

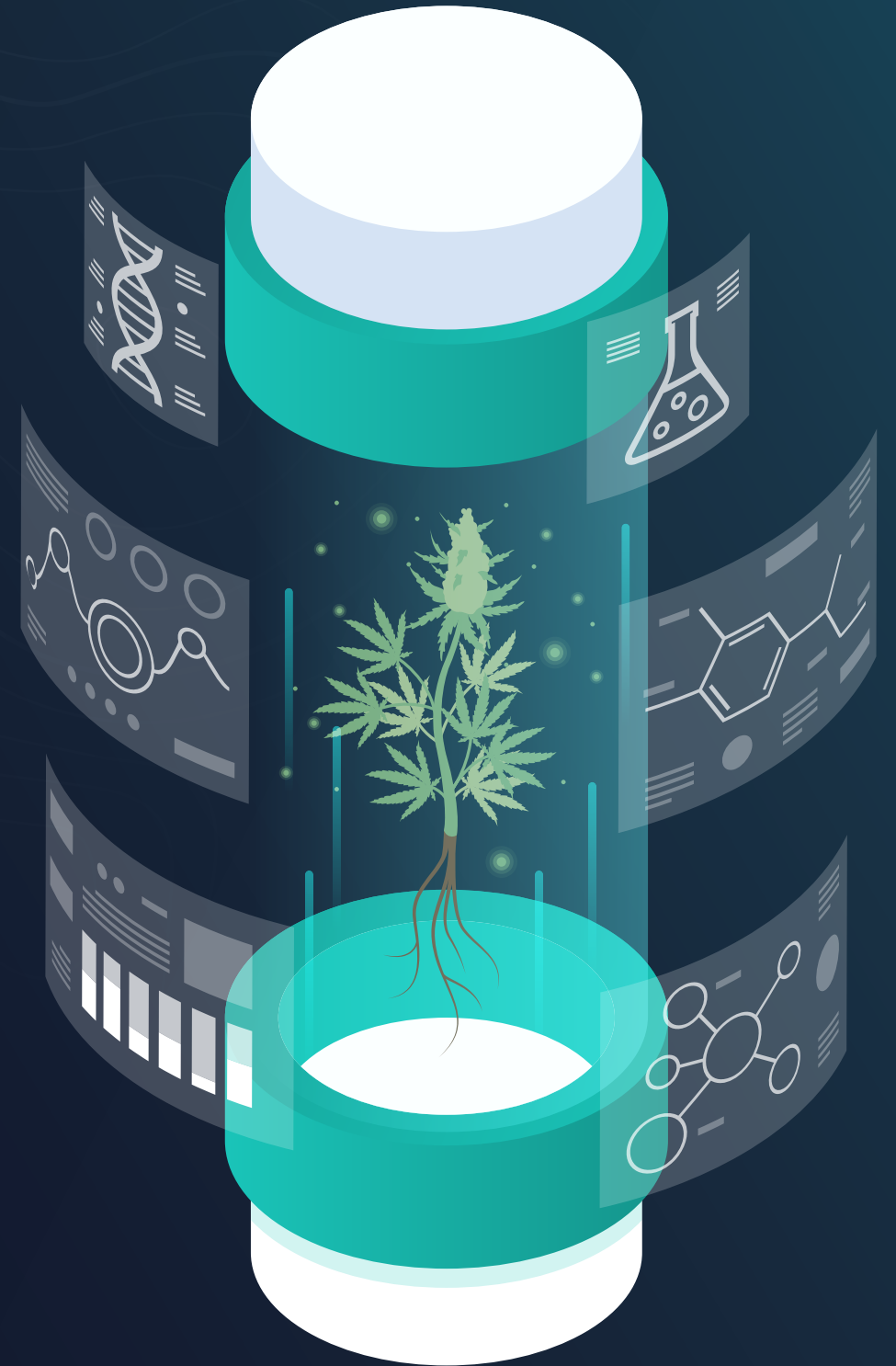
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# What's the Fate of Delta-8?

