

Biden-Directed Health Agency Spurs Historic DEA Rescheduling of Cannabis

The Drug Enforcement Administration (DEA) has announced a groundbreaking move, concurring with the U.S. Department of Health and Human Services (HHS) recommendation to reclassify marijuana from Schedule I to Schedule III under the Controlled Substances Act (CSA).

Decades-Long Prohibition Shifts

This decision marks a significant departure from more than 50 years of strict prohibition, during which cannabis was classified alongside heroin as a substance with no recognized medical value and high potential for abuse.

Implications for State-Legal Cannabis Businesses

If the rescheduling proposal is finalized, it could have far-reaching effects for state-legal cannabis enterprises. Notably, such businesses would gain access to federal tax deductions currently prohibited under IRS Code 280E. Additionally, easing research restrictions would pave the way for expanded scientific exploration into cannabis.

Next Steps in the Rescheduling Process

Following DEA's announcement, the proposed rule will undergo review by the White House Office of Management and Budget (OMB). Pending approval, the rule will be open to public comment before potential finalization.

Rescheduling Does Not Equal Legalization

It's crucial to note that rescheduling cannabis does not equate to federal legalization. State cannabis markets would still be at odds with federal law, and existing criminal penalties for certain marijuana-related activities would remain in place.

Scientific Findings Support Rescheduling

HHS's comprehensive scientific review affirmed cannabis's medical value and relatively low potential for abuse compared to other scheduled substances. The review highlighted widespread medical use across the United States and noted the minimal public health risks associated with cannabis.

Pressure on DEA to Act Swiftly

DEA has faced mounting pressure, both from the Biden administration and Congress, to expedite the rescheduling process. Lawmakers and federal officials have emphasized the urgency of correcting cannabis's misclassification and ensuring timely access to potential medical benefits.

Developing Story

As this story unfolds, Marijuana Moment will continue to provide updates on DEA's rescheduling decision and its implications for cannabis policy.

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