



# Synthetic THC

## Emergency Rule Factsheet

### What problem does this rule solve?

- Using hemp to make synthetic THC products is dangerous
- Delta-8 is an intoxicating synthetic THC that is marketed to kids in drinks and vape devices
- Consuming or inhaling synthetic THC causes agitation, hypertension and hypotension, cough, abnormal heart rate, paranoia, anxiety, memory loss, confusion, breathing difficulties, seizures, and even death
- Synthetic THC products are made by exploiting a loophole in federal law
- This emergency rule closes the federal loophole for products manufactured in New Mexico



Delta-8 THC Synthetization

### Rule Overview

#### Summary

- Defines synthetic THC in two categories: semi-synthetic & synthetic cannabinoids
- NM-based manufacturers:
  - May not produce or use synthetic THC
  - May receive & use specific pure non-intoxicating synthetic products
  - Must prove hemp ingredients used are derived from hemp & are natural



#### Who does this apply to?

- The emergency rule applies to:
- Hemp extraction, manufacturing, and warehouse facilities
- Cannabis manufacturers that use hemp-derived ingredients in products



#### Key Dates

- Rule was effective August 1, 2025
- Implementation allowance for emergency provisions is September 15, 2025
- Emergency rule expiration & final rule effective January 27, 2026



#### Next Steps

1. Industry training provided by NMED, August 6
2. NMED completes final rule draft & seeks public comment via public meetings and online portal in September 2025
3. NMED holds hearing to adopt final rule in November 2025
4. Final rule effective & industry training provided by NMED in January 2026

### For more info, contact:

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