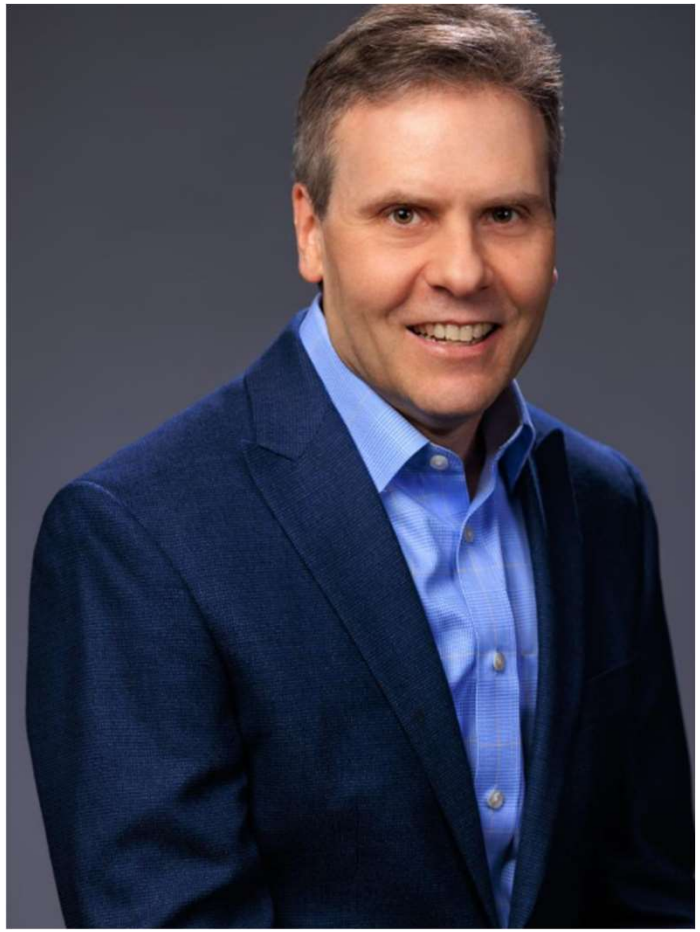
North Carolina Advisory Council on Cannabis

Lawrence H. Greenblatt
State Health Director & Chief Medical Officer, NCDHHS

Matt Scott
District Attorney, Prosecutorial District 20

Tuesday, July 29, 2025

Welcome & Call to Order





Ethics Awareness & Conflict of Interest

Under North Carolina law, “public records and public information compiled by the agencies of North Carolina government or its subdivisions are the property of the people.” N.C. Gen. Stat. § 132-1(b).

- Providing access to government records in accordance with state law is an important part of the everyday duties of office holders, government employees, and appointed and elected members of government boards and commissions.
- The Public Records Act defines public records broadly to include any document that is related to public business.
- Records related to public business that are created or transmitted through non-governmental accounts may nevertheless be public records. Thus, public business conducted using text messages from a Council member’s personal mobile phone or emails from a personal email account may be public records.
- The Governor’s Office General Counsel team will provide upcoming training on public records for Council members.

Ethics Awareness & Conflict of Interest Cont.

In accordance with the State Government Ethics Act, it is the duty of every Council member to avoid both conflicts of interest and the appearance of conflicts of interest.

If any Council member has any known conflict of interest or is aware of facts that might create the appearance of such conflict, with respect to any matters coming before the Council today, please identify the conflict or the facts that might create the appearance of a conflict to ensure that any inappropriate participation in that matter may be avoided.

If at any time, any new matter raises a conflict during the meeting, please be sure to identify it at that time.

Roll Call and Member Introductions

Council Responsibilities & Timeline

Executive Order 16: Duties



State of North Carolina

JOSH STEIN
GOVERNOR

June 3, 2025

EXECUTIVE ORDER NO. 16

ESTABLISHING THE NORTH CAROLINA ADVISORY COUNCIL ON CANNABIS

WHEREAS, the safety and well-being of North Carolinians, particularly our youth, is paramount; and

WHEREAS, cannabis with intoxicating levels of tetrahydrocannabinol (THC) is widely available and unregulated in the state of North Carolina; and

WHEREAS, the current lack of regulation, including age, potency, and purity limitations, poses a threat to all North Carolinians, particularly our youth; and

WHEREAS, in recent years, the rate of emergency department visits in North Carolina for intoxicating cannabis ingestion among children and youth ages 17 and under increased more than 600 percent, and among older teens, the rate increased more than 1000 percent; and

WHEREAS, despite various legislative efforts to address cannabis, the cannabis market remains unregulated and unsafe in North Carolina; and

WHEREAS, according to recent polling in North Carolina, there is widespread support for legalizing medical marijuana, with 71 percent in favor and only 19 percent opposed, and 63 percent supporting adult recreational use of intoxicating THC; and

WHEREAS, more than 325,000 people have a misdemeanor marijuana conviction in the North Carolina court system, and for 80 percent of those people, the misdemeanor marijuana offense was the most serious charge in the case; and

WHEREAS, rather than allowing this unsafe and unregulated market to continue, smart and balanced regulation presents an opportunity not only to protect the health and well-being of our people, but also to generate revenue that can benefit our state; and

WHEREAS, the creation of an advisory council provides the structure and opportunity for North Carolina to develop a thoughtful and thorough approach to cannabis that is grounded in public safety and public health and that incorporates the expertise of relevant leaders and advocates; and

WHEREAS, pursuant to Article III of the North Carolina Constitution and N.C. Gen. Stat. §§ 143A-4 and 143B-4, the Governor is the chief executive officer of the state and is responsible for formulating and administering the policies of the executive branch of state government; and

WHEREAS, pursuant to N.C. Gen. Stat. § 147-12, the Governor has the authority and the duty to supervise the official conduct of all executive and ministerial officers.

Section 3. Duties:

- Protecting our youth, including laws regarding age limits, advertising directed at youth, packaging that appeals to children, and child-resistant packaging.
- Ensuring adequate cannabis use prevention models for youth and cannabis treatment models for youth and adults are available in community.
- Supporting public safety, including enforcement of laws against impaired driving and additional tools for law enforcement.

Executive Order 16: Duties Cont.

Section 3. Duties, Continued:

- Promoting public health considerations, including public education campaigns, surveillance to monitor public health harms, and potential marijuana prescriptions for treatment.

- Elevating regulatory considerations such as potency and flavor limits, purity standards, and retail restrictions.

- Advancing justice, including expunging past convictions that do not align with the recommendations of the Council, including for simple possession of marijuana.

- Recommending appropriate government regulatory structure, including sales restrictions and taxation, and staffing to effectively implement the Council's recommendations to the benefit of the state.

