

Marijuana and Veterinary Practice – Frequently Asked Questions

1) Who has the ultimate legal jurisdiction over veterinarians in relation to marijuana?

The Federal Drug Enforcement Administration (DEA) enforces the Federal Controlled Substances Act (CSA) which includes scheduling of all controlled substances. As DEA registrants, veterinarians agree to abide by the CSA and therefore are subject to investigation and prosecution by the DEA for alleged violations of the act.

2) Under which controlled substance schedule is marijuana classified?

The DEA classifies marijuana, tetrahydrocannabinol (THC), and several other cannabinoids as schedule 1 controlled substances. By definition, substances in this schedule have no currently accepted medical use in the United States, a lack of accepted safety for use under medical supervision, and a high potential for abuse.

3) As DEA registrants, can veterinarians lawfully obtain marijuana or other schedule 1 controlled substances?

No. Registrant practitioners, such as veterinarians and physicians, are not granted schedule 1 clearance by the DEA and therefore may not obtain marijuana, THC or any other Schedule 1 cannabinoids.

4) What is the DEA's position on marijuana?

The following are excerpts from the [DEA Position Statement on Marijuana](#), published in 2013:

- *“Marijuana is properly categorized under Schedule I of the Controlled Substances Act (CSA), 21 U.S.C. § 801, et seq. The clear weight of the currently available evidence supports this classification, including evidence that smoked marijuana has a high potential for abuse, has no accepted medicinal value in treatment in the United States, and evidence that there is a general lack of accepted safety for its use even under medical supervision.”*
- *“Although Colorado has legalized marijuana for recreational purposes, just like with all the states that have legalized marijuana for medical purposes, it is still illegal under federal law.”*
- *“The campaign to legitimize what is called “medical” marijuana is based on two propositions: first, that science views marijuana as medicine; and second, that the DEA targets sick and dying people using the drug. Neither proposition is true.”*

5) What does federal law say about veterinarians incorporating hemp or hemp products into their practices?

According to the DEA, technically all parts of the cannabis plant contain some level of schedule 1 controlled substances (THC being the most common.) However, in a [press release issued in 2001](#) by the DEA regarding hemp and hemp products, the DEA stated:

“While most of the THC in cannabis plants is concentrated in the marijuana, all parts of the plant, including hemp, have been found to contain THC. The existence of THC in hemp is significant because THC, like marijuana, is a

schedule I controlled substance. Federal law prohibits human consumption and possession of schedule I controlled substances. In addition, they are not approved by the Food and Drug Administration for medical use.

The rules that DEA is publishing today explain which hemp products are legal and which are not. This will depend on whether the product causes THC to enter the human body. If the product does cause THC to enter the human body, it is an illegal substance that may not be manufactured, sold, or consumed in the United States. Such products include “hemp” foods and beverages that contain THC.

If, however, the product does not cause THC to enter the human body, it is a noncontrolled substance that may lawfully be sold in the United States. Included in the category of lawful hemp products are textiles, such as clothing made using fiber produced from cannabis plant stalks. Also in the lawful category are personal care products that contain oil from sterilized cannabis seeds, such as soaps, lotions, and shampoos.”

6) What does California law say regarding veterinarians incorporating marijuana into their practices?

California law makes no provision to allow veterinarians to possess, distribute, administer, or even recommend marijuana or any other schedule 1 controlled substance to clients.

7) What is the California Veterinary Medical Board’s stance on marijuana and veterinary practice?

In a statement published in April of 2017 on the [VMB website](#), the VMB indicated the following:

The Veterinary Medical Board does not have a formal position on the matter of marijuana and hemp use on animals. However, the following are summaries of the relevant laws relating to marijuana, hemp, animals, and Board licensees:

1. Federal Law (DEA). The Federal Drug Enforcement Administration (DEA) has ultimate jurisdiction over controlled substances, including marijuana. The DEA has listed cannabis and cannabinoid products as Schedule I controlled substances, meaning that these substances have a high potential for abuse and no currently accepted medical use. The DEA has not given veterinarians the authority to possess, administer, dispense, or prescribe cannabis or cannabinoid products. Therefore, under Federal Law, veterinarians are prohibited from engaging in such activity.

In a letter received by the Board on October 3, 2016, James A. Arnold, Chief, Liaison and Policy Section, Diversion Control Division, Department of Justice, DEA, wrote:

“Marijuana remains a Schedule I controlled substance under the Controlled Substance Act (CSA) as it has no currently accepted medical use in treatment in the United States – for humans or animals. This is because marijuana has never been proven in scientific studies to be safe and effective for the treatment of any disease or condition.”