Consumer, Product, and  
Regulatory Trends



BRIGHTFIELD GROUP









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**US CBD Consumer Insights:**

Survey fielded quarterly. Responses are collected online from a census-balanced sample of 5,000 unique CBD users age 21+ in the United States.

**Evergi™ Conversations:**

We collect social listening data from Twitter and Instagram posts utilizing keywords related to wellness. Posts are tagged by product type and subtype, medical conditions, ingredients, need states, and associated keywords.

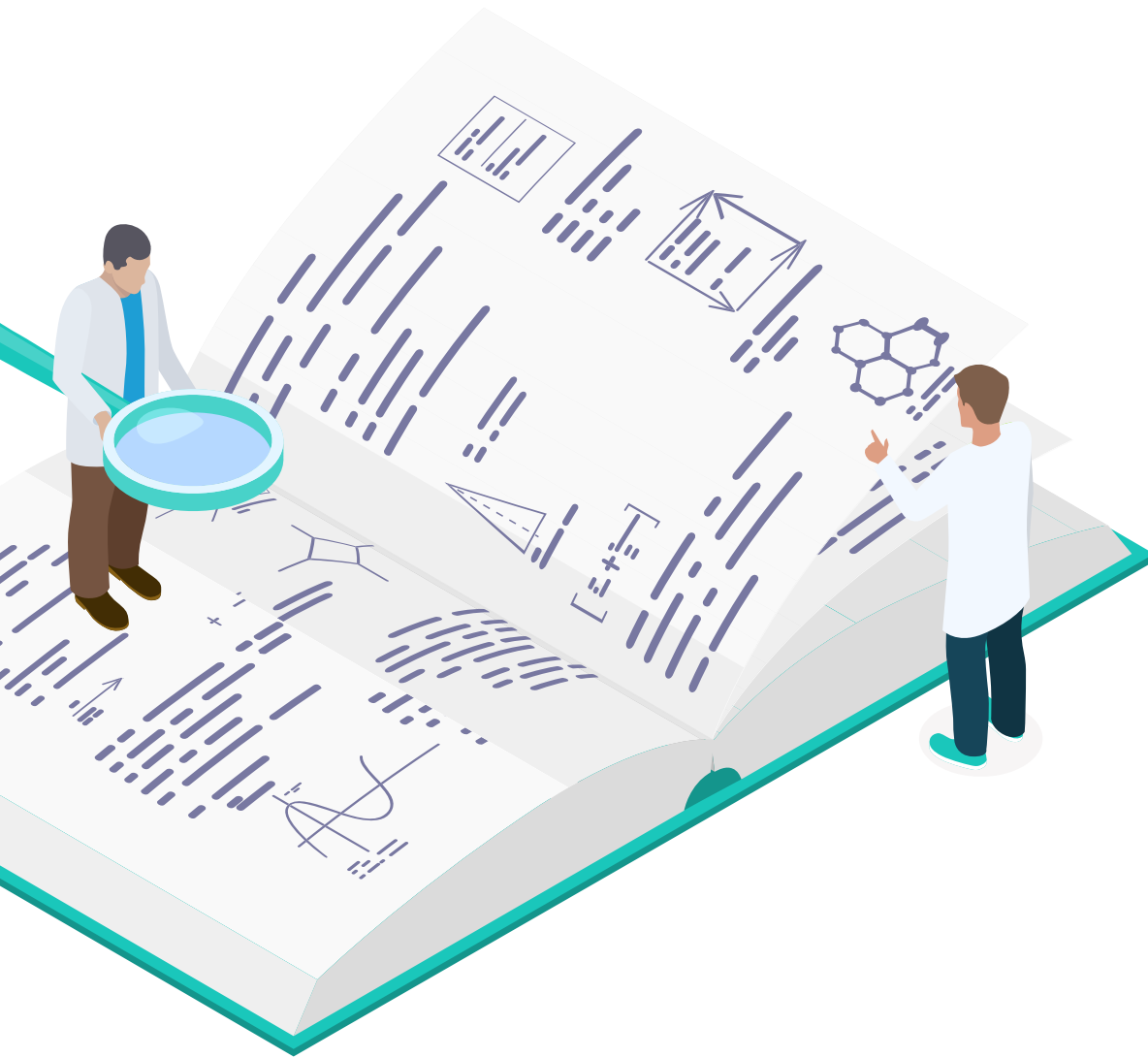
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## Introduction