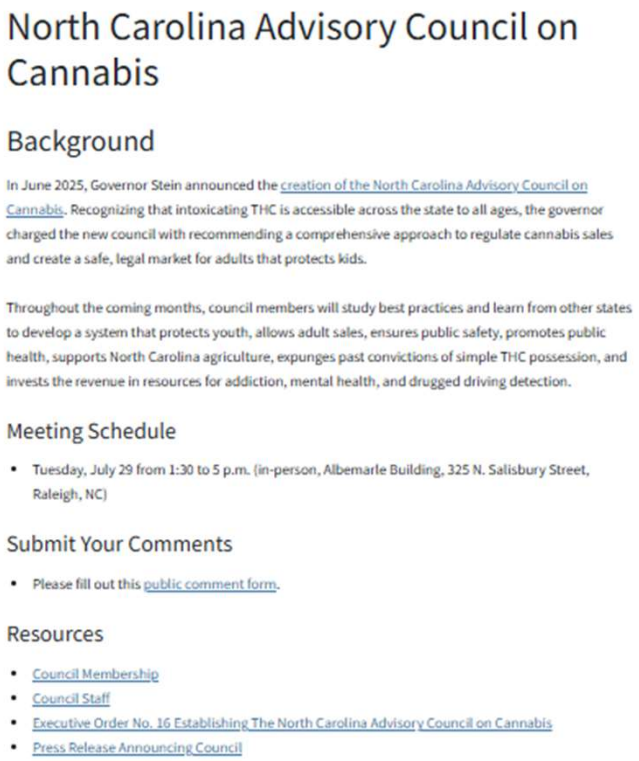
Executive Order 1: Timeline

Section 4. Meetings and Deliverables

- Beginning in July 2025, the Council shall meet as a body of the whole at least **every other month through December 2026** and at other times at the call of the chair or the Governor.

- The Council shall submit its preliminary recommendations for a comprehensive cannabis policy, including any proposed legislation, to the Governor by **March 15, 2026, and its final recommendations by December 31, 2026.**

New Advisory Council On Cannabis Website



North Carolina Advisory Council on Cannabis

Background

In June 2025, Governor Stein announced the creation of the North Carolina Advisory Council on Cannabis. Recognizing that intoxicating THC is accessible across the state to all ages, the governor charged the new council with recommending a comprehensive approach to regulate cannabis sales and create a safe, legal market for adults that protects kids.

Throughout the coming months, council members will study best practices and learn from other states to develop a system that protects youth, allows adult sales, ensures public safety, promotes public health, supports North Carolina agriculture, expunges past convictions of simple THC possession, and invests the revenue in resources for addiction, mental health, and drugged driving detection.

Meeting Schedule

- Tuesday, July 29 from 1:30 to 5 p.m. (in-person, Albemarle Building, 325 N. Salisbury Street, Raleigh, NC)

Submit Your Comments

- Please fill out this public comment form.

Resources

- Council Membership
- Council Staff
- Executive Order No. 16 Establishing The North Carolina Advisory Council on Cannabis
- Press Release Announcing Council



North Carolina Advisory Council on Cannabis: Submit Your Comments

The North Carolina Advisory Council on Cannabis, created by Governor Josh Stein in Executive Order No. 16, seeks comments from the public on the cannabis policy issues that are important to you and your community.

To submit your comments, please fill out each of the fields in the form below.

* Indicates required field

First Name *

Last Name *

Phone Number

Email *

Your Organization *

Your Comments *

Verifying...

This question is for testing whether or not you are a human

Submit

Website: https://www.ncdhhs.gov/about/department-initiatives/north-carolina-advisory-council-cannabis

Agenda

Agenda

- The Legal Landscape of Cannabis
- North Carolina Landscape
- National Landscape
- Next Steps

Legal Landscape

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Legal Landscape of Cannabis

Kaycee Deen, JD, MA
Agency Legal Consultant
North Carolina DHHS, Division of Public Health

North Carolina Advisory Council on Cannabis

July 29, 2025

TODAY'S DISCUSSION

- Definitions of cannabis, THC, CBD, hemp and marijuana
- Cannabis-related legislative history and the practical results in the marketplace
- Current federal, state and tribal legal status
- A word about preemption

TERMINOLOGY

What is cannabis?

"All products derived from the plant Cannabis Sativa."

CBD (cannabidiol) and THC (tetrahydrocannabinol) are both cannabinoids.

THC: is psychoactive, meaning it can induce a "high"

CBD: generally does not produce intoxicating effects

TERMINOLOGY

What is the difference between marijuana and hemp?

Marijuana is defined by its high content of delta-9 THC, a cannabinoid that produces a high.

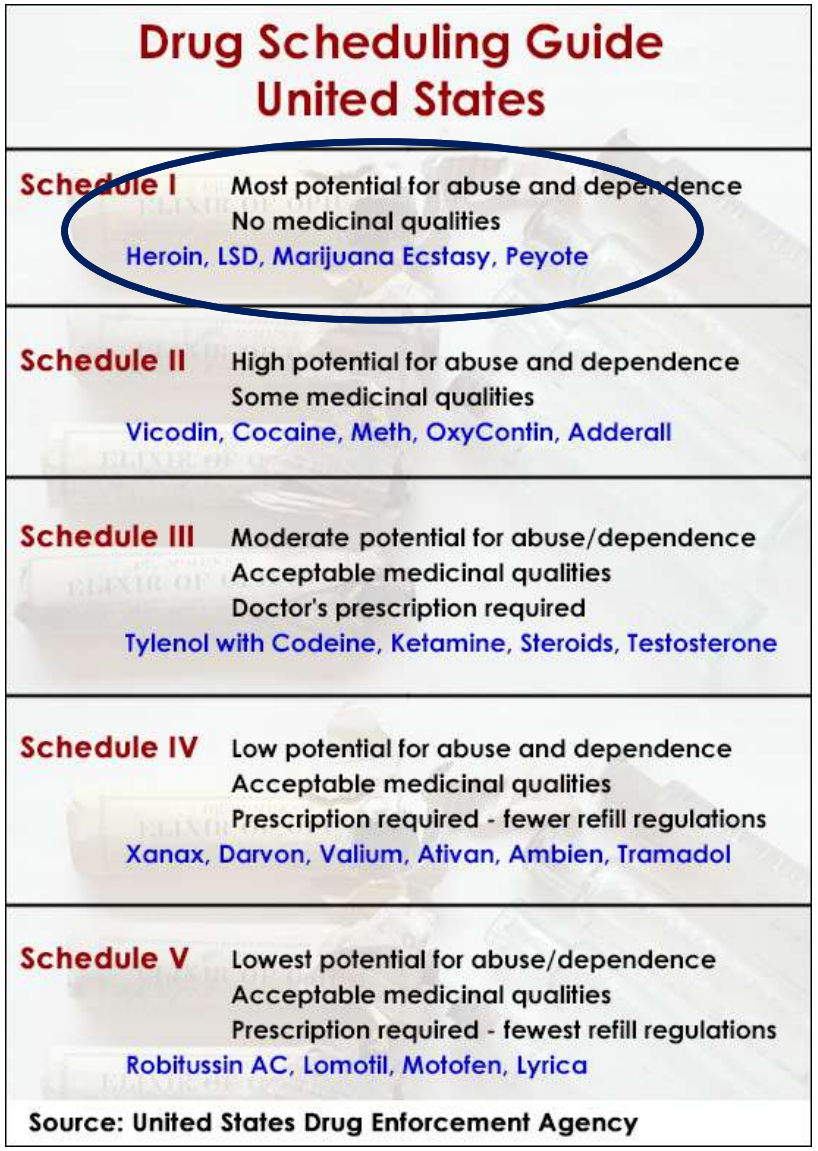
Hemp contains very little delta-9 THC but can contain a large amount of CBD, a cannabinoid that does not produce a high.

*Note: we will not be referring to prescription drugs that contain cannabis or are cannabis-derived and have been approved by the U.S. Food and Drug Administration.

LEGISLATIVE HISTORY

The Marihuana Tax Act (1937)

The Controlled Substances Act (1970)



LEGISLATIVE HISTORY

The Agricultural Improvement Act (The 2018 Farm Bill)

- **Removed hemp from the Controlled Substances Act**
- **Legalized industrial hemp production.**
- **New definition of hemp:**

Hemp: 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 on a dry weight basis.

