



AHPA guidance policy

Marketing of delta-8 tetrahydrocannabinol, synthesized cannabinoids, and artificial cannabinoids

(Adopted June 2021; revised December 2023)

“Hemp” is defined by U.S. federal law as “the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent (0.3%) on a dry weight basis.”¹

AHPA recommends that products intended for consumption by any route that consist of or contain any amount of synthesized tetrahydrocannabinols (inclusive of the acid forms),² including but not limited to synthesized delta-8 tetrahydrocannabinol, be sold only in legal channels of trade for adult use cannabis products and only in compliance with the regulations in jurisdictions in which such products may be lawfully sold.

In addition, AHPA discourages labeling or marketing as “hemp” any products that consist of or contain any amount of synthesized cannabinoids² for consumption by any route, and encourages identification in labeling and marketing of any synthetic cannabinoid ingredient by an accurate common or usual name; and further, AHPA strongly discourages the marketing of products for consumption by any route that consist of or contain any amount of artificial cannabinoids.³

NOTE: This policy does not address articles marketed as prescription drugs.

1. 7 U.S.C. § 1639o(a).

2. Synthesized cannabinoids (which includes synthesized tetrahydrocannabinols) means a cannabinoid synthesized in a laboratory or by industry using directed synthetic or biosynthetic chemistry rather than traditional food preparation techniques such as heating or extracting. They may be nature-identical or artificial since this definition refers only to the process of their creation (AHPA Hemp Lexicon, August 2022).

3. Artificial cannabinoids means any cannabimimetic compound that interacts with cannabinoid receptors but whose molecular structure is not found in nature (AHPA Hemp Lexicon, August 2022).