Delta-8 THC is the hottest new cannabinoid of 2021. Busting onto the scene in December 2020, delta-8 products are widely available in smoke shops and online retailers. The topic has been heavily covered by local news stations across the country as Americans find interest in this “*legal marijuana*.” Following the news, social listening data shows conversations around delta-8 grew 163% from December 2020 to April 2021. **Only six months into the trend, 23% of American CBD users are already aware of delta-8 THC.**

## How Did the Delta-8 Trend Begin?



Delta-8 exists as a quasi-legal cannabinoid that was legalized in the 2018 Farm Bill. This bill modified the definition of tetrahydrocannabinols (THC) to exclude THC in hemp from the Controlled Substance Act (CSA). Any derivative, isomer, or cannabinoid of the hemp plant is considered hemp and no longer a controlled substance. This includes hemp-derived cannabidiol (CBD), minor cannabinoids, and delta-8 THC.

This alone may seem like justification for delta-8's legality, but there are a number of regulations against synthetic cannabinoids. While legal if derived directly from hemp, delta-8 occurs naturally at very low levels. Most delta-8 comes from a process of synthetically altering CBD into delta-8.

All of this is to say—there is very little federal guidance, and many companies have taken advantage of the moment. Even if delta-8 is considered a controlled-substance, federal authorities have yet

to crack down on companies selling it in the open. Certain states are closing the loophole by banning or regulating delta-8. The DEA and FDA both say they have started the rulemaking process, so this legally murky market will eventually become clear. As it stands, very little is known about delta-8 THC, but its recent boom in popularity has put it in the hands of consumers nationwide.

## The Early Adopters of Delta-8 THC

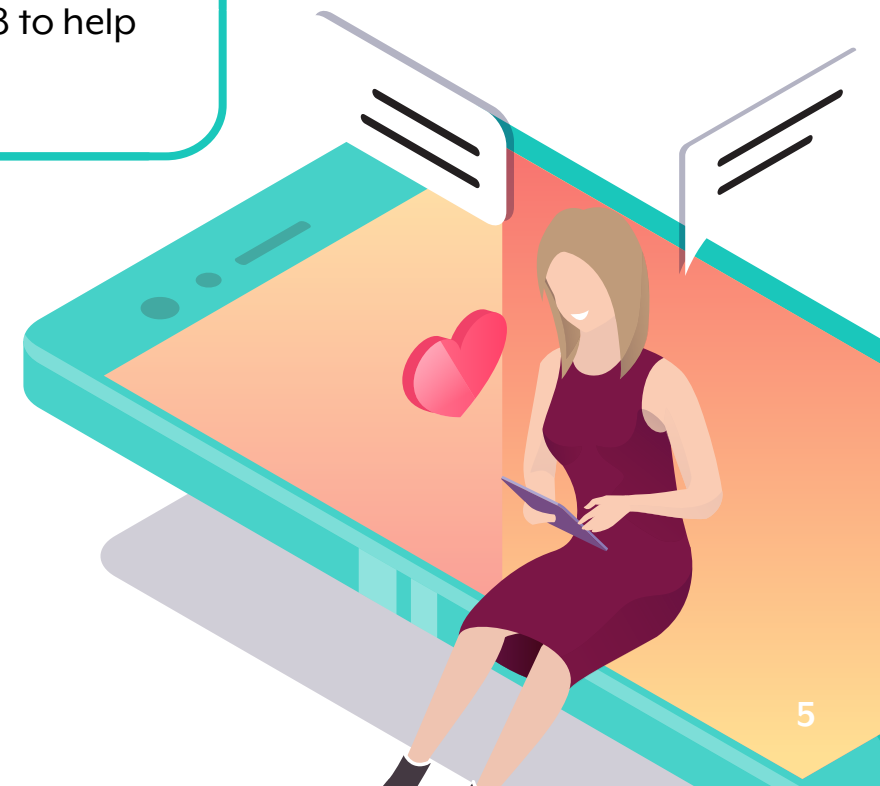
### Quotes from Delta-8 Early Adopters on Social Media:

