



Support legislation to prevent child and youth access to intoxicating cannabis

Recommendation: The CTF supports legislation and/or other measures to ensure the protection of children from harmful intoxicating hemp/cannabis products to accomplish the following: prevent the sale or distribution of such products to those under 21; require the packaging of such products to contain appropriate warnings, be child-resistant and to prohibit packaging that is attractive to children and youth; require permitting for retailers who sell such products; and prohibit those under 21 from entering vape shops.

In 2018, the federal Farm Bill legalized hemp production and CBD that comes from hemp, and the definition of hemp in the bill resulted in a surge in the manufacture and sale of intoxicating cannabis/hemp products construed to be legal under the new laws.¹ North Carolina laws related to the legality of hemp were revised to align with federal law and permanently exclude hemp from the State Controlled Substances Act.² **These intoxicating products are widely available and being sold by various types of NC retailers, especially vape shops, in a variety of forms like candy, snack foods, drinks, and vapes.**

Cannabidiol (CBD) and tetrahydrocannabinol (THC) are both naturally occurring compounds called cannabinoids found in cannabis plants. The 2018 Farm Bill legalized CBD that comes from hemp, defined by the Farm Bill as cannabis containing less than 0.3% delta-9 THC by weight. This threshold has a different impact when applied to a hemp plant compared to hemp-derived products. Also, the bill did not address the legal status of other forms of THC besides delta-9. Semi-synthetic THC forms, like delta-8, delta-10, and many others, have become widely available. **Products that claim to be legal under the Farm Bill may contain high levels of intoxicating THC.** An example from the Cannabis Regulators Association: “A 50-gram chocolate bar at 0.3% THC would have around 150 mg of THC (30 times the standard 5 mg THC dose established by the National Institute on Drug Abuse).”³

Harmful impacts of intoxicating cannabis on children and youth

Many intoxicating cannabis edibles have packaging that appeals to children or mimics other popular snacks. Unlike some other states, **there is no minimum age for the purchase of intoxicating cannabis products in North Carolina and no safety regulations are in place for packaging, presenting dangers to children and youth of all ages.**

Since 2018 and following this surge in the availability of intoxicating cannabis, the rate of emergency department visits in North Carolina for cannabis consumption among children and youth ages 17 and under increased more than 470 percent; among children age 10 to 14, the rate increased nearly 800 percent.⁴ National data shows that cannabis-related incidents reported to poison control centers increased from about 930 cases in 2009 to more than 22,000 in 2024, and there are cases in which children need intensive care treatment.⁵ Young children and youth can have severe reactions to ingesting cannabis including breathing problems,⁶ and youth who use intoxicating cannabis can experience multiple negative impacts such as: problems with memory, learning, school and social life; impaired driving; potential for addiction; and increased risk of mental health issues including depression, anxiety, psychosis, schizophrenia, and suicidal behaviors.⁷



One of these is an intoxicating cannabis product and one is not; can you tell the difference?

The NC Child Fatality Task Force heard from a Special Agent of the North Carolina Alcohol Law Enforcement Division (ALE) of the Department of Public Safety about what ALE sees related to intoxicating cannabis products and what’s happening in vape shops. ALE is the agency charged with enforcing compliance with state laws related to alcohol and tobacco sales (as well as other laws). The lack of permitting or licensing in NC for retailers like vape shops that routinely sell tobacco and cannabis products combined with the lack of regulations around the cannabis products means that ALE doesn’t know who all these retailers are and ALE has limited authority – they can only enforce existing state laws.

ALE responds to reports that involve things like illegal activity at a vape shop or a youth becoming ill from a product sold in a vape shop. The ALE Special Agent explained to the Task Force that when ALE’s response includes testing cannabis products, the contents of the products can vary widely and usually exceed the legal delta-9 THC limit, with some products containing levels up to 30 times the legal threshold. ALE raids on vape shops have often resulted in seizures of illegal products and felony charges for illegal activities.⁸

A new federal law passed in November of 2025 that goes into effect in November of 2026 makes many of these products illegal by changing the definition of hemp again; the change is intended to prevent the unregulated sale of intoxicating hemp products that began occurring after the 2018 Farm Bill changed the definition of hemp.⁹ However, there is a great deal of uncertainty surrounding implementation and enforcement of the federal law . A Library of Congress publication analyzing this change in the federal law discusses this uncertainty, and other articles have done so as well.¹⁰ In the meantime, North Carolina children and youth are still at risk and may continue to be even after federal laws are in place, unless there is state action to protect them.

