

# FDA Commissioner Says Marijuana Policy Change is Inevitable

Food and Drug Administration (FDA) Commissioner Scott Gottlieb is on the record indicating that the federal administration will likely be addressing the legalization of marijuana soon. In a television interview with CNBC's Joe Kernen, Gottlieb said there's...

*...probably going to be a policy reckoning around this at some point in the future. Obviously, it's happening at the state level, and I think there's an inevitability that it's going to happen at the federal level at some point soon..."*

It's possible that the commissioner is referring to a proposed bill that would exempt state-legal marijuana from the Controlled Substances Act. President Trump expressed approval of the bill back in June of 2018, and federal opposition to marijuana could have also lessened further with the departure of former Attorney General Jeff Sessions. Gottlieb was unable to provide any additional insight into federal marijuana policy, adding, "Unfortunately I don't have anything additional to share."

## What They Have Approved

It's useful to look at what the U.S. government has legalized. Marijuana in any of its forms is illegal. Even though cannabidiol (CBD) doesn't contain the Tetrahydrocannabinol (THC) that gets users high, it's only legal under three circumstances – when it is extracted from the parts of the cannabis plant not considered marijuana, when it is produced for research purposes, and when it has been approved for the

FDA for medical use. According to the commissioner, FDA approval of marijuana products has happened.

*We have approved compounds derived from marijuana, but there is no demonstrated medical use of botanical marijuana. That's the bottom line."*

So what does botanical mean? A botanical drug is classified as a finished product or medicine that contains plant matter. Three medications using synthetic THC have been approved, but only one drug containing natural CBD medication has been approved by the FDA, Epidiolex from GW Pharmaceuticals in the U.K.

Much has been made of the lack of scientific study and data to back medical claims regarding cannabis and CBD, in large part due to the difficulties of conducting peer-reviewed research on illegal substances. That looks to be changing though, as the World Health Organization (WHO) released a report earlier in the year declaring that naturally occurring CBD is safe and well tolerated in humans (and animals) and not associated with any negative public health effects. The report also touted the compound's potential as a treatment for epilepsy. While this is not the only study to report positive outcomes from CBD, the WHO is a leader in scientific research and worldwide policy often takes their recommendations into account.

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## **Slow Change and Momentum**

It was big news when our northern neighbors legalized marijuana in all of its forms on October 17, making Canada only the second country in the world to do so. It remains to be seen if sharing a border with a country containing legally

obtainable weed will have any influence on the state of marijuana reform in the U.S. After the 2018 midterms, legalized recreational marijuana is available in 10 states and the District of Columbia.

It's difficult to know with our current administration where federal policy will end up on the legalization spectrum. Their most vocal marijuana opponent is gone, and Trump is on the record as "probably will end up supporting that" in response to a bill favorable towards cannabis. But who knows if that means anything?

### **Sources:**

- *Federal Marijuana Action Is An 'Inevitability,' Trump FDA Chief Says – Marijuana Moment*
- *Here Are All the States That Have Legalized Weed in the U.S. – Esquire*
- *Uruguay was the first country to fully legalize marijuana – Vox*
- *Marijuana Law, Policy, and Authority – Vanderbilt University Law School*
- *WHO Report Finds No Public Health Risks Or Abuse Potential For CBD – Forbes*