



# NH LIQUOR COMMISSION - DIVISION OF ENFORCEMENT





# 2018 FEDERAL FARM BILL



- In 2018, the Federal Farm Bill was passed
- Reclassified hemp, containing no more than 0.3% **delta-9 THC ONLY**, no longer a Schedule I controlled substance under the Controlled Substance Act.
- The new definition was “Delta-9 THC concentration of not more than .3% on a *dry weight basis*”.



# WHAT THEY MISSED



- The law only referenced Delta-9 THC, the main psychoactive compound in marijuana. The law didn't restrict other THC forms (Delta-8, Delta-10, Delta-11, THC-O, THC-A, HHC).
- Cannabis growers and chemists realized the loophole, and began to change chemical structures of THC, and created synthetic compounds like Delta-8, Delta-10, Delta-11, THC-O, THC-A, HHC
- All of these compounds were legal at the federal level



# WHAT FOLLOWED?

- Delta-8, Delta-10, Delta-11, THC-O, THC-A, HHC vapes, edibles, pre-rolled joints, green bud, drinks flooded the stores whether legal or illegal at the state level
- Distributors tell naive store owners “they are legal”, store owners put them on the shelves



# CONCERNS FROM THE DIVISION



- NO AGE RESTRICTIONS- my 11-year-old can buy this marijuana from the corner store
- No labeling/packaging/advertising restrictions or requirements
- No testing requirements/laboratory requirements
- No enforcement or regulatory oversight

**IT IS MIRRORING LEGALIZED CANNABIS WITHOUT  
ANY REGULATION**



# NEW HAMPSHIRE DEFINITIONS



- In 2023 New Hampshire amended RSA 439-A
- *RSA 439-A:4 Hemp-Derived Products Containing THC Prohibited.*
- *Nothing in this chapter shall be construed to authorize the sale of products that are derived from hemp which contain natural or synthetic tetrahydrocannabinol (THC) greater than 0.3 percent on a dry weight basis, which appear in any formulation, including delta-8 THC, delta-9 THC, or any other THC isomer variant.*



# NEW HAMPSHIRE HEMP



- While the New Hampshire definition is very restrictive, the State's hemp program is still run by the Federal USDA
- No NH agency in charge of ensuring the hemp products being sold are compliant with NH definitions or statutes
- With no regulatory oversight, many intoxicating and illegal hemp products have made their way on to the shelves of New Hampshire retailers.



<0.3%  
THC

1000 MG  
RECHARGEABLE  
DISPOSABLE PEN  
Net Wt 1g (0.035 oz)





# CHIEF STIX™

**DELTA 8 DISPOSABLE PEN**

**SMOKE HEMP, NOT TOBACCO™**

**0% TOBACCO**

**0% NICOTINE**

**UNIQUE TERPENE BLEND**

**NO CUTTING AGENT (NO VP & NO PG)**

**LAB TESTED FOR YOUR SAFETY**

**100% FARM BILL COMPLIANT**

Ingredients: hemp broad spectrum oil and terpenes.

Distributed by:  
H Hemp Co  
Medford Oregon  
[www.hhemp.co](http://www.hhemp.co)  
1-888-HHEMPCO

**MUST BE 21+ AGE TO PURCHASE. CONTAINS LESS THAN 0.3% TOTAL DELTA-9-THC ON A DRY WEIGHT BASIS. FDA HAS NOT EVALUATED THIS PRODUCT FOR SAFETY AND EFFICACY. PRODUCT IS DERIVED FROM HEMP AND MAY CONTAIN THC WHICH COULD RESULT IN A FAILED DRUG TEST. USE WITH EXTREME CAUTION. EFFECT MAY BE DELAYED 1-3 HOURS. THIS PRODUCT MAY CAUSE DROWSINESS OR INTOXICATING EFFECTS. DO NOT OPERATE VEHICLE OR HEAVY EQUIPMENT WHEN USING PRODUCT. SMOKING WHILE PREGNANT OR BREASTFEEDING MAY BE HARMFUL. KEEP AWAY FROM PETS AND CHILDREN. NOT INTENDED FOR INGESTION. DO NOT EAT.**



**WARNING: CANCER AND REPRODUCTIVE HARM**  
[WWW.P65WARNINGS.CA.GOV](http://WWW.P65WARNINGS.CA.GOV)

SCAN FOR COA



MADE IN USA

Batch ID

CS-1G08H-1088

Best By: 08/01/2024



WWW.OSWARNINGS.COM





# LAB RESULTS

Cannabinoid	% wt	mg/g
CBN	0.34	3.4
Delta-8-THC	82.9	829.0
Delta-9-THC	0.2	2.0
<b>Total Cannabinoids</b>	<b>83.44</b>	<b>834.4</b>
<b>Calculated Delta-9-THC Yield</b>	<b>0.20</b>	<b>2.00</b>
<b>Calculated CBD Yield</b>	<b>0.00</b>	<b>0.00</b>

Calculated Maximum Delta-9-THC Yield = Delta-9-THC + 0.877 \* THCA  
Calculated Maximum CBD Yield = CBD + 0.877 \* CBDA



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# CONCERNS FROM THE DIVISION



We are seeing more products being marketed toward youth







Delta-A THC products – claim to be under .3% - no regulatory structure to ensure products are what they say they are.