“It was a rough weekend! I was in horrible pain yesterday! Thankful for my #delta8gummies 1 gummy will last all day for me! I wish I had discovered these sooner! I love being able to eat my #weed I have kids, so no smoking in this house!”

“What do you do to decompress during breaks? Have you tried delta-8 to help reduce stress and anxiety?”

“I've really enjoyed spending my morning with a nice cup of coffee and some #delta8thc. Such a relaxing, yet energizing combination. Have you tried delta-8?”

23% of American CBD users were aware of delta-8 THC in Q2 2021—up from 19% in Q1. This trend is accelerating fast. 50% of those aware have purchased delta-8, and 20% report purchasing multiple times. These early adopters of delta-8 are trying it before most people, so their opinion on it could make or break if the trend continues. With such little data on the cannabinoid, early adopter anecdotes are already defining what delta-8 is used for and how it's marketed.



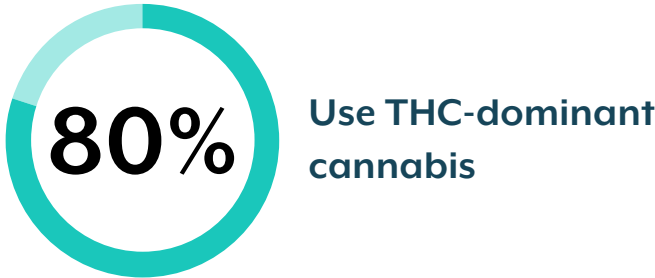
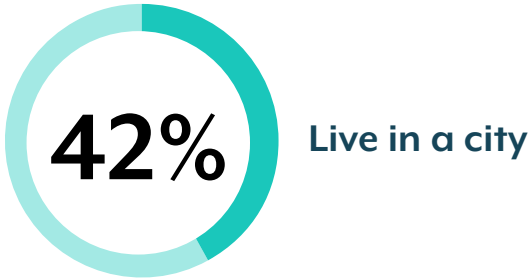
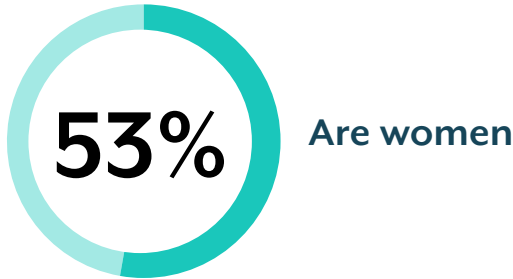
Driving this trend are younger, city-dwelling cannabis users. In places where delta-9 THC is illegal, delta-8 has presented itself as an affordable, convenient way to experience psychoactive cannabis. Delta-8 can be bought in legal channels or delivered in the mail instead of purchasing delta-9 THC illicitly.



Delta-8 Purchaser Demographics  
Q2 2021:

Average age is  
**34**

More likely to live in states  
with restrictive or  
no cannabis laws.



## Why do you use delta-8 THC?

### Consumer Quotes:

““

It doesn't have the paranoia effects associated with delta-9 THC.”

““

I wanted to try it I heard it was like diet weed

““

To see what the buzz was about

The most popular reason for trying delta-8 was **curiosity**. 17% of delta-8 purchasers tried it to see what it was like. All the media attention, word of mouth, and ease of access have made delta-8 an enticing, low-risk cannabinoid to try.

Still, 20% of delta-8 early adopters do not use delta-9 THC. There's something unique about delta-8 attracting consumers. Medical studies show that while delta-8 and delta-9 are similar, delta-8 is not as psychoactive as delta-9. Anecdotally, consumers say they get a smoother, milder high with less anxiety and paranoia that can happen with delta-9 THC.

