

**Senate Committee on State Affairs  
Interim Charge: Beverages with THC  
Testimony of Lindy McGee, MD, submitted on behalf of:  
Texas Medical Association and Texas Pediatric Society  
*Oct. 17, 2024***

Chair Hughes, Vice Chair Paxton, and committee members, I am Lindy McGee, MD, a pediatrician in Houston. On behalf of the more than 57,000 physician and medical student members of the Texas Medical Association (TMA) and the Texas Pediatric Society (TPS), we appreciate the opportunity to comment on the regulation of beverages with THC in Texas.

Texas has seen a dramatic increase in THC-infused or cannabis-infused beverages on the market. Our organizations believe the Texas consumers should be thoroughly informed of what they are putting inside their bodies. While federal tetrahydrocannabinol (THC) regulations still haven't come to fruition, if these products remain on the market, we encourage at least state-level regulation and strict labeling of THC beverage products.

With availability of flavors like cherry limeade and peach mango, one major concern with these products is their potential risk to children. Children are increasingly seen at emergency rooms for accidental consumption and poisoning, resulting in serious effects on neurologic and respiratory functioning. THC beverage poisoning in children can linger for hours, with more severe cases requiring ICU admission for close monitoring, increasing patients' hospital costs in addition to the health impacts. Further, TMA and TPS also share concerns about use by adolescents and young adults (under the age of 21) where frequent usage and high THC concentrations increase risk of psychosis, suicidal ideation, cannabinoid hyperemesis syndrome (cyclical episodes of nausea, vomiting, and abdominal discomfort in chronic cannabis users), and dependency.<sup>i</sup> Currently, there is no minimum age set by Texas statute to purchase THC beverages in Texas, which means in theory, children can legally purchase these products. These products can easily be found at vape shops, CBD shops, distilleries, and online.

Also alarming is the lack of regulation of THC concentration in these beverage products. Some researchers consider a low-dose beverage to contain two to four milligrams of THC in an eight-ounce container,<sup>ii</sup> but you find products on the market labeled "high-potency" with easily 50 milligrams per can, and even distilleries selling over 100 milligrams per one single bottle – and the only limitation to keep children from ingesting it is an easy pull-off cork.

Further, THC and alcohol consumed on their own result in cognitive impairment. However, when you consume beverages that contain both THC and alcohol, or even consume them separately from different products, it's not just the sum of the two parts, but instead there is an exponential

impairment, magnifying the loss of coordination, delayed reaction time, weakened concentration, and altered judgment.<sup>iii</sup>

Therefore, to protect Texas youth and to properly inform Texas consumers, TMA and TPS urge you to consider implementing the following regulations regarding THC beverages – if they remain on the market at all:

- Establish and enforce a **minimum age requirement of 21 years of age** (similar to Texas' alcohol laws) for consumers to be able to purchase THC beverages – including online orders.
- Limit accidental ingestion and poisoning of children by requiring **child-resistant (“child-lock”) packaging**.
- **Prohibit the use of colorful, eye-catching, or cartoon labeling** or bottle/can designs that may appeal to children. Warning labels on these products may also be used as a reminder to keep these products out of children's reach to keep children safe.
- All THC beverage products should be **appropriately labeled**, to include total **THC concentration** and accurate warning labels.
- One container of THC beverage should **comply with the state's 0.3% THC limit**. The state needs to determine a standardized concentration limit in commonly used units, e.g., milligrams.
- Continue to invest in a robust product laboratory testing system with funding to: **ensure compliance** with the 0.3% THC limit; detect contamination by any harmful chemicals and heavy metals; and ensure the product is accurately portrayed on product packaging.
- To get ahead of this fast-paced industry, give the appropriate agencies such as the **Texas Department of State Health Services (DSHS) and/or the Texas Alcoholic Beverage Commission authority** over THC beverages, to evaluate product safety.
- **Establish safety monitoring strategies and research** to detect any associated negative health outcomes. Without proper research, THC beverages should be considered unsafe for youth.
- **Restrict advertising** and sale of THC beverages near schools and playgrounds, and via social media platforms, similar to alcohol control measures used to protect youth.
- Empower DSHS to provide **public education** in schools as necessary to discourage youth consumption.
- Raise awareness about the risks of **driving while intoxicated** (DWI) after consuming THC beverages, as these products impair drivers' reaction times, similar to alcohol's effects, and combining alcohol and THC causes exponential impairment. Considerations may also need to be made to increase funding for the legal enforcement necessary to address DWIs.

While medical guidance and research are needed to determine the safety of consuming THC beverages in adults, we know that teenagers and young adults who use these products are at higher risk for developing substance use disorders. The risk of psychosis and suicide are concerns as well, as the likelihood of developing these conditions is higher among younger users of THC products and people who consume higher concentrations of THC. Our focus is not only to protect Texas youth from acute harm and poisoning, but also to protect them from a lifetime of dependency and potential mental health conditions.

Thank you again for this opportunity to support stronger regulation of THC beverage products. For answers to questions, please contact Matt Dowling, TMA director of Public Affairs, at [matt.dowling@texmed.org](mailto:matt.dowling@texmed.org); or Clayton Travis, TPS director of Advocacy and Health Policy, at [clayton.travis@txpeds.org](mailto:clayton.travis@txpeds.org).

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<sup>i</sup> [Marijuana use in children: An update focusing on pediatric tetrahydrocannabinol and cannabidiol use](#)

<sup>ii</sup> [Cannabis drinks: How do they compare to alcohol? - \*Harvard Health\*](#)

<sup>iii</sup> [Co-use of Alcohol and Cannabis: A Review](#)