The North Carolina Child Fatality Task Force is a legislative study commission mandated by state law to study and report on child deaths and make policy recommendations to the governor and General Assembly to prevent child deaths and promote child well-being.

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¹ Information on the 2018 federal Farm Bill and the resulting surge in the manufacture and sale of intoxicating cannabis: Harlow AF, Leventhal AM, Barrington-Trimis JL. [Closing the Loophole on Hemp-Derived Cannabis Products: A Public Health Priority](#). JAMA. 2022 Nov 22;328(20):2007-2008. doi: 10.1001/jama.2022.20620. PMID: 36331491; PMCID: PMC10406389; National Academies of Sciences, Engineering, and Medicine. 2024.

[Cannabis Policy Impacts Public Health and Health Equity](#). Washington, DC: The National Academies Press. <https://doi.org/10.17226/27766>; Blog on the website for the Association of State and Territorial Health Officials, “[Hemp’s Hazy Legal Status Challenges Public Health Efforts](#),” by Christina W. Severin, BSN, JD; CANNRA Urges Federal Action to Address Hemp-Derived Cannabinoid Product Regulation, Cannabis Regulators Association, 2023: <https://www.cann-ra.org/news-events/sx2s63c2fudq9n0zmk4ekviku9747f>.

² See North Carolina [Session Law 2022-32](#). ([Session Law 2018-113](#) is also relevant in terms of definitions related to hemp and THC.)

³ CANNRA Urges Federal Action to Address Hemp-Derived Cannabinoid Product Regulation, Cannabis Regulators Association: <https://www.cann-ra.org/news-events/sx2s63c2fudq9n0zmk4ekviku9747f>.

⁴ Source: NC DETECT ED Visits, Cannabis Consumption Definition, pulled 3/2026; analysis by the Injury and Violence Prevention Branch, NC Division of Public Health, NC Department of Health and Human Services.

⁵ Danielle Ivory, Julie Tatte and Megan Twohey. “Cannabis Poisonings Are Rising, Mostly Among Kids.” *New York Times website*, August 10, 2025. Poison control data from America’s Poison Centers.

⁶ [Cannabis and Poisoning](#) page on the website for the U.S. Centers for Disease Control and Prevention: <https://www.cdc.gov/cannabis/health-effects/poisoning.html>.

⁷ [Cannabis Risk Factors](#) page on the website for the U.S. Centers for Disease Control and Prevention: <https://www.cdc.gov/cannabis/risk-factors/index.html>; [Cannabis and Teens](#) page on the website for the U.S. Centers for Disease Control and Prevention: https://www.cdc.gov/cannabis/health-effects/cannabis-and-teens.html#cdc_risk_factors_who-negative-effects-of-teen-cannabis-use. See also: Hinckley J, Mikulich-Gilbertson S, He J ... Cannabis Use Is Associated With Depression Severity and Suicidality in the National Comorbidity Survey–Adolescent Supplement JAACAP Open, 2023; 1, 24-35, [https://www.jaacapopen.org/article/S2949-7329\(23\)00003-0/fulltext](https://www.jaacapopen.org/article/S2949-7329(23)00003-0/fulltext).

⁸ Information on ALE activities with vape shops sourced from a presentation by an ALE officer to the Child Fatality Task Force on December 10, 2024.

⁹ “Change to Federal Definition of Hemp and Implications for Federal Enforcement.” *Congress.gov*, Library of Congress, 23 March 2026, <https://www.congress.gov/crs-product/IN12620>. <https://www.congress.gov/crs-product/IN12620>.

¹⁰ Ibid. See also, e.g., blog post from the UNC School of Government, December 17, 2025: <https://www.sog.unc.edu/about/news/faculty-member-phil-dixon-discusses-how-federal-restrictions-thc-will-impact-growing-hemp-economy>.