Marijuana: Any part or derivative of the same plant that has a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent on a dry weight basis.

THE POST FARM BILL LANDSCAPE



Consideration 1: Measuring THC on a Dry-Weight Basis

0.3% delta-9 THC, measured by weight, can be a small amount of THC in a flower but hundreds of milligrams in a heavier hemp-derived product:

1g hemp flower

0.3% of 1g = 0.003g

or

3mg THC

50g chocolate bar

0.3% of 50g = 0.15g

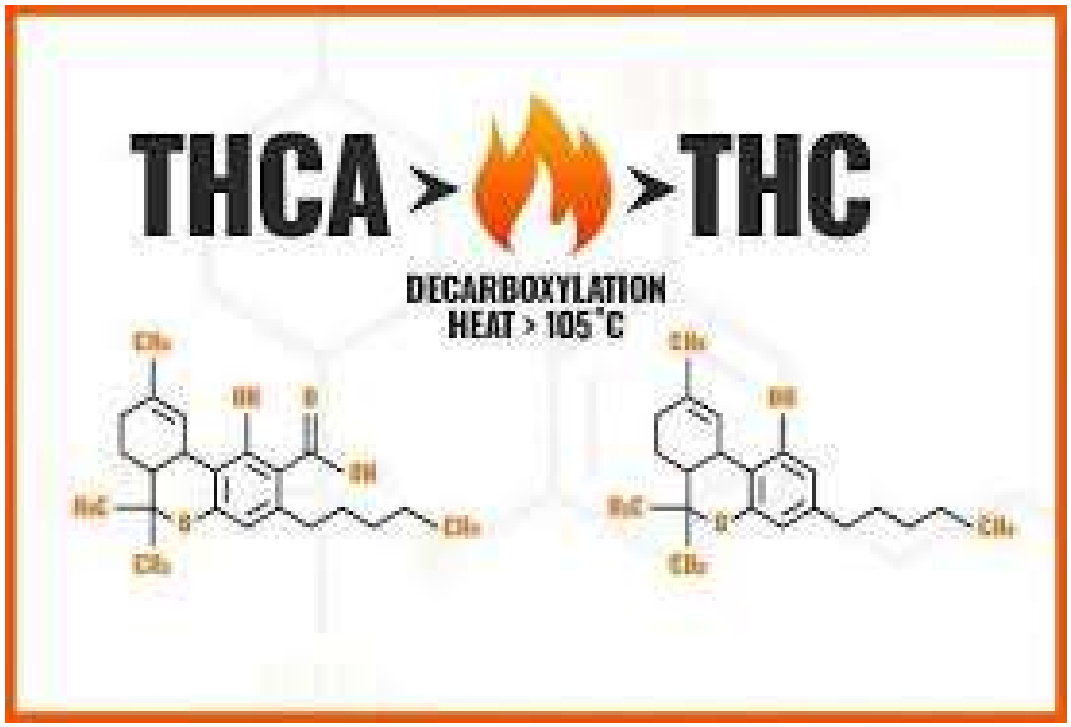
or

150mg THC

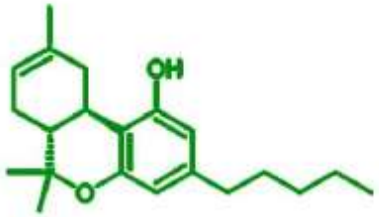
So, a consumable that weighs 22 grams and contains 50 milligrams of delta-9 THC and measures 0.23% by weight is well under the Farm Bill's threshold, but the total THC content is 5 to 10 times as high as the legal per-serving limit in many of the states with legalized recreational marijuana.

Consideration 2: Latent Potential of THC-A

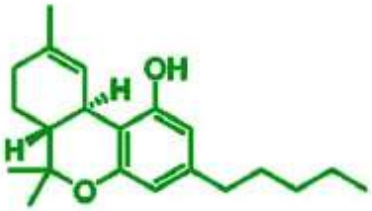
THC-A (tetrahydrocannabinolic acid) is a non-psychoactive precursor to THC found in raw cannabis plants. When heated (through processes like smoking or vaping), THC-A converts to psychoactive THC.



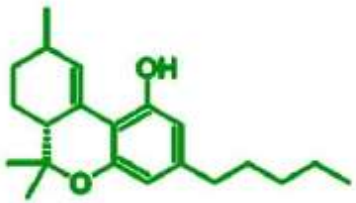
Consideration 3: Semi-Synthetic and Synthetic Cannabinoids



DELTA 8 THC



DELTA 9 THC



DELTA 10 THC

By focusing only on delta-9 THC, the Farm Bill's definition of hemp overlooked the multitude of other cannabinoids present in the cannabis plant, which can be psychoactive when isolated and concentrated, leading to the current proliferation of synthetic cannabinoid products.

The law inadvertently allows these intoxicating, hemp-derived cannabinoid products to be sold without the same level of regulation and oversight applied to traditional cannabis products.

As a result of these considerations, people anywhere in the U.S. can access intoxicating hemp-derived THC without breaking federal law.

LEGAL STATUS OF CANNABIS IN NORTH CAROLINA

Medical Cannabis	Illegal under state law.
Recreational Cannabis	Illegal under state law.
Hemp-Derived Products	Legal but minimally regulated.

TRIBAL LAND EXCEPTION

The Eastern Band of Cherokee Indians have sovereignty on their tribal land, the Qualla Boundary.

In 2024, the EBCI opened the Great Smoky Cannabis Company.



Federal Preemption Does Not Apply

Preemption: When a higher level of government invalidates or overrides state laws on a specific issue, preventing the state from regulating in that area.

Marijuana: States are *not* preempted from regulating (or even legalizing) marijuana.

Hemp: States have authority to regulate hemp within their own borders *as long as* their laws do not conflict with federal rights or interfere with interstate commerce of a federally legal product.

Questions?

Kaycee Deen
cannabis.council@dhhs.nc.gov

North Carolina Landscape

Alcohol Law Enforcement
NC DEPARTMENT OF PUBLIC SAFETY

Tobacco and Vape Shops: A Closer Look

North Carolina Advisory Council on Cannabis
July 29, 2025

Josh Batten
Assistant Director
Alcohol Law Enforcement

Law Enforcement Perspective



“Straight Up Weed”

Video shown during meeting

Types of Products Sold in Vape/Tobacco Shops

- Tobacco (nicotine) products
- Hemp/THC/CBD products (Flower, Gummies, Vapes, Beverages)
- Kratom
- Whippets, CO2 Products
- Drug Paraphernalia
- Urine Adulterant
- Stash Cans
- Prescription medicine (mostly imported)
- WEAPONS

No Age Requirement for ANY Product above other than Tobacco

Law Enforcement Goals

How to Protect and Serve Regarding these Locations and Products

- Protect ***all consumers*** by ensuring the products they purchase are as advertised

- Protect our youth from dangerous or intoxicating products

Law Enforcement Obstacles

Oversight of a Nonregulated Industry

- No licensing requirement
- One of only 7 states that have no requirement for “tobacco” locations
- Unknown locations
  - No reliable database that identifies locations or ownership
  - Limited Data on specific counties (mostly from DHHS contract)
  - Thousands (estimated) unpermitted locations statewide that identify as “tobacco” or “vape” shops and sell products containing THC

