (cont.) Policy/Legislative Goals

- Establish definitions for common terms to mitigate the risk of misinterpretation and increase consistency in understanding and application of law







## (cont.) Policy/Legislative Goals

- Prohibit artificial cannabinoids
- Expand disclosure to consumers, testing requirements for additives
- Provide opportunities to use non-impairing cannabinoids beyond CBD as additives to “marijuana”
- Bring all impairing cannabinoids into the regulated market framework
- Strong focus on consumer safety





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**Questions?**