

UCLA Research Policy & Compliance

Cannabis Research and Other Related Activities



Research Administrators Forum

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Cannabis - Legal Landscape



- State law:
 - Proposition 215 (1996) – Medical Marijuana
 - State Bill 566 (2013) – Legalized Cultivation of Industrial Hemp
 - Proposition 64 (2016) – Adult Recreational Use
- Federal law:
 - Controlled Substances Act (CSA) of 1970 – regulates Marijuana (*Cannabis Sativa L*)
 - Most possession, distribution, cultivation (manufacturing) is prohibited under the CSA
 - Drug-Free Schools and Communities Act (1989)
 - 2018 Farm Bill

Cannabis – UC Guidance



- UC guidance on use and possession of marijuana on UC property (<https://www.ucop.edu/marijuana-and-drug-policy>)
- UC Memo 18-01 “Updated Information for Researchers on Conducting Marijuana Research at the University of California” (<https://researchmemos.ucop.edu/php-app/index.php/site/document?memo=UIBBQy0xOC0wMQ==&doc=3743>)
- UC Memo 19-02 “Pilot Approach when Considering Funding from the Marijuana Industry” (https://researchmemos.ucop.edu/index.php/site/memoDetail/memo_id/RPAC-19-02)

Cannabis – UCLA Guidance



- FAQs Concerning Cannabis (Marijuana) Research and other Cannabis-Related Activities (last updated April 2019)
http://ora.research.ucla.edu/RPC/Documents/UCLA_Cannabis_FAQs.pdf
- Memo from EVC/Provost Scott Waugh (May 15, 2019)
<http://ora.research.ucla.edu/RPC/Documents/Waugh-memo-Cannabis-research-at-UCLA.pdf>
 - Established Research Policy and Compliance (RPC) as the administrative home for the development and dissemination of campus policy

Cannabis Use



- With limited exceptions* possession, distribution, and cultivation of *Cannabis sativa L.* (aka marijuana) *is still prohibited* under the federal Controlled Substance Act
- UC Guidance on Use and Possession of Marijuana on UC Property states **marijuana use remains prohibited on UC property and at UC events *except for approved academic research***
- All research conducted under the auspices of the University of California (regardless of where the research is conducted) that uses Cannabis must comply with all federal, state, and local regulations, as well as UC policies. Researchers must also comply with a California requirement for review by the Research Advisory Panel of California (RAPC)

*including certain research conducted in compliance with applicable regulations and policies of the Drug Enforcement Agency (DEA), the Food and Drug Administration (FDA), and the National Institute on Drug Abuse (NIDA)

Cannabis Research



- Cannabis research involves the use, cultivation, distribution, possession, procurement, or administration of Cannabis
- Includes derivatives of *Cannabis sativa L*, extracts and purified constituents
- Federal controlled substances law regulating *Cannabis sativa L* also applies to controlled substance analogs intended for human use even if prepared through a *de novo* chemical manufacturing process
- It does *not* include research where there is no direct use, cultivation, distribution, possession, procurement or administration of Cannabis, such as observational studies, policy research, or review of public records related to marijuana use

Hemp



- Hemp is defined as *Cannabis sativa* L. with a THC concentration of not more than 0.3% on a dry weight basis
- The Farm Bill of 2018 removed hemp and hemp derivatives (extracts and cannabinoids) from the definition of Cannabis under the Controlled Substance Act
- Thus, hemp and hemp derivatives are no longer regulated as Schedule I Controlled Substances
- Under the 2018 Farm Bill and current conditions, not all entities are legally permitted to cultivate hemp
- UC campuses may only acquire hemp from a grower that has applied for and obtained a license directly from the federal USDA

Hemp



- Cultivation of hemp (**NOT YET BEING DONE**) at UCLA (or under campus auspices) would require an approved plan that includes:
 - Maintaining, for three years, relevant information regarding the land on which hemp is to be grown
 - Obtaining certified hemp seeds or cultivars with testing report certifying that seeds contain no more than 0.3% THC from suppliers
 - A procedure for testing, using post-decarboxylation or other similarly reliable methods, delta-9 THC concentration levels of the hemp produced
 - A procedure for effective disposal of plants (growing or not) and their derivatives, that are produced in violation of the rules (e.g., that exceed 0.3% concentration of THC)
 - A mechanism for affirming that the individuals who will participate in the cultivation program do not have Cannabis related felony convictions

Use of Cannabis in Research



- Cannabis research requires DEA Schedule I registration
- Use of Cannabis in human subject research also requires approval from the IRB and the FDA (animal research requires ARC approval)
- Marijuana product for use in research must be obtained from a DEA approved grower (currently the University of Mississippi which is funded by NIDA)
- Under State law, any planned research to be conducted on humans in California requiring the use of a Schedule I or Schedule II Controlled Substance as its main study drug, must also be reviewed and approved by the Research Advisory Panel of California (RAPC) of the California Attorney General's Office

Use of Cannabis in Research



- Campuses are expected review proposed support for Cannabis research and other related activities to ensure that UC is not inadvertently violating laws on money laundering, or is accused of aiding and abetting an illegal activity. Concerns about potential optics and risks will be managed as follows:
 - Support derived directly from illegal Cannabis-related activities - Will not be accepted
 - Support from entities or individuals who want to provide support derived from separately identifiable streams of revenue some of which are directly tied to illegal Cannabis-related activities and some of which are from other activities - May be accepted with due diligence and with written declaration under oath from the donor/supporter that the funds were not derived from an illegal source
 - Support from entities or individuals whose activities are indirectly tied to the marijuana industry - May make local decisions about whether to accept such funds based on individual evaluations of each situation, and conducting due diligence as appropriate

Open Issues



- Questions about UC' s risk tolerance
- Questions about accepting support from individuals or entities in the Cannabis industry
- Questions about UCLA student involvement in projects supported by and/or focused on the Cannabis industry
- Concerns about participation by individuals who are actively engaged in the Cannabis industry in conferences, classes, or as lecturers/mentors

Cannabis Review Board



- Campus committee established by EVC/Provost Scott Waugh
- Co-Chaired by AVC Ann Pollack and Michael D. Roth, M.D., Professor of Medicine
- Advisory to the Vice Chancellor for Research
- Research Policy and Compliance unit of the UCLA Office of the Vice Chancellor for Research serves as the administrative home for the development and dissemination of campus policy

Contacts



For guidance, policy interpretation and questions about reviews by the Cannabis Advisory Board (CAB) contact

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For assistance with DEA registrations to use Controlled Substances (including Cannabis) at UCLA, contact

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References



- RPAC Memo 17-01 “Information for Researchers on the Effect of Proposition 64 on Marijuana Research at the University of California”:
<https://researchmemos.ucop.edu/php-app/index.php/site/document?memo=UIBBQy0xNy0wMQ==&doc=3663>
- COGR Cannabis Research Frequently Asked Questions:
<https://www.cogr.edu/sites/default/files/FAQ.pdf>
- UC Guidance on Use and Possession of Marijuana on UC Property:
<https://www.ucop.edu/marijuana-and-drug-policy/>