

## Opinion: Congress should close the hemp loophole and protect America's kids



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With overwhelming support, including from 39 attorneys general, there's no excuse for inaction on dangerous intoxicating "hemp" products.

At a time when Washington can look dysfunctional, there is one issue where Congress already got it right and just needs to finish the job.

The 2018 Farm Bill legalized industrial hemp crops as a boon to America's farmers. The intent was unmistakable: support our critical agricultural industry, create jobs, and expand the potential of nonintoxicating hemp for rope, textiles, and construction materials. Unfortunately, that's not the only potential that got expanded as a result of industrial hemp.

An unintended loophole in that same law opened the door to an entirely different industry producing and marketing psychoactive, hemp-derived THC products, to the extreme detriment of America's children.

These lab-made intoxicants — Delta-8, Delta-10, HHC, and others — are being sold nationwide in the guise of "hemp" or "CBD." They come in child-friendly forms like gummies, sodas, and candies, with no age limits, no testing standards, and no oversight. The results are alarming: youth poisonings, ER visits, addiction, and deceptive marketing that puts families at risk.

The National Association of Attorneys General, on behalf of a coalition of 39 state and territory attorneys general — Democrats and Republicans alike — has sent a joint letter to congressional leaders calling this situation a "public health crisis" and urging immediate federal action.

In their letter dated Oct. 24, to the chairs of the House and Senate Appropriations and Agriculture Committees, the attorneys general wrote that "intoxicating hemp-derived products have inundated communities ... posing significant threats to public health and safety." Their message is urgent and direct: Congress must clarify the federal definition of hemp so that intoxicating, synthetic, or psychoactive products cannot be marketed and sold as hemp under the guise of legality.

The good news? Congress already has a solution in hand. The House included strong language to close this dangerous loophole in its Agriculture Appropriations bill, as did the Senate Appropriations Committee. The policy is simple, balanced, and effective. It protects children, restores clarity for law enforcement, and safeguards legitimate hemp farmers who are being undercut by bad actors.

The language was unfortunately dropped from the Senate version of the bill at the last minute, but there is still a chance for lawmakers to take decisive action. Congress should not miss the opportunity to shield America's children from the dangers of hemp-derived THC products. Leaders on both sides of the aisle should work to ensure that the House-passed language is included in the final version of the Agriculture Appropriations bill. This fix should not be controversial or partisan. It's simply the right thing to do.

Congress, this one's easy: close the psychoactive hemp loophole and deliver a resounding win for the health and safety of children nationwide.

Diane Carlson is co-founder and National Policy Director for One Chance to Grow Up, a non-partisan non-profit dedicated to safeguarding kids from deceptive THC products.

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