



U.S. Department of Justice
Drug Enforcement Administration

Office of the Administrator

Springfield, VA 22152

February 7, 2013

Richard V. Aghababian, MD, FACEP
President
Massachusetts Medical Society
860 Winter Street
Waltham, Massachusetts 02451-1411

Dear Dr. Aghababian:

Thank you for your letter dated October 2, 2012, on behalf of the Massachusetts Medical Society, requesting that the Drug Enforcement Administration (DEA) reclassify marijuana "so that its potential medicinal use by humans may be further studied and potentially regulated by the Food and Drug Administration."

It should be noted that placement of a substance in Schedule I of the Controlled Substances Act (CSA) does not preclude scientific research from being conducted using marijuana and its components. The CSA includes provisions allowing for bona fide research with Schedule I controlled substances, provided that the Secretary of the Department of Health and Human Services (HHS) has determined the researcher to be qualified and competent and the research protocol to be meritorious. 21 U.S.C. § 823(f). Researchers who meet these criteria must obtain a registration to conduct research with a Schedule I controlled substance.

DEA has never denied a research registration for marijuana and/or THC if the Secretary of the HHS has determined that the applicant is qualified and competent and the research protocol is meritorious. Currently, there are active researchers registered with DEA to perform research with marijuana, marijuana extracts, and marijuana derivatives such as cannabidiol and cannabitol.

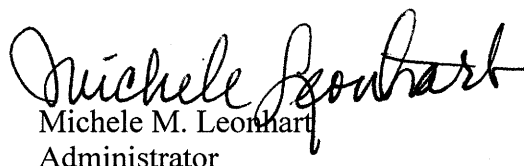
Marijuana has been evaluated in the past for control under the CSA. It has been found that marijuana meets the three criteria for the placement as a Schedule I substance under the CSA, pursuant to 21 U.S.C. § 812(b)(1). Namely, marijuana has a high potential for abuse, has no currently accepted medical use in treatment in the United States, and lacks accepted safety for use under medical supervision. For further details, please see the Federal Register (FR) publication number 76 FR 40552.

Please also note that the levels of marijuana use in the United States continue to rise. Marijuana remains the most abused illicit drug. According to the 2011 National Survey on Drug Use and Health, 18.1 million Americans aged 12 years and older reported using marijuana in the past month.

In 2011, approximately 2.6 million Americans aged 12 years and older used marijuana for the first time, which is an average of approximately 7,100 new users every day. According to the 2011 Monitoring the Future report, the number of current users of marijuana among 8th, 10th and 12th graders was at peak levels, the highest since 2002. In 2011, daily marijuana use markedly increased among all three grade levels, compared to 2009 data. Daily marijuana use is now at a 30-year peak level among high school seniors, with one in every 15 high school seniors today using marijuana on a daily or near daily basis. In 2009, marijuana was involved in more than 376,000 emergency room visits nationwide, draining valuable local, state, and federal resources. These and other factors contribute to the significant strain of marijuana use on our healthcare system, and pose a considerable threat to the health and safety of the users, their families, and the communities as a whole. Again, under Federal law, marijuana remains a Schedule I controlled substance with no currently accepted medical use.

If you have any further questions or concerns, please contact Joseph T. Rannazzisi, at (202) 307-7165.

Sincerely,



Michele M. Leonard
Administrator