ASA Urges New Federal Cannabis Agency

A new report from Americans for Safe Access shows how to resolve the conflict between federal prohibition and state laws that regulate access to medical cannabis for over three million patients across the country. The report, *Ending the Federal Conflict: Changing the Paradigm on Medical Cannabis*, calls for descheduling cannabis or rescheduling it to allow it to be used as a frontline medication. ASA is also urging the creation of a new federal agency, the Office of Medical Cannabis Control (OMCC) that would have centralized regulatory authority over medical cannabis research, production, distribution, and quality.

The only protection for state medical cannabis programs in federal law is a budget bill, subject to change each year, that prohibits the Department of Justice from spending money targeting medical cannabis patients or the programs in which they are enrolled. Plans for legalization at the federal level have been introduced for years with little impact. It is time for a new approach to cannabis policy.

Currently, nearly a dozen different federal agencies play a role in the decision-making processes relating to the scheduling of cannabis. These agencies differ from one another in their aims, methods, and missions. This hinders progress on important research and federal recognition of cannabis as medicine. Since California created access to medical cannabis in 1996, 33 states have created robust medical cannabis programs and another 14 states allow legal access to limited forms of cannabis products.

ASA’s model legislation provides a new regulatory framework for cannabis and removes restrictions on research. The proposed OMCC would establish consistent national oversight of operating licenses, minimum standards for labeling and packaging, standards for cultivation, and standards for testing for pesticides, heavy metals, contaminants, adulterants, and other potential threats to health. States would have to meet the proposed new federal standards, and those with more stringent rules than the federal guidelines would be allowed to keep them in place.

The proposed legislation would also streamline research access for medical cannabis by centralizing study approval under the new OMCC. Currently, researchers must get the approval and cooperation of the Food and Drug Administration (FDA) before they can conduct research. The requirement for labs to be registered with the Drug Enforcement Administration (DEA) before certifying hemp crops as legal is problematic because there are only 47 such laboratories across 25 states, and this could create a bottleneck for testing.

ASA submitted comments to USDA on the rule, noting this is problematic because there are only 47 such laboratories across 25 states, and this could create a bottleneck for testing. ASA recommends removing the DEA-registration requirement entirely instead of just delaying it. The requirement for labs to go into effect once the final rule is issued or on October 31, 2021, whichever is sooner. Until then, labs that are not yet registered with the DEA can conduct testing on hemp as long as they comply with the requirements set forth in the interim final rule.

USDA Updates Hemp Testing Rules

Last month, the U.S. Department of Agriculture (USDA) announced it would delay a registration requirement for laboratories being used to verify hemp crops as legal. Previously, the USDA had indicated all labs would have to be registered with the Drug Enforcement Administration (DEA) before certifying hemp crops as meeting the federal limits for THC content under the 2018 Farm Bill.

ASA recommends removing the DEA-registration requirement entirely instead of just delaying it. The requirement for labs to go into effect once the final rule is issued or on October 31, 2021, whichever is sooner. Until then, labs that are not yet registered with the DEA can conduct testing on hemp as long as they comply with the requirements set forth in the interim final rule.
At an age when most competitive athletes have called it quits, Anna Symonds is still on the rugby pitch, 20 years after her first scrum. She credits cannabis for that.

Originally a soccer player, Anna switched to rugby in college and continues to play at the elite level in the USA Rugby Women’s Premier League. As with most all aging athletes, Anna found her injuries started to accumulate over the years.

“Some things you never completely heal from,” she says. “Recovery takes longer.”

Rugby, like many contact sports, has a big drinking culture, with matches followed by socials with the opposing teams. The alcohol will temporarily numb the pain of playing hard and hitting the ground with no protective gear, but Anna discovered she felt even worse the next day, with alcohol intensifying the inflammation.

As a player on the west coast, Anna had teammates who always used cannabis. She substituted it for alcohol right after a game and experienced immediate pain relief and antiinflammation.

“I was like, Woah! This is medicine!” she remembers. “It was an ‘aha’ moment.”

Starting in 2013, Anna began using cannabis more systematically, honing her use to support her performance and wellness. At the same time, she was training a lot, having added Mixed Martial Arts to the rugby, and she found her drinking tapering off, so she made a decision to cut out the alcohol.

That was when she began to identify as a medical cannabis user. That fall, she injured her back, herniating a disc with two bulging discs above, creating chronic back pain.

“I was prescribed painkillers and muscle relaxants,” Anna says. “But cannabis was by far the best for managing that pain and muscle spasm, and also to continue being an athlete.”

In 2014, Anna saw what cannabis can do for managing even more serious conditions, as she provided support for a good friend with aplastic anemia who needed a bone marrow transplant. As she sat at his side through months of chemotherapy, her friend, who is healthy and thriving now, shared his belief that “medibles” were what allowed him to survive the treatment process.

“My belief in cannabis comes not just from my experience but what I saw at his side,” Anna says. “It was very powerful.”

Since Anna lived in Oregon, where medical use has been allowed since 1998, she had a friend who was an organic medical grower she could trust for access. But in early 2016, as Oregon’s new adult-use rules pushed medical cultivators into the new system, Anna decided she needed to get involved with the medical providers.

“I got my medical card then, which might seem counterintuitive, but I felt it was a political issue,” she says. “I needed to take a stand that I use this medically, that this is a medical issue.”

Anna started applying her communication skills to helping medical growers with their paperwork for the transition. In the process, she became concerned with how to make cannabis available for everyone in the face of new taxes and fees.

This made it natural for Anna to begin work in the cannabis industry as an activist. In 2017, she began her current job as a cannabis science educator for Eastfork Cultivars.

Anna is also working to make cannabis more available as a treatment in sports. She is part of the organization Athletes for Care that has petitioned the World Anti-Doping Association (WADA) to remove THC from its list of banned substances.

Anna will be starting her 20th season in women’s rugby this year as openside flanker #7, a demanding position. She’s excited to get back on the pitch and eager for more opportunities to spread the message about how cannabis has helped her.

“How could I not use any chance that I have to share the truth and a message of freedom and rights around health and wellbeing?”

Anna is part of the organization Athletes for Care that has petitioned the World Anti-Doping Association (WADA) to remove THC from its list of banned substances.

Under ASA’s proposal, the new OMCC would establish at least one federally funded medical cannabis research and development center, establish a federal system of laboratory standards, and create a program for certifying research on medical cannabis.

To learn more and view the full report and draft legislation, visit safeaccessnow.org/omcc.