Law Enforcement Obstacles

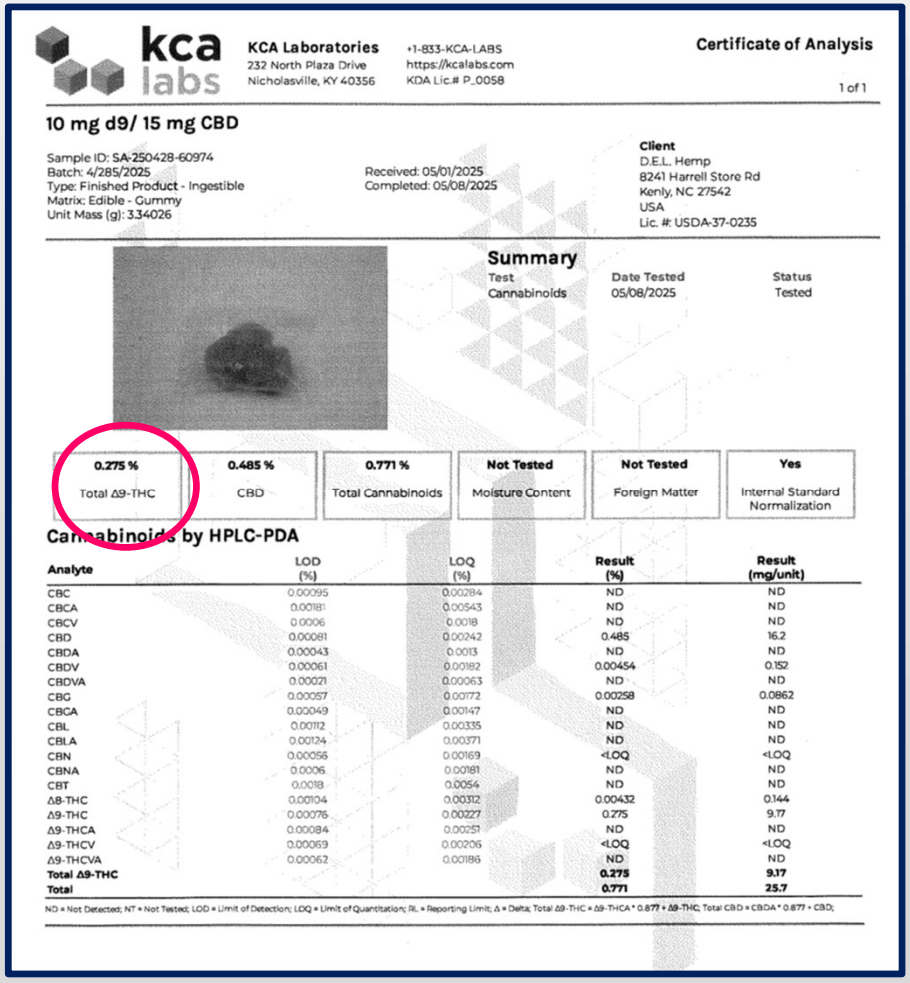
- No legal right for ANY law enforcement to enter or inspect; same rights as the general public
- Impossible to distinguish by appearance/label between legal and non-legal products regarding THC content
- Need for undercover purchase and testing
- Search Warrant requirement
- Cost of Testing
- For ALE specifically, limited manpower vs complaints received

Law Enforcement Obstacles

Uneducated or Noncompliant Owners and Employees

- Reliability on Certificate of Analysis
- No education on products
- Revenue driven
- Unfamiliarity with laws and regulations on products they sell

COA Example



kca labs

KCA Laboratories
232 North Plaza Drive
Nicholasville, KY 40356

+1-833-KCA-LABS
https://kcalabs.com
KDA Lic.# P_0058

Certificate of Analysis

1 of 1

10 mg d9/ 15 mg CBD

Sample ID: SA-250428-60974
Batch: 4/285/2025
Type: Finished Product - Ingestible
Matrix: Edible - Gummy
Unit Mass (g): 3.34026

Received: 05/01/2025
Completed: 05/08/2025

Client
D.E.L. Hemp
8241 Harrell Store Rd
Kenly, NC 27542
USA
Lic. #: USDA-37-0235

Summary

Test	Date Tested	Status
Cannabinoids	05/08/2025	Tested

0.275 %	0.485 %	0.771 %	Not Tested	Not Tested	Yes
Total Δ9-THC	CBD	Total Cannabinoids	Moisture Content	Foreign Matter	Internal Standard Normalization

Cannabinoids by HPLC-PDA

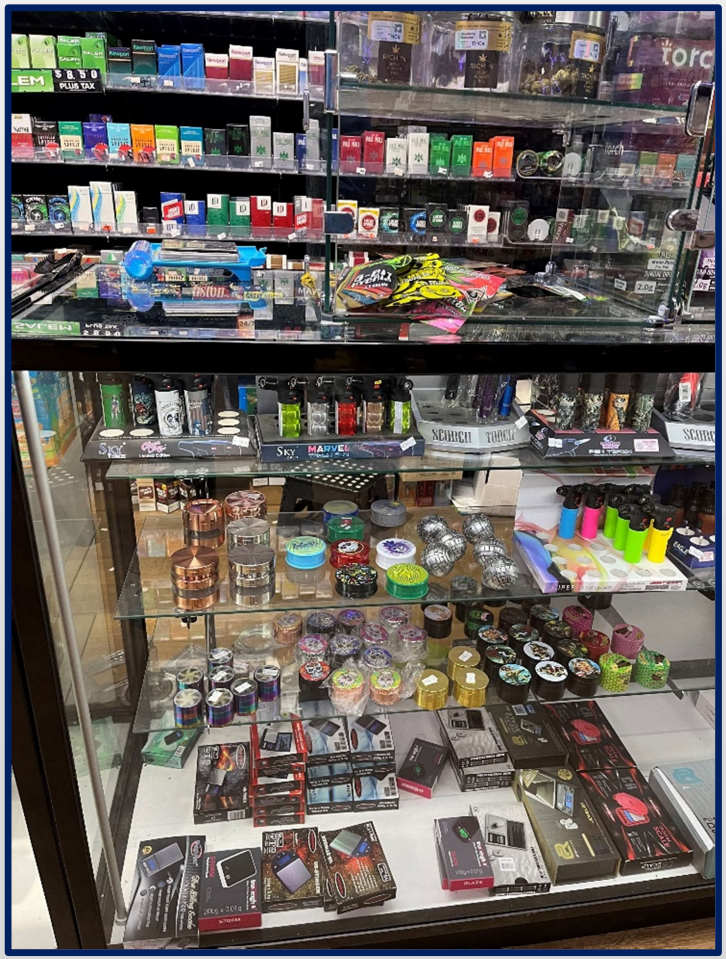
Analyte	LOD (%)	LOQ (%)	Result (%)	Result (mg/unit)
CBC	0.00095	0.00284	ND	ND
CBCA	0.00181	0.00543	ND	ND
CBCV	0.0006	0.0018	ND	ND
CBD	0.00081	0.00242	0.485	16.2
CBDA	0.00043	0.0013	ND	ND
CBDV	0.00061	0.00182	0.00454	0.152
CBDVA	0.00021	0.00063	ND	ND
CBG	0.00057	0.00172	0.00258	0.0862
CBGA	0.00049	0.00147	ND	ND
CBL	0.0012	0.00335	ND	ND
CBLA	0.00124	0.00371	ND	ND
CBN	0.00056	0.00169	<LOQ	<LOQ
CBNA	0.0006	0.00181	ND	ND
CBT	0.0018	0.0054	ND	ND
Δ8-THC	0.00104	0.00312	0.00432	0.144
Δ9-THC	0.00076	0.00227	0.275	9.17
Δ9-THCA	0.00084	0.00251	ND	ND
Δ9-THCV	0.00069	0.00206	<LOQ	<LOQ
Δ9-THCVA	0.00062	0.00186	ND	ND
Total Δ9-THC			**0.275**	**9.17**
Total			**0.771**	**25.7**