2. California Law. Current California law makes it legal for human patients and their designated primary caregivers to possess and cultivate marijuana for their personal medical use with the recommendation or approval of a California-licensed physician or surgeon. In addition, the recently passed Proposition 64 “Legalizes marijuana under state law, for use by adults 21 or older.” There is nothing in California law that would allow a veterinarian to prescribe, recommend, or approve marijuana for treating animals. Veterinarians are in violation of California law if they are incorporating cannabis into their practices.

3. *FDA. The Federal Food and Drug Administration (FDA) has warned that consumers should beware of purchasing and using products containing cannabis for animals. These products have not been approved by the FDA for the diagnosis, cure, mitigation, treatment or prevention of diseases. They also have not been documented as a safe and efficacious remedy by the professional veterinary medical community. In the aforementioned letter from Mr. Arnold of the DEA, he wrote: "...the Food and Drug Administration has not approved for marketing any drug product containing marijuana – again, either for humans or animals."*

4. *Hemp. Pursuant to the Statement of Principles Concerning Industrial Hemp and the Agricultural Act of 2014, published by the U.S. Department of Agriculture in consultation with the DEA and the FDA on August 12, 2016: "The 2014 Act did not remove industrial hemp from the list of controlled substances and, with certain limited exceptions, the requirements of the Federal Food, Drug, and Cosmetic Act and the CSA continue to apply to industrial hemp."*

From an enforcement perspective, if the Veterinary Medical Board were to receive a complaint related to a Board licensee's involvement in the treatment of an animal with a marijuana or hemp-related product, the Board would be obligated to conduct an investigation and take appropriate disciplinary action if the findings so warranted.

8) What is the FDA's position on marijuana use in pets?

According to a [question and answer statement](#) published by the FDA in November of 2016, the FDA states the following:

Q: I've seen marijuana products being marketed for pets. Are they safe?

A. FDA has recently become aware of some marijuana products being marketed to treat diseases in animals. We want to stress that FDA has not approved marijuana for any use in animals, and the agency cannot ensure the safety or effectiveness of these products. For these reasons, FDA cautions pet-owners against the use of such products.

Q: Can I give my pet marijuana products for medical purposes, such as to relieve the pain of a sick or dying pet?

A. Marijuana needs to be further studied to assess the safety and effectiveness for medical use in animals. To date, FDA has not approved marijuana for any use in animals (see question and answer #4 above). If your pet is in pain, we urge you to talk with your veterinarian about appropriate treatment options.

Q: I gave my pet marijuana and I'm concerned my pet is suffering adverse effects. What should I do?

A. Signs that your pet may be suffering adverse effects from ingesting marijuana may include lethargy, depression, heavy drooling, vomiting, agitation, tremors, and convulsions. If you have concerns that your pet is suffering adverse effects from ingesting marijuana or any substance containing marijuana, consult your veterinarian, local animal emergency hospital or an animal poison control center immediately.

Q: Has the agency received any adverse event reports associated with marijuana for animals?

A. While the agency is aware of reports of pets consuming various forms of marijuana, to date, FDA has not directly received any adverse event reports associated with giving marijuana to animals via our safety reporting portals. However, adverse events from accidental ingestion are well-documented in scientific literature. If you feel your animal has suffered from ingesting marijuana, we encourage you to report the adverse event to the FDA. Please visit Reporting Information about Animal Drugs and Devices to learn more about how to report an adverse event related to an animal food or drug.

Q: What is FDA doing about marijuana products currently on the market for pets?

A. FDA is currently collecting information about marijuana and marijuana-derived products being marketed for animals. FDA reminds consumers that these products have not been evaluated by FDA for safety and effectiveness, and we recommend that you talk with your veterinarian about appropriate treatment options for your pet.

9) Are there any FDA-approved marijuana formulations for animals?

No. According to the FDA, as of November 2016, it has not approved marijuana for any use in animals.

10) Is it legal for veterinarians to carry hemp based products in their practices?

Possibly, but doing so presents a legal risk. Because there are no FDA approved formulations available (to ensure ingredient content and concentration), it is difficult to know what each hemp product actually contains. Furthermore, if a hemp product contains a level of THC that enters the body, it is considered illegal. Without further testing of products, knowing whether or not a product causes THC to enter the body is difficult. See questions 5 and 8 above.

11) Is it legal for veterinarians to recommend marijuana for pets?

Neither state nor federal law have provisions which allow veterinarians to recommend marijuana for pets.