

THREE FACTS

THE INTOXICATING HEMP DELAY CROWD WON'T PUT ON A ONE-PAGER

Why Congress should ensure the November 12 hemp redefinition take effect as written

01. CONSUMER AND CHILD SAFETY COME BEFORE PROFIT — FULL STOP

Intoxicating hemp products are sold today with **no age verification, no required testing, and no consistent labeling**, blatantly advertised towards children.

35 State Attorneys General today submitted a letter¹ supporting continued closure of the intoxicating hemp loophole; None of this is happening in the dark.

A Villanova University study found that 87% of adults incorrectly believe intoxicating hemp products are government regulated — meaning millions of consumers are buying products they assume are safety-tested when they receive less oversight than a bottle of vitamins.

The market is full of **products that are mislabeled for potency** and contain undisclosed contaminants, including battery acid, pool cleaner, and ammonia-based cleaners found in tested products².

Products are packaged and deliberately designed to mimic candy and use cartoon imagery aimed at kids³.

Products are marketed and sold online exceeding 10,000 mg of cannabinoids and purchasable by children⁴.

Sen. Mitch McConnell described the law's purpose directly: to keep "dangerous products out of the hands of children while preserving the hemp industry for farmers." But let's be clear: **today's hemp industry is not really about farmers; it's about manufacturers** converting low THC cannabinoids into highly intoxicating end products.

Delay does not pause that exposure — it extends it. A cash-flow projection for the hemp industry is a business planning question, not a policy decision to consider.

A child buying a THC gummy packaged like a fruit snack is not the same category of "business harm", and it should not be treated as though it is.

02. THE SENATE ALREADY VOTED ON THIS — DECISIVELY, AND RECENTLY

On November 11, 2025, the Senate considered a direct amendment (Sen. Rand Paul) to strip the hemp redefinition out of the government funding bill entirely. The Senate rejected it, 76–24 — a bipartisan margin, with 22 Democrats and only one other Republican joining Sen. Paul in the minority. The body now being asked to delay implementation already had this exact debate on the floor eleven months ago and rejected reopening the loophole by more than three to one. Since then, 23 states have aligned their own laws to the federal definition in reliance on it holding, with 9 more in progress.

03. IT'S NOT ABOUT FARMERS - IT'S ABOUT FACTORIES

The intoxicating-hemp industry wants policymakers to believe this is a fight about protecting American farmers. It is not.

The United States has approximately **876 million acres** of farmland. Fewer than **17,000 acres** are devoted to cannabinoid hemp — a microscopic fraction of American agricultural land. A market that claims to generate \$28 billion in annual value is not being built from crops grown on those acres.

These products are designed via chemical conversion.

Hemp plants cannot naturally produce the concentrations of intoxicating THC found in the products now sold in smoke shops, convenience stores, gas stations, and online. Manufacturers create those products by taking non-intoxicating CBD isolate and chemically converting it into delta-8 THC, delta-9 THC, delta-10 THC, and other THC analogs. **The economic engine of this industry is not farming. It is laboratory manufacturing.**

Pretending that preserving this market protects American agriculture is an insult to American farmers. It conflates legitimate agricultural production with an industrial chemical process and uses the image of the family farmer to defend manufacturers of high-potency intoxicants.

The facts speak for themselves: **keeping the loophole open does not protect an acre, a crop, or a farmer.**

Policymakers must understand the distinction. Hemp grown for fiber, grain, and seed is an agricultural commodity. **Chemically converted THC is a manufactured intoxicant.** They are not the same product, they do not depend on the same supply chain, and they should not be treated as though they serve the same public purpose.