ND = Not Detected; NT = Not Tested; LOD = Limit of Detection; LOQ = Limit of Quantitation; RL = Reporting Limit; Δ = Delta; Total Δ9-THC = Δ9-THCA * 0.877 + Δ9-THC; Total CBD = CBDA * 0.877 + CBD;

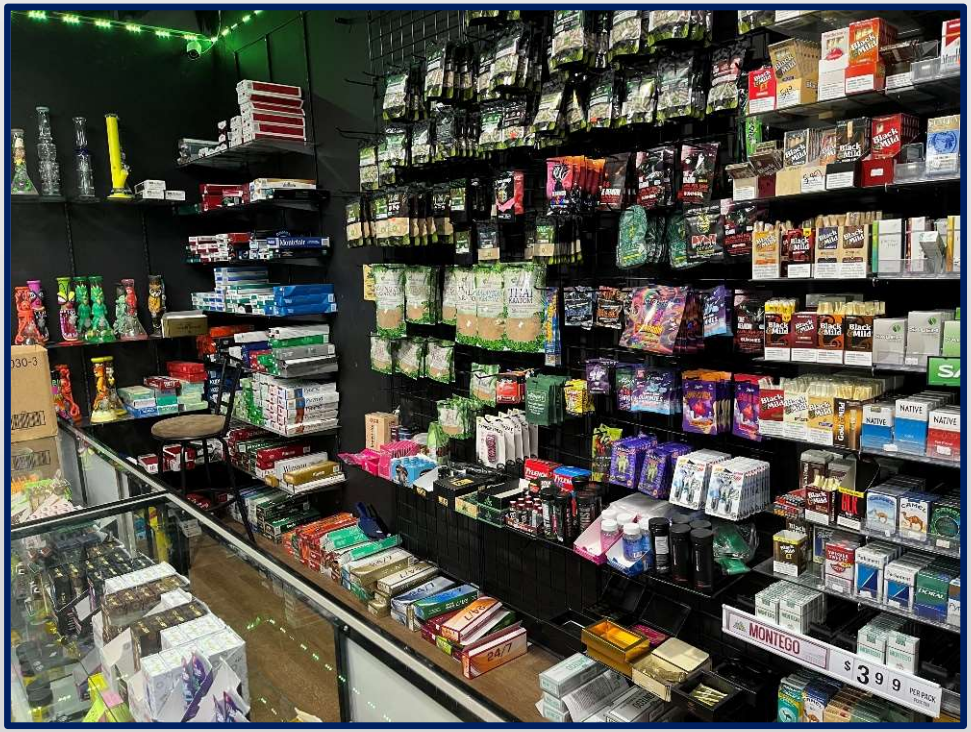
Testing Results (FY24/25)

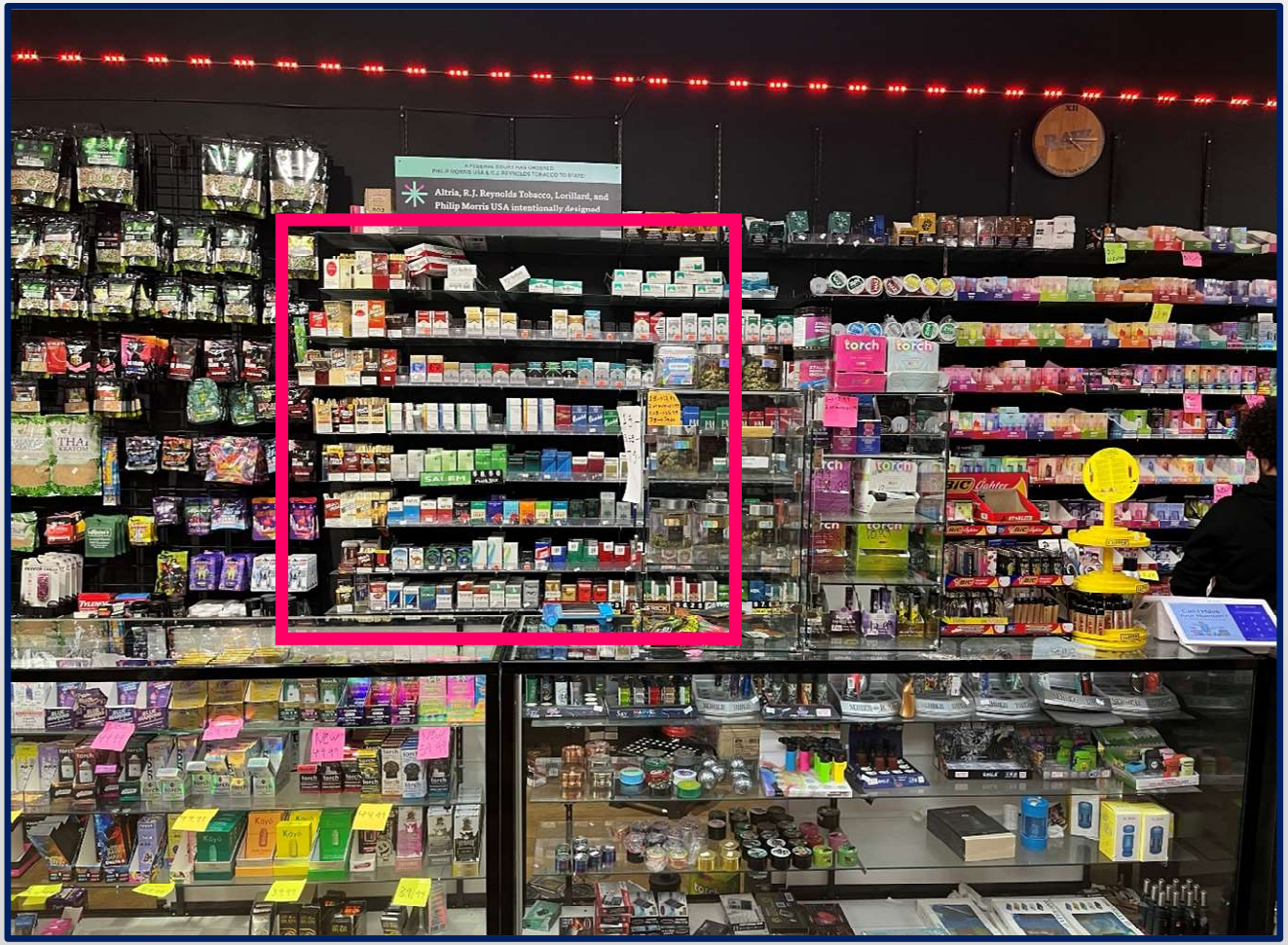
- In FY 24-25, ALE seized and submitted 293 samples for testing with 269 of those items (92%) testing above .3% Delta-9 THC
- 92% tested would be defined as Marijuana
- Percentages ranged up to 68.03% Delta-9 THC

