



U. S. Department of Justice
Drug Enforcement Administration
8701 Morrisette Drive
Springfield, VA 22152

www.dea.gov

May 24, 2017

Charlene Rittenbach, F-ABC
Forensic Scientist
North Dakota Office of Attorney General
Crime Laboratory Division
2641 East Main Ave
Bismarck, North Dakota 58501

Dear Ms. Rittenbach:

This is in response to the email dated May 17, 2017, in which you request the control status of cannabidiol (2-[(1R,6R)-3-methyl-6-prop-1-en-2-ylcyclohex-2-en-1-yl]-5-pentylbenzene-1,3-diol; CBD) under the Controlled Substances Act (Title 21 of the United States Code (U.S.C.) Section 801 et seq.)(CSA).

The Drug Enforcement Administration (DEA) conducted a review of the CSA and its implementing regulations (Title 21 of the Code of Federal Regulations (CFR) Part 1300 et seq.). Based on this review, DEA determined that CBD is defined as marihuana under the CSA and a schedule I controlled substance. This control status applies to products that contain CBD.

Title 21 U.S.C. Section 802(16) defines in part "marihuana" as "all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin." CBD is a naturally occurring constituent of marihuana as reported in the scientific literature (for example, M. A. ElSohly, D. Slade, *Life Sciences*, 78 (2005) 539 – 548). As such, CBD meets the legal definition of marihuana and is controlled in schedule I by 21 U.S.C. Section 812(c) Schedule I and Title 21 CFR Section 1308.11(d), which list marihuana in schedule I.

Based on the CSA definition of marihuana, products that are detected to contain CBD, or other cannabinoids such as tetrahydrocannabinols (THC), are controlled in schedule I.

Sincerely,

A handwritten signature in blue ink that reads "Terrence L. Boos".

Terrence L. Boos, Ph.D., Chief
Drug & Chemical Evaluation Section
Diversion Control Division