



**NORTH CAROLINA
ALLIANCE FOR HEALTH**

**Permitting as part of Tobacco 21 will reduce youth access to
cannabinoids and tobacco vapes**

- 1) Currently, the Alcohol Law Enforcement (ALE) Division of the NC Department of Public Safety does not have statutory authority to inspect vape shops that are selling vape devices and other tobacco products to underage youth. If the ALE Division receives a complaint from a parent or other source, they need to obtain a warrant to conduct an inspection for tobacco / vape stores. A state permitting law would remove this barrier so that ALE can be more effective in keeping retailers from selling vape products to underage kids.
- 2) Permitting would create a statewide dataset on where vapes and tobacco products are being sold.
- 3) Knowing all the points of sale are would enable the ALE Division; the Division of Public Health Tobacco Prevention and Control Branch; and the Division of Mental Health, Developmental Disabilities and Substance Use Services - along with community coalitions - to effectively conduct retailer education on the law and help to train retail staff.

Issue Background on Cannabis in Vapes

In 2018, Congress passed a comprehensive agricultural policy bill called the Farm Bill. In this legislation, Congress legalized the sale and production of hemp. The 2018 Farm Bill defines hemp as “the plant *Cannabis sativa* L. and any part of that plant... With a delta-9 THC concentration of not more than 0.3 percent on a dry weight basis.” The Farm Bill does not mention other cannabinoids derived from hemp. This gray area has allowed for a proliferation of other hemp-derived cannabinoids, such as delta-8 THC, delta-10 THC, THC-O, THC-A, THC-B, THC-P, that are widely available in vaping cartridges.

The creation of these semi-synthetic cannabinoids derived from CBD in hemp was not the intent of the Farm Bill. The immense variety and potency of these products that are available makes regulation almost impossible because there is potential for an unlimited number of derivations of these products.

There is no federal mandated age limit to purchase these products, nor have they been approved by the US Food and Drug Administration.

Source: Information provided upon request from the NC Tobacco and Prevention Control Branch, Division of Public Health, NC Department of Health and Human Services

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