Items commonly used as Drug Paraphernalia are legally sold



Shift from Nicotine Products



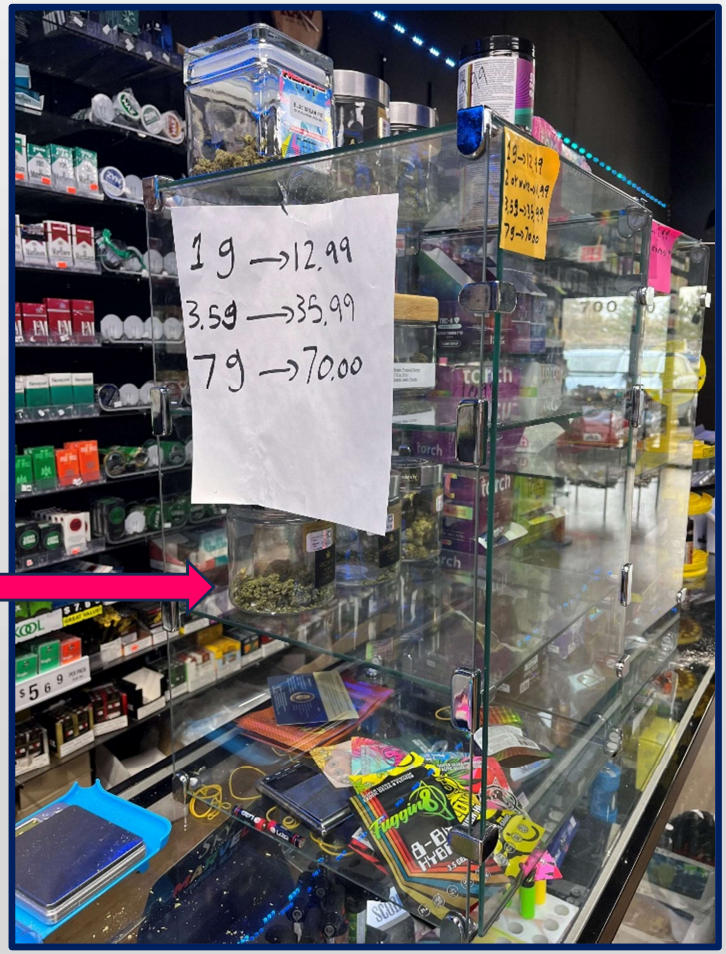


Note the amount of actual Nicotine Products in this "Tobacco Shop"

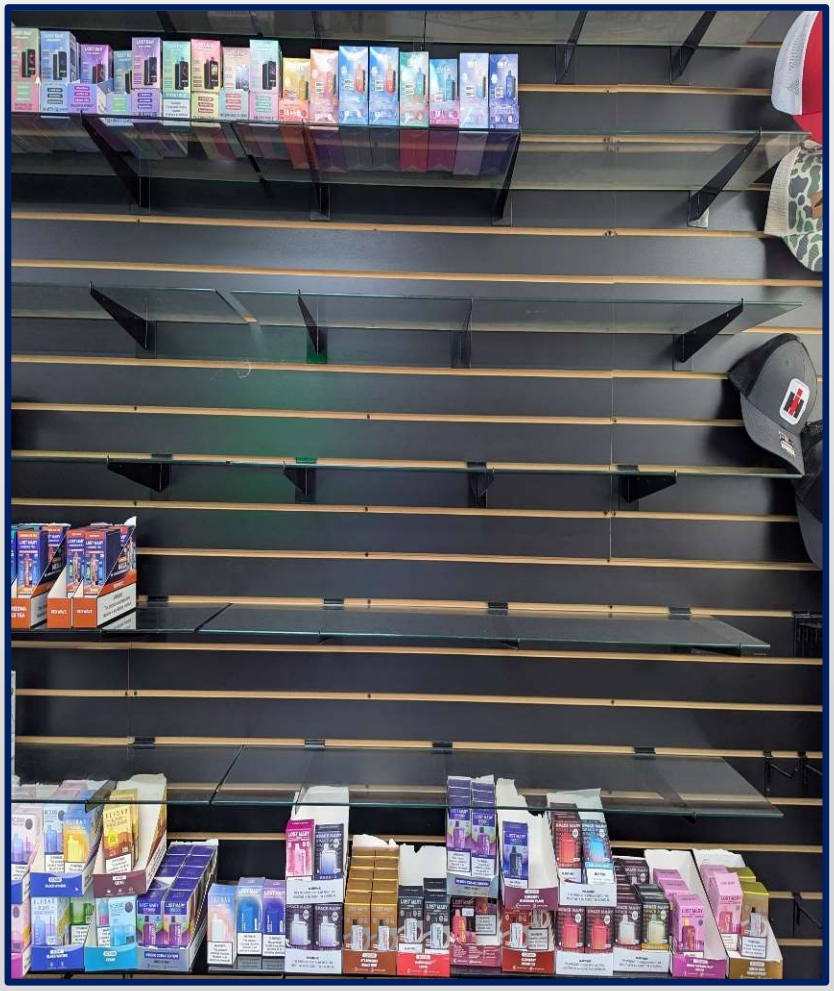


Pipes for
"Tobacco Use"

