

Media Release

Medicinal cannabis – Global Legislation Update: USA

Momentum is gathering around the world to regularise the use of cannabis.

Nowhere is this more evident than in the recent announcement by US President Joe Biden to consider legalisation of cannabis at a Federal level, where cannabis use, whether for medicinal purposes or adult use, is currently still illegal.

Tom Varga, CEO of Biortica said *“The May 17 announcement of the commencement of the US legislative process confirms his commitment to rescheduling cannabis from a Schedule 1 drug to a Schedule 3 drug. This is the start of a process to legalise cannabis at a Federal level and align it with the position already adopted by the vast majority of States in the USA.”*

“Until now, the regulation of cannabis in the USA has been undertaken on a State-by-State basis, resulting in a lack of consistency across the country in terms of issues such as safety, taxation and licensing. The Federal Government’s embargo has meant that the transporting of cannabis across State lines and exporting product is currently a breach of Federal law and could constitute trafficking a Schedule 1 narcotic” he said.

“Of the 50 States in the USA, all have legalised the use of cannabis for either medicinal or oil-based use. Of those, 7 States have limited their acceptance by decriminalising its use only, 25 States have legalised its use for medicinal purposes only, while 25 States have legalised adult use” he said.

Mr Varga said, *“As the market and global perceptions of cannabis matures, we are witnessing the countries that pioneered its acceptance as a consumable product, start to reflect on their journey so far and correct some of the errors they made in the past. With the benefit of hindsight, we are witnessing legislators all over North America resetting their regulatory framework to give effect to their intended regulatory purpose – consumer safety, sustainable taxation revenue and preventing criminal elements entering the market.”*

He went on to say, *“As a first step, and given each of the 50 States’ support the industry to date, is that the Federal government look to decriminalise the use of cannabis. The next step will be to work with the States to develop an over-arching national framework that gives effect to the regulatory purpose in a consistent set of rules. For example, Idaho allows CBD products, but only if they contain no THC. In Alabama there’s currently no definition of a “personal” quantity of THC, so, technically, any amount of THC, irrespective of how small a trace is found, could result in a jail term. Then there’s Texas. Although medicinal cannabis is considered legal there,”* he said *“there is a 1% THC limit. For perspective, most cannabis sold in the US market today contains 15+% THC with high yielding strains containing significantly higher levels.”*

“Dis-jointed and inconsistent legislation ultimately harms the community,” said Varga.

He went on, *“Australia needs to learn from these overseas experiences. We are lucky in that we have adopted a Federal approach from the outset. We have had the benefit of hindsight and our legislators and regulators have taken a slow and steady approach with a view to getting the settings right. As demand for cannabis product has scaled up, the Australian legislative and regulatory framework will be tested and we need to be ready to respond to those tests in a timely manner.”*

“We look forward to continuing to share our global industry research with the Australian industry, our legislators and regulators, to build an industry that we can all be proud off, an industry that puts patient care, safety and outcomes to the fore” said Mr Varga.

USA CURRENT STATE OF CANNABIS LEGISLATION

STATE	USE		
	MEDICINAL	PERSONAL	CULTIVATION
Alabama	✓	✗	✗
Alaska	✓	✓	✓
Arizona	✓	✓	✓
Arkansas	✓	✗	✗
California	✓	✓	✓
Colorado	✓	✓	✓
Connecticut	✓	✓	✓
Delaware	✓	✓	✗
Florida	✓	✗	✗
Georgia	CBD oil	✗	✗
Hawaii	✓	D	Medical Only
Idaho	CBD oil	✗	✗
Illinois	✓	✓	Medical Only
Indiana	CBD oil	✗	✗
Iowa	✓	✗	✗
Kansas	CBD oil	✗	✗
Kentucky	✓	✗	✗
Louisiana	✓	D	✗
Maine	✓	✓	✓
Maryland	✓	✓	✓
Massachusetts	✓	✓	✓
Michigan	✓	✓	✓
Minnesota	✓	✓	✓
Mississippi	✓	D	✗
Missouri	✓	✓	✓
Montana	✓	✓	✓
Nebraska	CBD oil	D	✗
Nevada	✓	✓	✓
New Hampshire	✓	D	✗
New Jersey	✓	✓	✗
New Mexico	✓	✓	✓
New York	✓	✓	✓

STATE	USE		
	MEDICINAL	PERSONAL	CULTIVATION
North Carolina	CBD oil	D	X
North Dakota	✓	D	X
Ohio	✓	✓	✓
Oklahoma	✓	X	Medical Only
Oregon	✓	✓	Medical Only
Pennsylvania	✓	X	X
Rhode Island	✓	✓	✓
South Carolina	CBD oil	X	X
South Dakota	✓	X	Medical Only
Tennessee	Cannabis Oil	X	X
Texas	CBD oil	X	X
Utah	✓	X	X
Vermont	✓	✓	✓
Virginia	✓	✓	✓
Washington	✓	✓	Medical Only
West Virginia	✓	X	X
Wisconsin	CBD oil	X	X
Wyoming	CBD oil	X	X
District of Columbia	✓	✓	Recreational Only

TABLE LEGEND

✓ - Legal

X - Illegal

D - Decriminalised

DISCLAIMER:

Biortica Agrimed makes every reasonable effort to ensure accuracy of information supplied. Biortica does not warrant the accuracy of this information as regulations are changing and evolving. The above tabulation is the result of desk-top research. Where possible the information has been sourced from government and/or industry leading websites. The information should not be relied upon for investment purposes.

Biortica Agrimed Ltd

Award winning, Biortica Agrimed Ltd is Australia's largest fully vertically integrated commercial grower of medicinal plants. Our B2B operations are seamlessly integrated from plant genetics through to supply of medicinal plants in commercial quantities. We employ glasshouse-based horticulture, to both, protect our valuable medicinal crops, and equally to minimise our environmental impact, thereby protecting the planet. Our goal is to significantly improve human health outcomes by supplying high quality agricultural medicinal plants, at scale, to uniform high quality standards year-round.

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