

EPRS

**EUROPEAN
PARLIAMENTARY
RESEARCH
SERVICE**



Legislation on medical use of Cannabis

Alessandro Piccioli
Head of Unit, Economic Policies Unit
30 November 2016

Material prepared by Nicole Scholz, Policy Analyst, Economic Policies Unit



Introduction

— Cannabis

- cannabis plant, *Cannabis sativa* L.

- contains active substances, including
 - delta-9-tetrahydrocannabinol (THC) - psychotropic
 - cannabidiol (CBD), cannabinol (CBN), other cannabinoids - not having psychotropic action

- dronabinol and nabilone, synthetic THC

Cannabis as a medicinal product

- **Main forms of cannabis for medicinal purposes**
 - *pharmaceutical preparations* with standardised content of the active constituents presented as medication, either as pure THC and CBD isolate from the cannabis plant (e.g. Sativex[®]) or as synthetic analogue (Marinol[®], Cesamet[®])
 - *medical-grade herbal cannabis* with standardised cultivation to produce stable levels of THC and CBD (e.g. from Dutch licenced grower Bedrocan BV: Bedrocan[®], Bedrobinol[®], Bediol[®], Bedica[®], Bedrolite[®] and Bedropuur[®])
 - *herbal cannabis* (through the illegal market) with unknown and potentially unstable THC/CBD content

— **Therapeutic effects (gaps in knowledge)**

- may relieve symptoms, but does not cure
- strong evidence for benefits to alleviate nausea and vomiting (and stimulate appetite) in patients with terminal cancer and HIV/AIDS
- has been used effectively to relieve chronic pain, muscular cramps and spasticity (in patients with multiple sclerosis, spinal cord injury or neurogenic pain)
- other indications: less data available, more research needed

— **Adverse effects**

- immediate and long-term: increased heart rate, bloodshot eyes, dizziness, impaired memory and concentration, higher risk of respiratory diseases including cancer (if smoking)
- concerns about risk of addiction and link between cannabis use and mental illnesses, such as schizophrenia

Legislation on production, distribution and use of cannabis

- **At international level**, cannabis extracts are classified as narcotic drugs under Schedules I and IV of the 1961 United Nations Single Convention on Narcotic Drugs, while cannabinoids are classified as psychotropic substances under Schedules I and II of the 1971 United Nations Convention on Psychotropic Substances
- **North America**
 - *Canada*: possession, consumption or cultivation of cannabis for medicinal purposes is legal (under the conditions of the Marihuana for Medical Purposes Regulations of April 2014); there is a licensing scheme with authorised licensed producers/eligible persons; patients need a prescription-like ‘medical document’

Legislation on production, distribution and use of cannabis

- *USA:*
 - at federal level, marijuana remains a Schedule I substance under the Controlled Substances Act (i.e. illicit);
 - at state level, 28 States [as of 9/11/2016], the District of Columbia, Guam and Puerto Rico now 'allow for comprehensive public medical marijuana and cannabis programs' (i.e. registered patients, caregivers, cultivators and distributors are afforded immunity from the consequences of state criminal laws); state laws are based on a physician's recommendation rather than a prescription; most laws establish a regulatory scheme for dispensaries

