

# Time for Action: FDA Chief Urges DEA to Reschedule Cannabis Without Delay

In a significant development, the head of the Food and Drug Administration (FDA), Commissioner Robert Califf, emphasized that there is “no reason” for the Drug Enforcement Administration (DEA) to further delay its decision on rescheduling marijuana from Schedule 1 to Schedule 3 of the Controlled Substances Act. Califf’s remarks came during a hearing held by the House Committee on Oversight and Accountability, shedding light on the urgency of addressing the regulatory status of cannabis in the United States.

## Potential Bifurcation: Impact on Marijuana Industry

While advocating for prompt action from the DEA, Califf hinted at the possibility of a “bifurcation” in the treatment of adult-use marijuana compared to medicinal cannabis. Such a distinction, if implemented in the rescheduling process, could have far-reaching implications for the U.S. marijuana industry, raising questions about tax relief and regulatory frameworks for different segments of the market.

## Tax Relief for Medical Marijuana?

Analysts observed that under a bifurcated approach to rescheduling, medical marijuana businesses might benefit from tax relief unavailable to adult-use operators. This potential divergence in regulatory treatment underscores the need for clarity and consistency in cannabis policy to ensure equitable treatment across the industry.

## Congressional Oversight and Accountability

The hearing, led by U.S. Rep. James Comer, highlighted various concerns regarding FDA oversight and regulation, including the agency’s handling of next-generation tobacco products and hemp-derived CBD products. Commissioner Califf acknowledged the need for a new regulatory regime for CBD, emphasizing the role of Congress in providing guidance on navigating these complex regulatory challenges.

## Medical vs. Adult-Use Marijuana

In response to questions from U.S. Rep. Nancy Mace, Califf underscored the distinction between medical and adult-use marijuana, emphasizing the importance of proven medical benefits in traditional medical pathways. While acknowledging the potential for medical marijuana to provide therapeutic value, Califf suggested that recreational cannabis lacks medical justification.

## Call for Congressional Guidance

Amidst ongoing discussions surrounding marijuana rescheduling, Califf reiterated the importance of congressional guidance in shaping regulatory decisions. Emphasizing the need for clarity and direction from Congress, Califf highlighted the complexities surrounding cannabis policy and the potential impact on public

health and safety.

## **Uncertainty Surrounding DEA Decision**

While Calif's remarks provide insight into the FDA's perspective on marijuana rescheduling, there remains uncertainty about the DEA's decision-making process. Despite calls for prompt action, it remains to be seen how the DEA will navigate the regulatory landscape and address the evolving dynamics of the cannabis industry.

As stakeholders await further developments, the push for clarity and consistency in cannabis policy underscores the importance of collaborative efforts between regulatory agencies and congressional oversight to ensure a balanced and effective approach to marijuana regulation in the United States.

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