



**U.S. Department of Justice
Drug Enforcement Administration**

www.dea.gov

Springfield, Virginia 22152

OCT 13 2010

John J. Coleman, Ph.D
President
Drug Watch International, Inc.
P.O. Box 45218
Omaha, NE 68145-0218

Dear Dr. Coleman:

Your September 15, 2010, letter to Attorney General Eric Holder has been referred to the Drug Enforcement Administration (DEA) for a response. We are aware of Arizona's Proposition 203 which permits various activities involving marijuana that violate federal law under the guise of "medicine." DEA is firmly committed to enforcing the Controlled Substances Act (CSA) in all states. Prosecution of those who would manufacture, distribute, or possess illegal drugs, including marijuana, and the disruption of drug trafficking organizations is a core priority of the Department of Justice.

As you know, marijuana is a schedule I controlled substance under the CSA.¹ Marijuana remains in schedule I consistent with the fact that the drug has never been approved by the Food and Drug Administration (FDA) for marketing in the United States because scientific studies have never established that marijuana can be used safely and effectively for the treatment of any disease or condition.² Marijuana's placement in schedule I of the CSA results in the following legal consequences: marijuana may not be dispensed for medical use in the United States; it is illegal to manufacture, distribute, or possess marijuana for any purpose (other than Government-approved research); and there is no "medical necessity" defense to the CSA prohibitions relating to marijuana.³

In addition, state marijuana legalization laws that are at odds with federal law provide a significant impediment to the longstanding cooperative efforts of federal, state, and local law enforcement to work together in combating illicit drug trafficking.

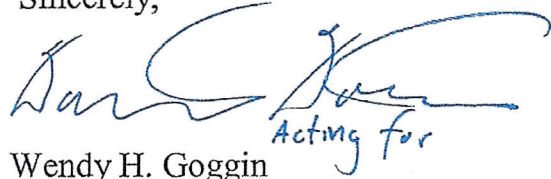
¹ 21 U.S.C. § 812(c), Schedule I(c)(10).

² See 66 Fed. Reg. 20038, 20050-52 (2001) (DEA denial of petition to remove marijuana from schedule I based on FDA scientific and medical evaluation), *pet. for review dismissed, Gettman v. DEA*, 290 F.3d 430 (D.C. Cir. 2002).

³ *United States v. Oakland Cannabis Buyers' Cooperative* 532 U.S. 483, 491, 494 & n.7 (2001).

We appreciate your letter and hope that you find this information helpful. Please do not hesitate to contact DEA if we can be of assistance in other matters.

Sincerely,

A handwritten signature in blue ink, appearing to be "Wendy H. Goggin", written in a cursive style.

Wendy H. Goggin
Chief Counsel

Acting for