

THE RIGHT TO GROW A Second Chance for Medical Marijuana

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[See also: "[Marijuana Pipe Dreams](#)" John Tierney; NYTimes Op-Ed; 2005-08-28]



Dr. Lyle Craker, a professor of plant and soil sciences at UMass Amherst, has been trying since 2001 to get a license from the Drug Enforcement Administration (DEA) to grow research-grade marijuana for use in Food and Drug Administration-approved studies of the plant's potential to become a legally prescribed medicine.

Last December, after more than three years of stonewalling, the DEA officially rejected his application, holding that his study "would not be consistent with the public interest." (See "Up in Smoke," This Just In, December 17, 2004.)

Now Craker, along with the Belmont-based Multidisciplinary Association for Psychedelic Studies (MAPS) and the ACLU's Drug Law Reform Project, is challenging that ruling.

Hearings began in Washington this week before DEA administrative-law judge Mary Ellen Bittner. Supporters hope the proceedings will end the DEA's obstruction and remove the federal government's monopoly on research marijuana.

In the wake of the Raich v. Ashcroft decision in June, in which the Supreme Court affirmed that federal law supersedes state law in matters of drug enforcement, FDA approval is really the only avenue left for medical marijuana. Before that can happen, there must be studies into its safety and efficacy. "We have considerable lay information about the potential health benefits of this plant material, but we lack the scientific studies that are necessary to prove the value of medicine," Craker told the Phoenix in December. "The first step in that is producing quality plant material that will have bioactive constituents in it."

But at the moment, all marijuana used for research in the US comes from a closely monitored crop maintained by the National Institute on Drug Abuse (NIDA). The complainants in the Craker case maintain that the supply is insufficient, and of inadequate

quality, for proper research - let alone for prescription sale should the FDA ever approve it. Moreover, the feds are stingy in distributing the plants.

MAPS president Rick Doblin says that just last week, NIDA refused to provide 10 grams of marijuana for a MAPS-sponsored vaporizer study at Chemic Labs in Canton.

Last month, Democratic Massachusetts representatives John Olver and Michael Capuano sent a letter to DEA administrator Karen Tandy, expressing "strong support" for issuing Dr. Craker's license and pointing out that NIDA's monopoly makes little sense since the DEA has licensed privately funded production of other Schedule I drugs, such as MDMA and LSD. (MAPS has funded studies using independently produced MDMA and psilocybin.)

"The government is basically scared of this research," says Doblin, during a break in testimony. "They want it two ways. They want to say there's not enough research to make marijuana into a medicine, and they want to block the research." Still, he feels reasonably confident that the DEA's decision might be reversed. "My sense is that the judge is fair, she's asking good questions, I have a lot of respect for the way she's interacted with us so far." Time will tell if his optimism is well-founded. There will be another week of testimony toward the end of September, and another (if need be) in December, before Judge Bittner makes a recommendation to the head of the DEA. In the meantime, Doblin will be commenting nightly on the goings-on in Washington at <http://www.maps.org/weblogs/rick>.

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