

Exhibit A: Proposed Rule

We propose the following: that the rule placing “marihuana” in Schedule I [21 CFR 1308.11(d)(23) and 21 CFR 1308.11(d)(31)] is repealed and placed as a Schedule II drug. This is not a petition for the removal of marijuana from scheduling under the Controlled Substances Act (CSA), but a petition to have marijuana and related items removed from Schedule I and rescheduled as “medical cannabis” in Schedule II, and made on the basis of the scientific and medical evaluation required pursuant to the CSA, *see* Exhibit B, Statement of Grounds (21 USC 811(c)).

For the purposes of this petition, and in reference to the Drug Enforcement Administration (DEA) listing of Schedule I drugs, this will include all tetrahydrocannabinols (THC), which are naturally contained in a plant of the genus *Cannabis* (cannabis plant), as well as synthetic equivalents of the substances contained in the cannabis plant, or in the resinous extractives of such plant, and/or synthetic substances (not otherwise already classified as Schedule II or III), derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant, such as the following:

- 1 cis or trans tetrahydrocannabinol, and their optical isomers;
- 6 cis or trans tetrahydrocannabinol, and their optical isomers; and
- 3,4 cis or trans tetrahydrocannabinol, and its optical isomers.

Given that nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered are included.

The following is the proposed rule:

REMOVE: 21 CFR 1308.11(d) (23) and (31) and others sections that may relate to medical cannabis use:

“(d) Hallucinogenic substances. ...:

... (23) Marihuana	7360
... (31) Tetrahydrocannabinols	7370
Meaning tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (cannabis plant), as well as synthetic equivalents of the substances contained in the cannabis plant, or in the resinous extractives of such plant, and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant, such as the following:	
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-1 cis or trans tetrahydrocannabinol, and their optical isomers	
-6 cis or trans tetrahydrocannabinol, and their optical isomers	

~~3,4 cis or trans tetrahydrocannabinol, and its optical isomers~~

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~~(Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.)”~~

RESCHEDULED TO: 21 CFR 1308.12 Schedule II:

“(a) Schedule II shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the Controlled Substances Code Number set forth opposite it.

...

(f) Hallucinogenic substances.

(1) ...

(2) Cannabis (also known as Marihuana, including Tetrahydrocannabinols) for medicinal purposes only ...

OTHER ISSUES FOR CONSIDERATION:

We would urge appropriate age and condition limitation.