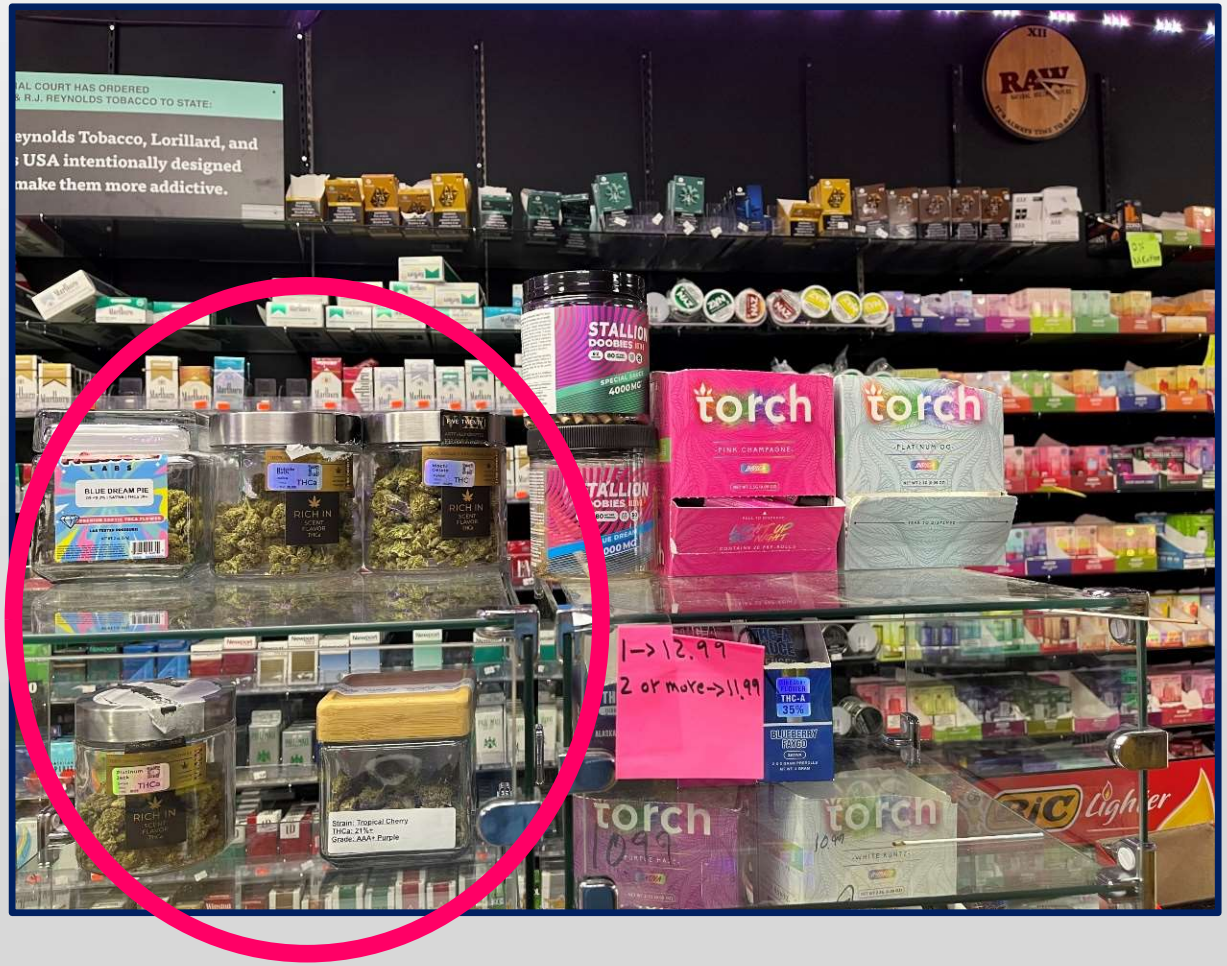
Flowers

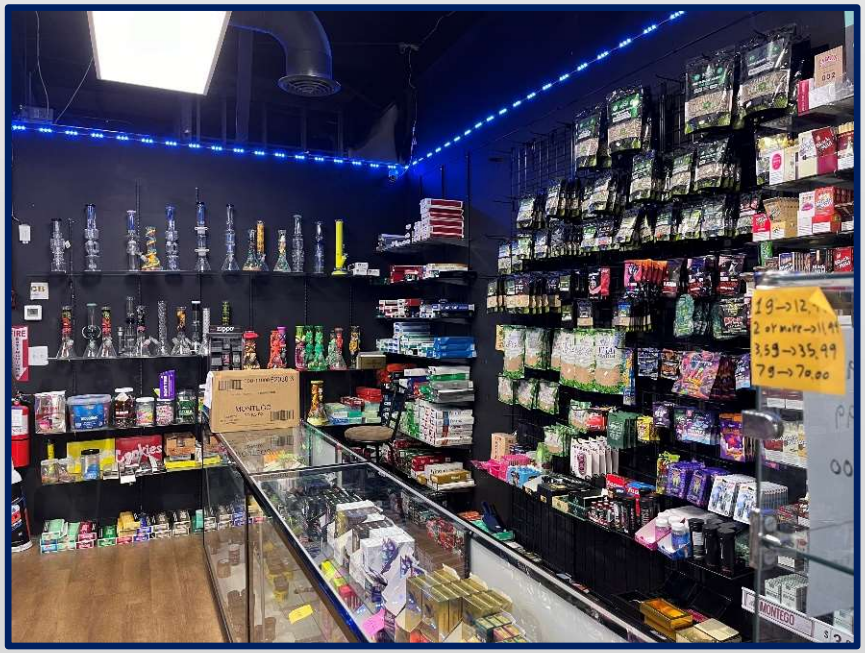


Vape Trends: THC Overtaking Nicotine






AL COURT HAS ORDERED
R.J. REYNOLDS TOBACCO TO STATE:
eynolds Tobacco, Lorillard, and
USA intentionally designed
make them more addictive.
RAW
STALLION
torch
PINK CHAMPAGNE
torch
PLATINUM OG
BLUE DREAM PIE
RICH IN
1->12.99
2 or more->11.99
BLUEBERRY
THC-A
35%
torch
torch
BIC Lighter


1g->12.
2 or more->11.99
3.5g->35.99
7g->70.00



What Would a Child See?



What Would an Uneducated Consumer See?







Trademark Infringement

Video shown during meeting

Various Gummies




CAROLINA DREAM
VEGAN
DELTA 9
GUMMIES
100 MG
100 CT
4 FLAVORS
DELTA 9 - 100 MG


STONER
STONEY
HEADZ SOUR
8
DELTA
THC
1200MG
PER BAG
25 mg EACH
2 grams (4.8 oz)
STONER
STONEY
HEADZ SOUR
21+
ONLY
8
DELTA
THC
58.2 grams (2.1 oz)
500MG
PER BAG
25MG EACH

Employee Knowledge

Two Types of Employees/Owners

1. Those who use the law and lack of regulation to their advantage to purposefully sell dangerous and illegal substances.

2. Those who are trying to make an honest living and have little knowledge of the products sold, nor of the laws that may be violated.