More scientific research is needed to confirm these effects, but proponents of delta-8 are excited about the potential it presents to the broader cannabis market.

While many consumers use CBD for cannabinoid-based wellness without the high, delta-8 could potentially provide a bridge between the two sides. Delta-8 may provide the health benefits of CBD alongside a milder psychoactive high.



Delta-8 purchasers currently use CBD for mental health conditions more than the average CBD user. On social media, 20% of delta-8 conversations are around relaxation, compared to only 9% of CBD conversations. Consumers are finding distinct uses for cannabinoids as more become available. For some consumers, CBD may just be the starting point for cannabinoid-based medicine.

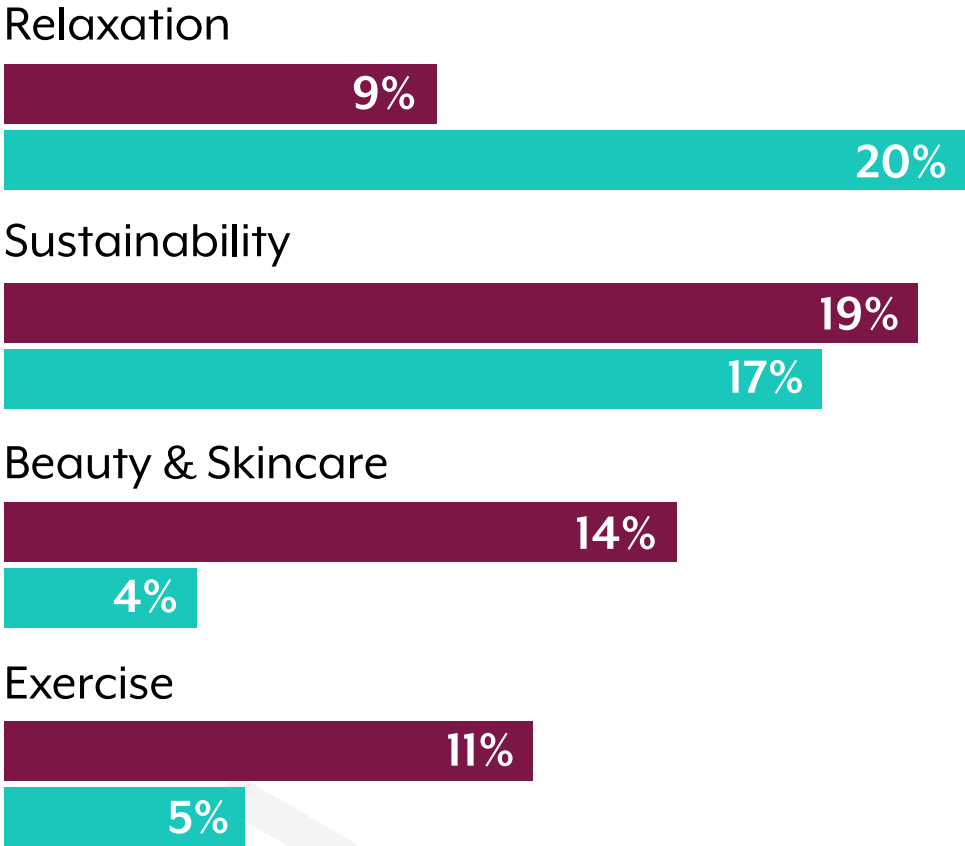
Consumer Quotes:

“ It doesn't have the paranoia effects associated with delta-9 THC.

“ It was a good substitute for delta-9 THC gave a similar effect without as much psychoactive tendencies.

Social Conversations by Topic  
% CBD vs. Delta-8

● CBD      ● Delta-8





# Delta-8 on the Market

Delta-8 is primarily being sold through e-commerce, with smoke and vape shops picking up the same products available online. Most of these brands distinctly sell delta-8. The delta-8 category is already seeing brands built with distinct stories, branding, and innovations.

