

# Congress of the United States

Washington, DC 20515

March 6, 2002

Mr. Asa Hutchinson  
Administrator, Drug Enforcement Administration  
700 Army-Navy Drive  
Arlington, Virginia 22202

Dear Mr. Hutchinson:

I am encouraged by the Drug Enforcement Administration's new interim rule allowing the use of certain THC-containing hemp products, provided those products do not cause THC to enter the body. I was disappointed, however, by the interpretive rule issued, which classifies products that contain any amount of THC as a Schedule I controlled substance. This classification as a Schedule I controlled substance applies even if such a product is made from those portions of the cannabis plant that are excluded from the Controlled Substance Act definition of marijuana.

The "zero-tolerance" THC interpretation is overly restrictive. Current testing technologies enable the detection of trace amounts of THC and other controlled substances on everyday products. If the intent is to prevent psychoactive effects, I encourage you to use the full and rigorous use of existing provisions codified in the Controlled Substances Act. Numerous countries have found ways to permit the use of hemp products while ensuring that these products do not either intentionally or unintentionally cause psychoactive effects.

The Department of Justice shares our position that legitimate hemp food products are safe and legal under current law. In a letter to the DEA Administrator dated March 23, 2000, the Chief of the Narcotic and Dangerous Drug Section of the U.S. Department of Justice also concludes that the Controlled Substances Act is clear in allowing for the importation of hemp products:

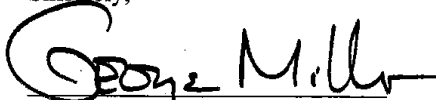
**"I have been informed that those hemp products intended for human consumption have THC at levels too low to trigger a psychoactive effect and are not purchased, sold or marketed with the intent of having a psychoactive effect.... [P]roducts derived from this portion of the cannabis plant commonly referred to as "hemp" are explicitly excluded from regulation under the Controlled Substance Act.... [I]t appears we are not able to regulate or prohibit the importation of "hemp" products based on any residual or trace content of naturally occurring THC.... Congress has made its intent known by specifically excluding those products from its definition of marijuana."**

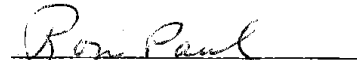
I respectfully request that you amend the interpretive rule to establish realistic standards which take into account current testing technologies and better define trace levels of THC which are permissible for human use. Industrial hemp offers American consumers many legitimate and


high quality products. Your rule should encourage the development and use of these products and not set unwarranted barriers to their production which cannot be overcome.

Thank you, in advance, for your attention to this important matter.

Sincerely,

  
GEORGE MILLER, M.C.

  
RON PAUL, M.C.

  
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NICK J. RAHALL, M.C.

  
JIM McDERMOTT, M.C.

  
MARTIN OLAV SABO, M.C.

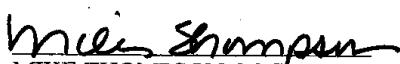
  
BARNEY FRANK, M.C.

  
LYNN C. WOOLSEY, M.C.

  
CYNTHIA A. MCKINNEY, M.C.

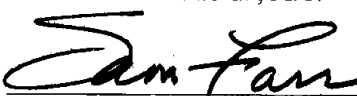
  
ROBERT E. ANDREWS, M.C.

  
PETE STARK, M.C.

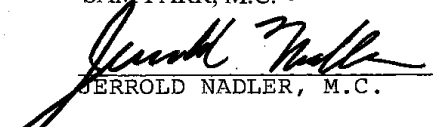
  
MIKE THOMPSON, M.C.


  
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