

DEA Judge Delays Hearing Amid Legal Challenge to Psychedelics Scheduling

The Drug Enforcement Administration (DEA) has delayed an administrative hearing concerning its proposed ban on two psychedelic compounds, DOI and DOC, amidst a constitutional challenge to the scheduling process. Here's a breakdown of the latest developments:

Administrative Hearing Deferred

DEA Administrative Law Judge Paul Soeffing granted a motion to stay the June hearing, citing ongoing constitutional scrutiny of administrative proceedings in federal courts. The decision to postpone the hearing was deemed appropriate in light of the legal challenge.

Legal Challenge by Panacea Plant Sciences

The delay follows a complaint filed by Panacea Plant Sciences (PPS) in the U.S. District Court for the Western District of Washington, contesting the constitutionality of DEA's reliance on administrative law judges (ALJs) for arbitration. Soeffing acknowledged the potential for irreparable harm to Panacea pending a resolution.

Pending Federal Court Decision

The hearing will remain stayed until a federal court renders a decision on the legality of the administrative process. Both Panacea and the Justice Department are required to submit joint status reports every 60 days until the case concludes.

Background on DEA's Scheduling Efforts

DEA's attempt to schedule DOI and DOC dates back to 2022, with prior withdrawals due to scientific community pushback. Despite lacking direct evidence linking the compounds to serious health risks or high abuse potential, DEA revived its proposal in December.

Cannabis Rescheduling Considerations

In parallel, DEA is pursuing marijuana rescheduling, aiming to reclassify it as a Schedule III drug. While DEA Administrator Anne Milgram refrained from elaborating on the ongoing rulemaking process, former DEA Administrator Asa Hutchinson indicated a likely rescheduling move.

Political Perspectives on Cannabis Legalization

Political viewpoints on cannabis legalization vary, with Democrats advocating for federal action following potential rescheduling, while some Republicans oppose such measures, citing concerns about drug-related crime and societal impact.

As the legal challenge unfolds and discussions around marijuana rescheduling continue, the DEA's regulatory decisions remain subject to judicial scrutiny and political debate.

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