Vape Shop Interaction Video

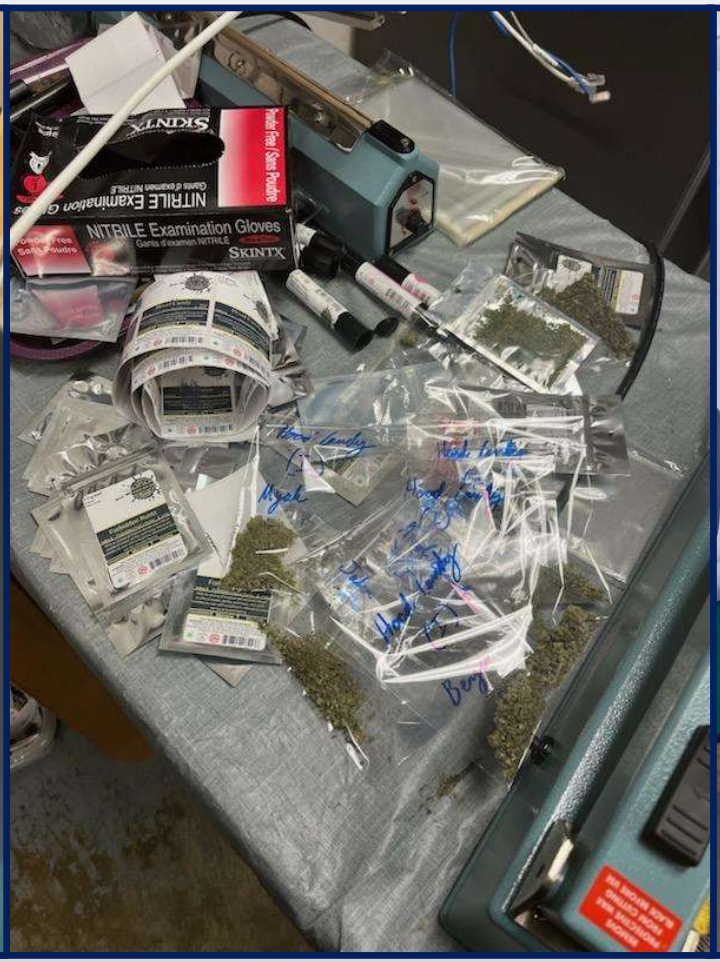
Video shown during meeting

Customer Service



Investigation Example





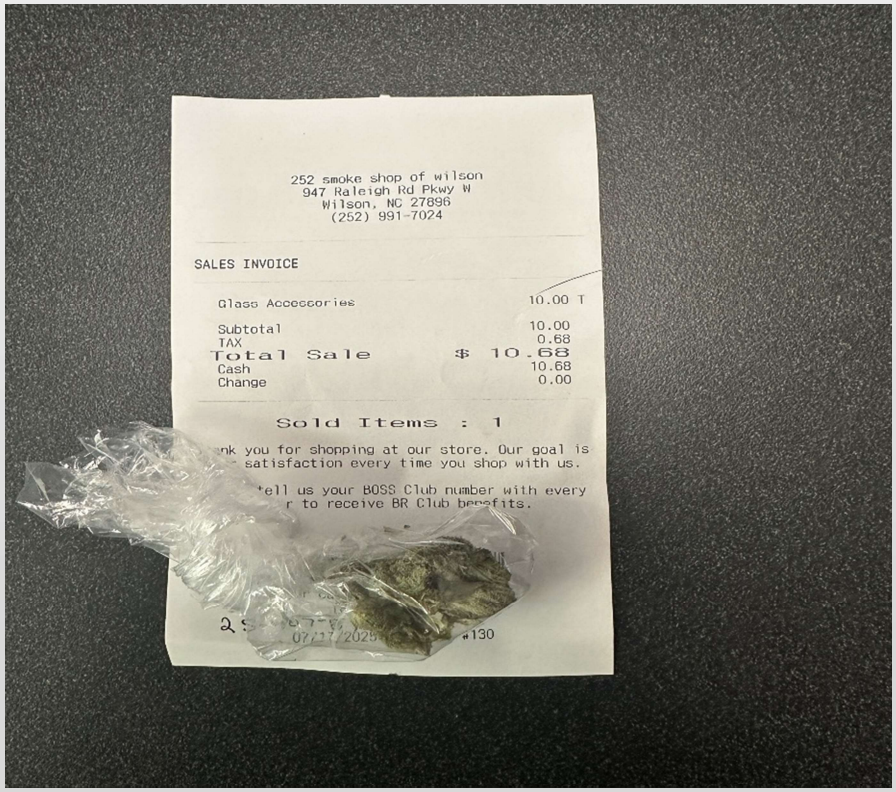


More Great Customer Service

Video shown during meeting

Misleading Receipt

- What Does the Intentional Misrepresentation Show?
  - Knowledge
  - Intent
  - Defense



Latest Trend: Rise in THC Beverages

- Many cannabis-infused drinks list THC as an ingredient
- No standard dose but most contain between 5 and 20 milligrams (some up to 200)
- No standard on “serving size” which provides confusion and danger for consumer
- Cannabinoids found in beverages are specially formulated to dissolve in liquid. This means they are more easily and rapidly absorbed into the body's soft tissues

Latest Trend: Rise in THC Beverages

Video shown during meeting

Various Products Sold

Video shown during meeting

Dare County- Anecdotal

- Concerned County Employee
- Local Coffee Shop
- Uneducated owner
- Teenager in Emergency Room
- Thought it was “Sparkling Water”



THC DRINKS




ELECTRIC
LEMONADE






Keef
CANNABIS-INFUSED
CLASSIC SODA
BUBBA KUSH
ROOT BEER
10


STIIIZY
SELTZER
STIIIZY
SELTZER


HIGH
rise
HIGH
rise

Advertising



Local State Employees Credit Union Cash Point

Advertising and Free Products are on the Rise



Kratom: Used for Opioid withdrawal and often as a substitute for Opioid users



Kratom Infused Beverages

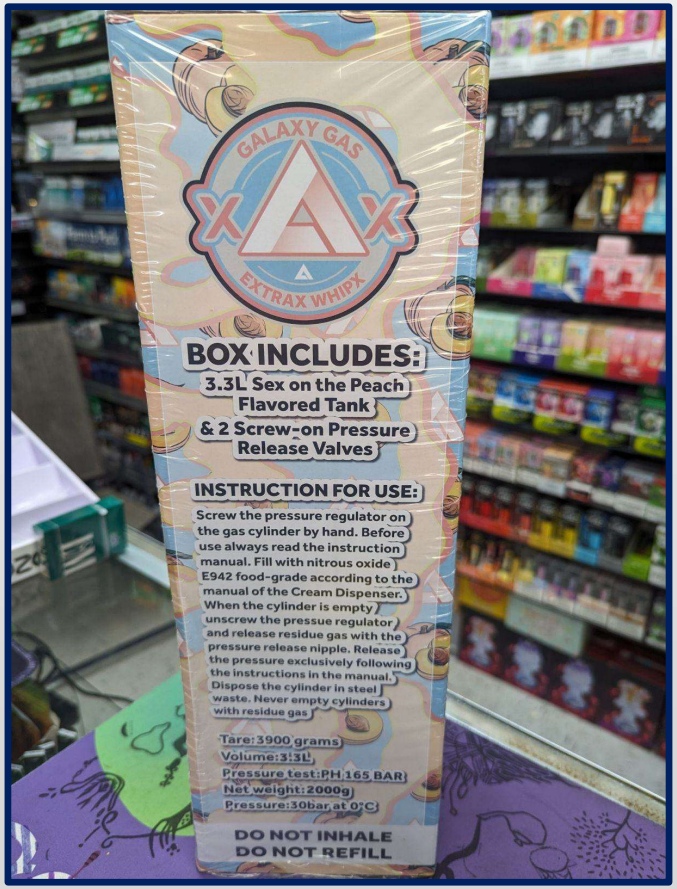
- Store Owner Unaware of Contents
- Became Ill after Consumption
- Product Provided Free of Cost



Nitrous Oxide; Laughing Gas (Whippets)

- The use of Nitrous Oxide is a popular method for getting a quick high is by misusing laughing gas.
- One producer is a company called Galaxy Gas
- Trend became so dangerous that now videos are banned on TikTok and YouTube. (If you search Galaxy Gas on TikTok, you will be directed to a substance abuse site).
- Nonetheless, they are extremely popular in Vape Shops and often sold out


TAMPER SEAL
129.99
GALAXY GAS
3.3L TANK
EXTRAX WHIPX
2000G


GALAXY GAS
EXTRAX WHIPX
BOX INCLUDES:
3.3L Sex on the Peach Flavored Tank
& 2 Screw-on Pressure Release Valves
INSTRUCTION FOR USE:
Screw the pressure regulator on the gas cylinder by hand. Before use always read the instruction manual. Fill with nitrous oxide E942 food-grade according to the manual of the Cream Dispenser. When the cylinder is empty unscrew the pressue regulator and release residue gas with the pressure release nipple. Release the pressure exclusively following the instructions in the manual. Dispose the cylinder in steel waste. Never empty cylinders with residue gas
Tare: 3900 grams
Volume: 3.3L
Pressure test: PH 165 BAR
Net weight: 2000g
Pressure: 30bar at 0°C
DO NOT INHALE
DO NOT REFILL

Nitrous Oxide (Whippets)





Nitrous Oxide

Video shown during meeting

Current ALE Focus

- Complaint Driven
- Received from SRO's, Principals, Parents, District Attorneys, Concerned Citizens, and Law Enforcement Partners
- Focus on Protecting our Youth and Consumer Safety
- Education and Communication with Industry Members

Alcohol Law Enforcement
NC DEPARTMENT OF PUBLIC SAFETY

Discussion

National Landscape

Separate slide deck

Next Steps

Next Steps

- Survey
  - Be on the lookout for upcoming survey via email
- Next Meeting
  - September 30, 2-5pm, held virtually

Thank You