U. S. Department of Justice
Drug Enforcement Administration

Washington, D.C. 20537

MAR 3 0 2001

Honorable Cynthia Thielen
State of Hawaii House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Representative Thielen:

This is in response to your inquiry dated December 21, 2000, requesting that the Drug Enforcement Administration (DEA) not issue any new rules in the Federal Register with respect to "industrial hemp."

"Industrial hemp" is a term that some use to refer to cannabis plants that are grown to produce fiber and oil used in industrial products. The end products made from cannabis plants, such as paper, rope, clothing, and industrial solvents, are likewise referred to by some as "hemp" products. All cannabis plants -- including those grown for "industrial hemp" -- contain marijuana and tetrahydrocannabinols (THC), which are hallucinogenic substances listed in schedule I of the Controlled Substances Act (CSA). Therefore, as the principal federal agency charged with enforcing the CSA, DEA is responsible for regulating production of cannabis and cannabis-derived products.

DEA has been consulting with the Department of Justice, the Office of National Drug Control Policy, and other federal agencies, in an effort to determine how to balance the protection of the health and safety of the general public with the needs of private industry. Taking such considerations into account, DEA has drafted proposed regulations that will specify which cannabis-derived products are subject to control under the CSA. The drafted regulations focus on whether the particular cannabis-derived "hemp" product causes THC to enter the human body. If so, the product will remain a schedule I controlled substance subject to control under the CSA. If, however, use of the product (such as paper or clothing) does not cause THC to enter the human body, the product will be exempted from control and thereby not subject to any of the CSA regulatory provisions that apply to controlled substances.

In accordance with the Administrative Procedure Act, DEA must publish notice of any proposed regulations in the Federal Register and provide members of the public with the opportunity to submit comments. If such publication occurs, it will specify the time and manner for the public to submit comments. All comments will be carefully considered by DEA and taken into account in arriving at the final rule.

If I may be of further assistance to you in this matter, please do not hesitate to contact me.

Sincerely,

Toni P. Teresi
Chief, Office of Congressional Affairs