Legislation on production, distribution and use of cannabis

— Latin America

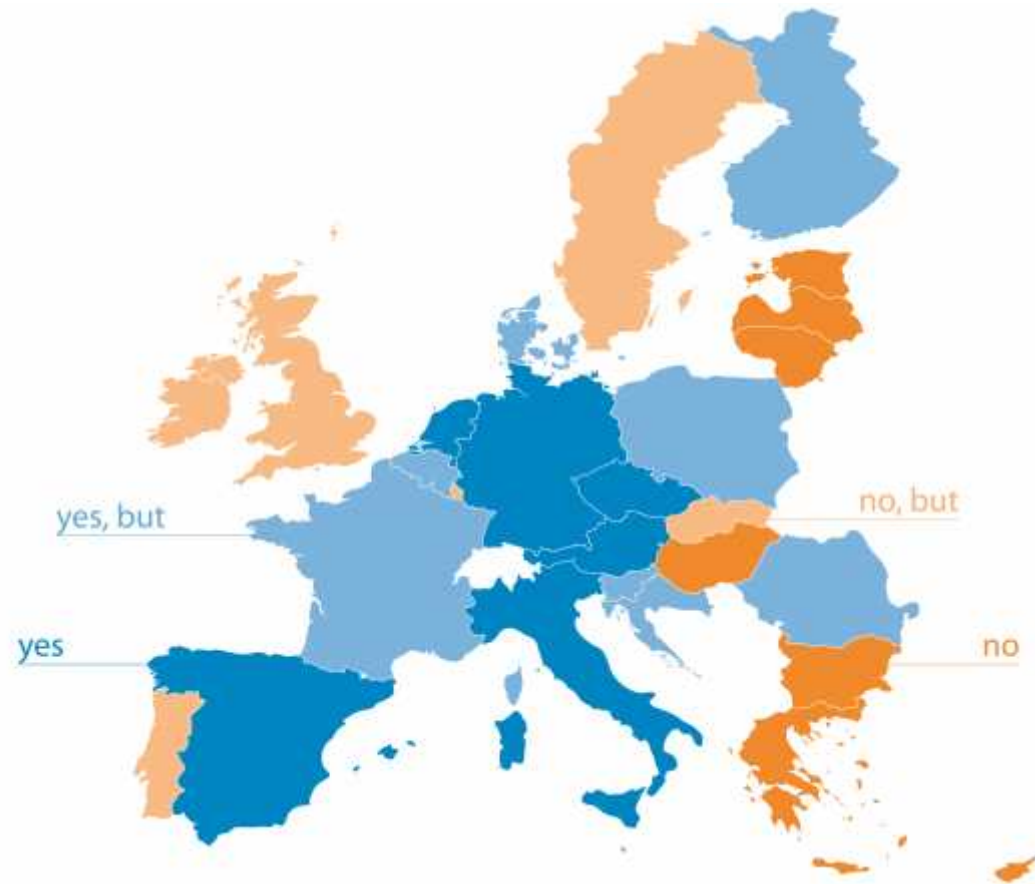
- *Brazil*: prescription and importation of medicines and products containing CBD and or THC is authorised
- *Colombia*: cultivation, consumption, export and import of cannabis for medical and scientific purposes has been legalised (subject to a licence)
- *Chile*: legal permission for cannabis crop for medical purposes has been approved (pilot project to manufacture medical cannabis)
- *Mexico*: bill to allow import of medical cannabis expected to be approved by May 2016 - no further developments to date
- *Uruguay*: cultivation, sale and use of cannabis is legalised; production, distribution and acquisition of cannabis for medical and scientific purposes is regulated; medical cannabis will be available in pharmacies on prescription

Legislation on medical use of Cannabis in EU Member States

MS	Specific legal framework?	Magistral preparation or raw plant	Cultivation	Sativex	Covered by national health insurance?	Other medicines?	Other conditions?
Austria	y	y	y	y	y	y/n	y
Belgium	y	n	n	y	y	n	y
Bulgaria	n	n	n	n	n	n	n
Croatia	y	y		n		n	y
Cyprus	n	n	n	n	n	y/n	n
Czech Republic	y	y	y	y		n	
Denmark	y	n	n	y	n	y	y
Estonia	n	n	n	n	n	n	n
Finland	y/n	n	n	y	y	y/n	n
France	y	n	n	y	n	y/n	y
Germany	y	y	y/n	y	y	y	y
Greece	n	n	n	n	n	n	n
Hungary	n	n	n	n	n	y	y
Ireland	n	n	n	y	n	n	n
Italy	y	y	y	y	y	y/n	y
Latvia	n	n	n	n	n	n	n
Lithuania	n	n	n	n	n	n	n
Luxembourg	n	n	n	y	n	y	
Malta	y	n	n	n			
Netherlands	y	y	y	y	n	y	
Poland	y	n	n	y	y	y	y
Portugal	n	n	n	y	n	n	n
Romania	y	y	y	n	n		
Slovakia	n	n	n	y	n	n	
Slovenia	y	y	n	n	n	y	y
Spain	y	y/n	y	y	y	y/n	
Sweden	n	n	n	y		y	
United Kingdom	n	n	n	y	n	y	y

Legislation on medical use of Cannabis in EU Member States

(not a legal interpretation/comparison)



EPRS

**EUROPEAN
PARLIAMENTARY
RESEARCH
SERVICE**



[@EP_ThinkTank](https://twitter.com/EP_ThinkTank)



www.linkedin.com/company/european-parliamentary-research-service



www.pinterest.com/epinfographics/eprs/



www.youtube.com/channel/UCpBeaEkpytvBHzHzcck0VyQ



www.epthinktank.eu



www.europarl.europa.eu/thinktank



www.eprs.sso.ep.parl.union.eu



epres@europarl.europa.eu



Members' hotline: 88100