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UDAF Issues Statement Regarding Synthetic and Derivative Cannabinoids

Taylorsville, UT - The Utah Department of Agriculture and Food (UDAF) is issuing the following statement to offer clarification on the presence of synthetic and derivative cannabinoids in hemp and medical cannabis products in response to some recent concerns put forth by members of the public and media.

Cannabinoids, such as delta-9 THC and CBD, are generally regarded as the primary active ingredients in hemp and cannabis products. Because delta-9-THC, CBD, and a few other cannabinoids that are more abundant in cannabis plants have been used by humans for thousands of years, the potential of these cannabinoids to directly harm those who use them is generally considered to be low. However, other cannabinoids which are not generally present or are less abundant in cannabis plants, do not have the same history supporting their safety. While the health effects of these minor cannabinoids are unknown, some negative health outcomes have been reported.

These minor cannabinoids can now be obtained by producers in much greater quantities using selective genetic techniques or semi-synthetic/synthetic production. These cannabinoids have not been sufficiently used or researched and are considered poorly characterized. The presence of large amounts of some of these poorly characterized cannabinoids in hemp and medical cannabis products is concerning to UDAF because their safety is unknown. This is especially true of cannabinoids that are produced semi-synthetically/synthetically because they are frequently produced in poorly controlled conditions and may contain other unidentified contaminants. Due to recent increases in the availability of products that contain poorly characterized cannabinoids, UDAF is providing the following clarifications and information for consumers for both hemp and cannabis products.

Hemp Products

As the primary regulator of hemp products in Utah, UDAF has taken steps to prevent products that contain poorly characterized cannabinoids from being sold as hemp products at retail stores that are open to the public. While compliance with these regulations is rapidly increasing, consumers may still be able to find such products on some store shelves. These products are frequently labeled as containing THC-O, delta-8 THC, THCP, and HHC, however, this list is not exhaustive and new synthetics are being released frequently. Manufacturers intentionally include the majority of these poorly characterized cannabinoids in their hemp products as a replacement for delta-9 THC in an attempt to evade state and federal regulation. UDAF urges

consumers to act with caution when buying hemp or “CBD” products and not use products that contain unfamiliar ingredients. We urge the public to report retail stores that are selling these types of products to UDAF using the [UDAF Industrial Hemp and Cannabinoid Product Complaint Form](#).

Medical Cannabis Products

Some poorly characterized cannabinoids may be found in medical cannabis products in Utah and across the country. However, they are typically found in small amounts and may be unintentionally created during the processing of cannabis to produce vape carts, gelatinous cubes, tinctures, and other cannabis-derived products. Recently, in conjunction with other local labs, UDAF’s lab was able to positively identify several poorly characterized cannabinoids that are commonly found in small amounts in some cannabis extracts. These cannabinoids were identified as 9R-delta-6a,10a-THC, 9S-delta-6a,10a-THC, (6aR,9R)-delta-10-THC, and (6aR,9S)-delta-10-THC. Following the identification, UDAF placed the products that contained significant amounts of the previously unidentified cannabinoids on hold and alerted the Utah Department of Health and Human Services (DHHS). Following their investigation, DHHS informed UDAF that they were unable to find any evidence that these cannabinoids are harmful to human health at this time, so the product holds were released. DHHS issued a [public bulletin](#) to encourage people to be aware of these products and discuss the potential risks and benefits of using products with these ingredients with their healthcare provider or pharmacist.

State law requires that all cannabis products be tested for an extensive list of contaminants that are known to be harmful, and UDAF oversees this testing. UDAF does not conduct original research to determine the safety of cannabinoids or any other component of a consumer product. UDAF relies on experts at the FDA, USDA, DHHS, and other similar bodies with relevant expertise to make these determinations. At this time, UDAF has not been presented with evidence showing harm from these cannabinoids, nor is there a law requiring that any cannabinoid be classified as a deleterious substance. Until clear direction from a reputable public health body is given or a relevant law is passed, patients should talk to their prescribing physician and pharmacist about the ingredients in any product they are using to treat a condition. Out of an abundance of caution, UDAF and DHHS are working with legislators to address the presence of poorly characterized cannabinoids in hemp and medical cannabis products in Utah.

Some media sources recently published information related to this topic that contained several factual inaccuracies that UDAF would like to correct:

- UDAF’s investigation determined that these recently identified cannabinoids were being produced from cannabis that was grown in accordance with state law. The available evidence suggests that they result from the degradation of delta-9-THC during short-path distillation of ethanol extracts.
- At this time, UDAF has seen no evidence that these cannabinoids came from “hot hemp.” We are investigating this claim as it is illegal to use “hot hemp” oil to produce medical cannabis products in the state.
- These recently identified cannabinoids are present in a small portion of medical cannabis products in Utah and generally in small amounts.
- Utah law requires that all cannabinoid concentrates be tested for an extensive list of potential contaminants and adulterants prior to being used to produce a medical cannabis product.
- A small number of Utah medical cannabis products contain delta-8-THC, but they are required to be labeled as such. UDAF is seeking guidance from public health officials to determine if delta-8-THC and other poorly characterized cannabinoids should be restricted or limited in medical cannabis products.

- Medical cannabis patients can easily determine what cannabinoids their products contain by looking at the label or talking to their pharmacist.
- Utah Code Chapter 4-41 covers hemp and hemp-derived product regulation in Utah, 4-41a covers medical cannabis regulation.

UDAF and DHHS are concerned for the safety of patients. Like all state agencies, they are accountable to the Governor's Office, the Legislature, and the public; as such, their authority is limited. Under current law, in order to restrict an ingredient from inclusion in a medical cannabis product, the departments need reliable evidence that the ingredient is harmful or authority from a law that bans or identifies the ingredient as harmful.

Public input is important to UDAF and DHHS as laws and regulations surrounding Medical Cannabis continue to evolve. If members of the public have concerns or suggestions about current law and statutes, please contact your legislators.

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