



Support legislation to prevent child and youth access to intoxicating cannabis

**Recommendation:** Support legislation to prevent child and youth access to intoxicating cannabis by: prohibiting the sale or distribution of intoxicating cannabis or hemp products to those under 21; implementing regulations for the packaging of such products to require appropriate warnings, child-resistant packaging, and to prohibit packaging that is attractive to children and youth; requiring permitting for retailers who sell intoxicating cannabis or hemp products; and prohibiting those under 21 from entering vape shops.

In 2018, the federal Farm Bill legalized hemp production and CBD that comes from hemp, and the wording of the bill, including the definition of hemp, resulted in a surge in the manufacture and sale of intoxicating cannabis products.<sup>1</sup> NC laws related to the legality of hemp were revised to align with federal law and permanently exclude hemp from the State Controlled Substances Act.<sup>2</sup> These intoxicating products are being sold by various types of NC retailers, especially vape shops, in various forms like candy, baked goods, snack foods, beverages, and vape pens.

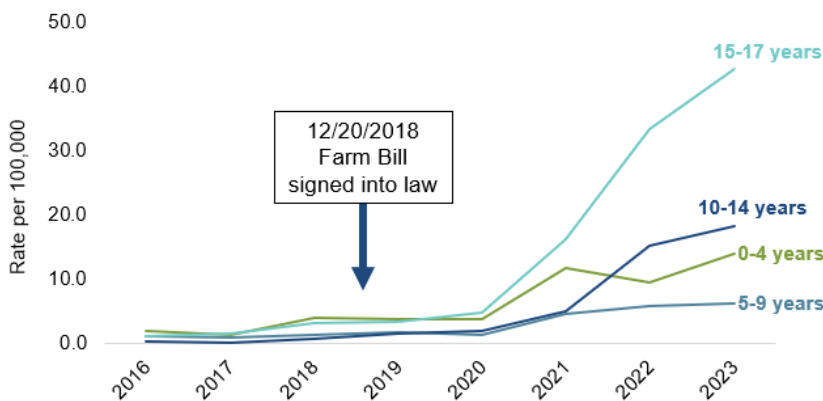
Many intoxicating cannabis edibles have packaging that appeals to children or mimics other popular snacks. Unlike some other states, **there is no minimum age for the purchase of intoxicating cannabis products in North Carolina and no safety regulations are in place for packaging, presenting dangers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



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

Since 2019 and following this surge in the availability of intoxicating cannabis, the rate of emergency department visits in North Carolina for intoxicating cannabis ingestion among children and youth ages 17 and under increased more than 600 percent; among older teens, the rate increased more than 1000 percent. Young children and youth can have severe reactions to ingesting cannabis,<sup>3</sup> 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.<sup>4</sup>

Emergency Department Visit Rates in North Carolina for THC Ingestion for Kids Ages 0 - 17



Data source: NC DETECT, 2016-2023 ED Visits; THC Ingestion Case Definition, pulled 11/2024, NC Division of Public Health, NCDHHS

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 being manufactured and sold that claim they are legal under the 2018 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).”<sup>5</sup>**

The NC Child Fatality Task Force heard from a Special Agent of the Alcohol Law Enforcement (ALE) Division of the NC 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/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. 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.

**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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<sup>1</sup> 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>.

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

<sup>3</sup> [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>.

<sup>4</sup> [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](https://www.cdc.gov/cannabis/health-effects/cannabis-and-teens.html#cdc_risk_factors_who-negative-effects-of-teen-cannabis-use).

<sup>5</sup> CANNRA Urges Federal Action to Address Hemp-Derived Cannabinoid Product Regulation, Cannabis Regulators Association: <https://www.cann-ra.org/news-events/sx2s63c2fudq9n0zmk4ekviku9747f>.