## Brand Examples: 3Chi

3Chi leans on being scientifically advanced. Started by a biochemist, they claim to be the first “to make a pure version of delta-8 THC from hemp in September 2019.” It carries a wide range of products including baked goods, distillate, and tinctures for distinct use-cases like “comfortably numb.” The brand even sells a THCV isolate.



**3Chi:** Comfortably Numb, Delta-8 THC:CBN Tincture



**3Chi:** Delta-8 THC Distillate Syringe



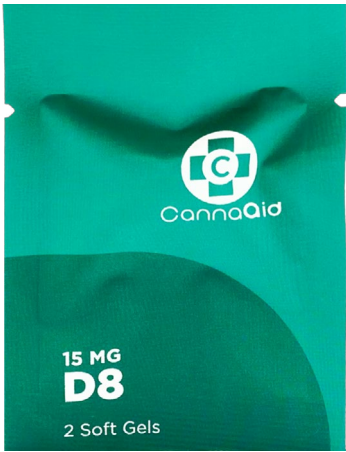
**3Chi:** Delta-8 Cookies

Brand Example: CannaAid

CannaAid takes a more medicinal approach to branding, evident by its logo. Its menu has all the staples—vapes, tinctures, softgels, gummies, and pre-rolls—along with an interesting delta-8 snuff. The brand sells a wide variety of delta-8 vape strains and CBD ratios. CannaAid includes a store finder on its site, and have small trial sizes ideal for impulse purchasers.



CannaAid: Live Free Mango Kush Delta 8 Pouches



CannaAid: Delta-8 Soft Gels 15 MG



CannaAid: Delta-8 .5 ML GRANDDADDY PURP Vape Cartridge

Brand Example: Bearly Legal Hemp Co.

Bearly Legal Hemp Co. jokes at the fact delta-8 is not fully legal while using the imagery of bears to create a fun, naturally-positioned brand. Along with a full roster of softgels, gummies, and flower, it sells strain specific vape cartridges in colorfully designed packaging.



Bearly Legal Hemp Co.: Delta 8 Pre-roll Kief Joints



Bearly Legal Hemp Co.: Gorilla Glue, Delta 8 Vape



Bearly Legal Hemp Co.: Delta 8 Gummies

# CBD Brands Get into Delta-8

Some CBD brands have leaned into the opportunity to provide consumers with delta-8. Diamond CBD launched an extensive line of delta-8 products including gummies, vape cartridges, tinctures, pre-rolls, and vapes. NuLeaf Naturals carries a delta-8 tincture and capsule, while Koi CBD has tinctures, gummies, and infused hemp flower. All three of these CBD brands have over 1% market share in at least one CBD product type of shelf.

Delta-8 products on the market are nearly identical with the packaging removed, and there are no standards for testing. Beyond delta-8 brand websites, consumers must trust Reddit and other online reviews to know which brands to trust. The bottom line is there are no testing regulations for delta-8 hitting the market today. Lack of federal oversight has left consumers without guidance as to which products to trust.



**Koi CBD:** High Hopes Delta 8 THC Infused Hemp Flower



**NuLeaf Naturals:** Full Spectrum Delta 8 THC Capsules



**Diamond CBD:** Delta-8 Bites Strawberry Cream Gummies



## Legislative Future of Delta-8

Until federal agencies come to a final ruling and standardize regulations, laws will continue to change on a state and local level. Currently, there are 12 states that have completely banned delta-8 THC—including states where recreational and medical marijuana is legal.

States will likely continue to close the delta-8 loophole. It takes time for the laws and regulations to catch up to this brand-new industry and emerging market. Until there is a more defined federal consensus on the compound, states will be left to decide how to interpret the laws and will continue to adjust them as they see fit.

Not every state will elect to fully ban delta-8. Oregon has elected to not ban the product, but rather to bring it under the regulatory control of the state's cannabis and alcohol commission.

By regulating delta-8, states create safer markets for their citizens. There is no doubt that laws will continue to change on the state and federal level over the coming months and years.



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