

# Regulatory Issues Arise in Massachusetts Over Hemp-Derived 'Gas Station Weed'

The proliferation of hemp-based products such as gummies, energy shots, and seltzers across Massachusetts convenience stores has highlighted regulatory gaps. These products often mimic regulated cannabis products and suggest similar effects, falling into a legal gray area.

## Regulatory and Health Concerns

State lawmakers and health officials have labeled the current situation as “untenable,” with rising health impacts necessitating legislative intervention. Rep. Paul Schmid, co-chair of the Agriculture Committee, emphasized the unsupervised production and sale of these products, often competing unfairly with regulated cannabis retailers.

## Jurisdictional Challenges

Hemp falls under the Department of Agricultural Resources, while some hemp products are sold at marijuana businesses licensed by the Cannabis Control Commission. These products also appear in places licensed by the Alcoholic Beverages Control Commission and overseen by local boards of health. However, existing advisories don't cover all sales locations, complicating enforcement.

## Health Impacts

Health officials report increased hospital admissions, particularly among youth, due to intoxication from these products. Public Health Commissioner Robbie Goldstein noted rising hospitalizations and data from the National Poison Center indicating more exposures to synthetic cannabis products.

## Legal and Regulatory Loopholes

The 2018 federal farm bill's definition of hemp creates confusion, allowing some intoxicating hemp products to avoid being classified as marijuana. This loophole enables products with less than 0.3% Delta-9 THC to be marketed legally, despite their potential intoxicating effects and lack of regulatory oversight.

## Legislative Action Needed

CCC Commissioner Kimberly Roy highlighted the unfair competition faced by compliant cannabis businesses from unregulated hemp products. Lawmakers, including Sen. Adam Gomez, are prepared to address these challenges legislatively, aiming to protect public health and support the regulated cannabis industry in the next legislative session.