



Rod Kight &lt;rod@kightlaw.com&gt;

---

**Control status of hemp-derived THCO acetate**

9 messages

**Rod Kight** <Rod@kightlaw.com>

Wed, Aug 17, 2022 at 1:23 PM

To: DPE@usdoj.gov

Cc: ODLL@dea.gov, ODLP@dea.gov

Dear Dr. Boos:

This email is sent to you in your capacity as the Chief of the Drug & Chemical Evaluation Section, Diversion Control Division, of the Drug Enforcement Administration ("DEA") to inquire about the control status of THC acetate ester ("THCO").

As a preliminary matter, I have been unable to find THCO in the current list of controlled substances. Please confirm that I have not overlooked it and that THCO is not currently listed as a controlled substance.

Assuming that THCO is not listed as a controlled substance, my primary question is whether the DEA considers THCO to be a controlled substance analog of delta-9 tetrahydrocannabinol when it is derived from hemp. As you may be aware, THCO can be derived from cannabidiol ("CBD") that has been extracted from hemp. Given that the definition of "hemp" under 7 U.S.C. § 1639o(1) includes "all derivatives", is THCO a controlled substance analog under 21 U.S.C. § 813 when it is derived from CBD?

Thank you for your time and attention to this matter. I look forward to your response, which may be sent via email to this address.

Sincerely,

Rod Kight

**Rod Kight***(he/him/his)*

Attorney, Kight Law Office

Licensed in North Carolina and Oregon

828-255-9881 | [rod@kightlaw.com](mailto:rod@kightlaw.com)

CONFIDENTIALITY NOTICE: This email transmission may contain information that is confidential or privileged. If you are not the intended recipient, please do not read, print, retain, copy or disseminate any part of this message or attachments. Please notify me immediately if you have received this email in error. Thank you.

IRS C. 230 NOTICE: Any U.S. tax advice contained in this email transmission, including any attachment(s), is not intended to be used, and cannot be used, to avoid penalties under the Internal Revenue Code or to promote a transaction intended for this purpose.

---

**DPE Mailbox** <DPE@dea.gov>

To: Rod Kight &lt;Rod@kightlaw.com&gt;

Thu, Oct 13, 2022 at 4:22 PM

Good afternoon,

Please provide a mailing address to be included on your response letter. A response letter will be sent via email.

Sincerely,

Drug and Chemical Evaluation Section

Diversion Control Division

Drug Enforcement Administration

--

x93

[Quoted text hidden]

---

**Rod Kight** <Rod@kightlaw.com>  
To: DPE Mailbox <DPE@dea.gov>

Thu, Oct 13, 2022 at 5:00 PM

Thank you for your email. Please address the response letter to:

Kight Law Office PC  
Attn. Rod Kight, Attorney  
PO Box 526  
Edneyville, NC 28787

I look forward to your response.

Rod Kight  
[Quoted text hidden]

---

**Rod Kight** <Rod@kightlaw.com>  
To: DPE Mailbox <DPE@dea.gov>

Wed, Feb 1, 2023 at 3:34 PM

Hello. I am following up on this email thread regarding the control status of THC acetate ester ("THCO"). I look forward to your response.

Sincerely,

Rod Kight  
[Quoted text hidden]

---

**DPE Mailbox** <DPE@dea.gov>  
To: Rod Kight <Rod@kightlaw.com>

Thu, Feb 2, 2023 at 9:07 AM

Good morning Mr. Kight,

A response to your letter is pending review by our Office of Chief Counsel. When it is ready, it will be sent to you electronically.

Please don't hesitate to contact us if you have any other questions.

Sincerely,

Drug and Chemical Evaluation Section

Diversion Control Division

Drug Enforcement Administration

Email: [DPE@dea.gov](mailto:DPE@dea.gov)

571-362-3249

--

X72

[Quoted text hidden]

---

**Rod Kight** <[Rod@kightlaw.com](mailto:Rod@kightlaw.com)>  
To: DPE Mailbox <[DPE@dea.gov](mailto:DPE@dea.gov)>

Thu, Feb 2, 2023 at 9:16 AM

Thank you.

Rod  
[Quoted text hidden]

---

**DPE Mailbox** <[DPE@dea.gov](mailto:DPE@dea.gov)>  
To: Rod Kight <[Rod@kightlaw.com](mailto:Rod@kightlaw.com)>

Tue, Feb 7, 2023 at 1:19 PM

Good afternoon Mr. Kight,

We wanted to confirm the substance in question was in fact delta-9-THCO? Please let us know.

[Quoted text hidden]

---

**Rod Kight** <[Rod@kightlaw.com](mailto:Rod@kightlaw.com)>  
To: DPE Mailbox <[DPE@dea.gov](mailto:DPE@dea.gov)>

Tue, Feb 7, 2023 at 1:34 PM

Hello, thank you for contacting me. I was actually referring to THCO generally, including its various isomers. Is that helpful, or do you need more information from me?

Rod  
[Quoted text hidden]

---

**DPE Mailbox** <[DPE@dea.gov](mailto:DPE@dea.gov)>  
To: Rod Kight <[Rod@kightlaw.com](mailto:Rod@kightlaw.com)>

Tue, Feb 7, 2023 at 2:53 PM

Hello,

If you would like for us to review more substances than delta-8-THCO and delta-9-THCO you will need to let us know specifically which substances you would like for us to review. If delta-8-THCO and delta-9-THCO is enough, then we have what we need.

[Quoted text hidden]