Picture from a gas station in Seattle Washington – many similar products have been found in New Hampshire stores



Products located in  
a New Hampshire  
Convenience Store



# WHAT ARE WE SEEING?





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# WHAT CAN WE DO? SB 624



- Caps total THC per container at 0.4 mg (including all THC forms like THCA)
- No one under 21 can purchase, possess, or consume any hemp-derived THC product
- Penalties for individuals and licensees \*\*
- Requires liquor/tobacco licensees and other sellers to comply and it prohibits sale to minors



# INHALANTS



Watermelon Cosmic Gas/Vanilla Ice Cosmic Gas



# INHALANTS



- Most of these products are not illegal on face value
- In the past people used common household products to get high – hairspray products, aerosols, computer cleaners, spray paints, cleaning products
- We are now seeing inhalants in stores that are clearly manufactured products used to get high
- **\*\*Nitrous bill passed this session which will help\*\***



# WHAT ARE WE SEEING? KRATOM!



- Vapes, drinks, pills, edibles, drinkables



# WHAT ARE WE SEEING?



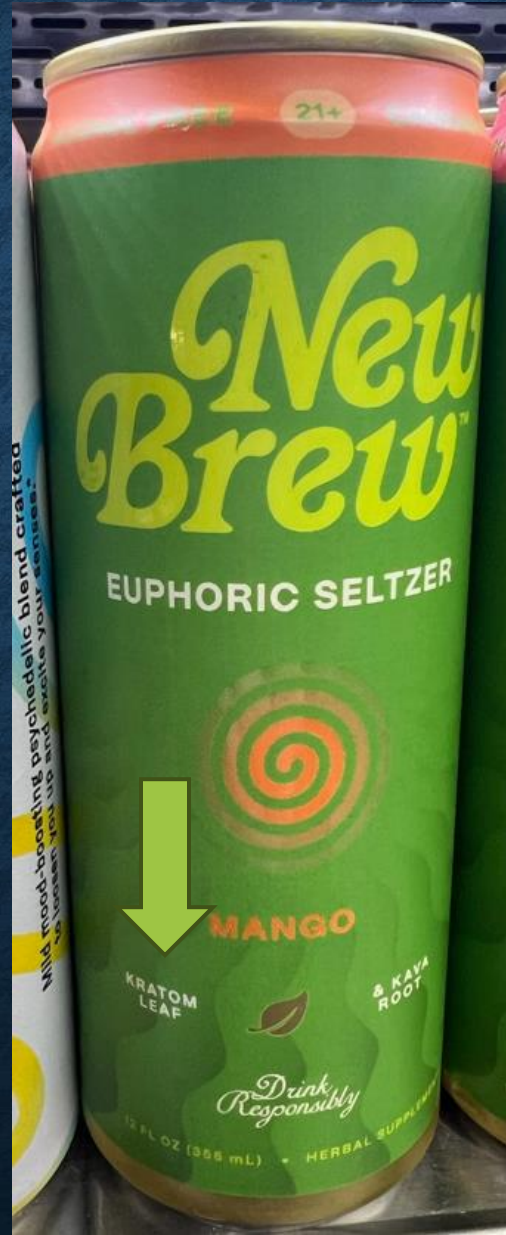


# WHAT ARE WE SEEING?





# WHAT ARE WE SEEING?





# WHAT CAN WE DO? SB 557



- A Kratom bill passed this session which banned it in liquor/tobacco licensed establishments
- Bill may go to committee of conference
- Kratom bill's future - UNKNOWN



# EMERGING TRENDS IN STORES?



- Poppers (strong industrial chemicals that are inhaled)
- Many types of MUSHROOMS (drinks, candy, etc.)
- 7oh, 8oh, 11oh – alkaloid family chemicals
- Blue Lotus- Fort Drum overdose
- UNKNOWNNS- next round of substances



# WHAT CAN WE DO?



- Industry Circulars
- Unlawful Purpose – Aggravated – Public Health and Safety
- Report products found in licensed establishments to NH Liquor Enforcement
- Support and Coordination with Local and State Law Enforcement



# WHAT CAN YOU DO?



- Get informed
- Notify key players
- Keep up the pressure for action



# THANK YOU



For more resources, visit our website:

[www.nh.gov/liquor/enforcement](http://www.nh.gov/liquor/enforcement)

Or call us at (603) 271-3521