



Office of the Assistant Secretary for Health
Washington, D.C. 20201

August 29, 2023

The Honorable Anne Milgram
Administrator
Drug Enforcement Administration
U.S. Department of Justice
8701 Morrissette Drive
Springfield, VA 22152

Dear Anne Milgram:

Pursuant to the Controlled Substances Act (CSA), 21 U.S.C. 811(b) and (c), I, the Assistant Secretary for Health, am recommending that marijuana, referring to botanical cannabis (*Cannabis sativa L.*) that is within the definition “marihuana” or “marijuana” in the CSA, be (b)(5)

(b)(5)

Upon consideration of the eight factors determinative of control of a substance under 21 U.S.C. 811(c), the Food and Drug Administration (FDA) recommends that marijuana be (b)(5)

(b)(5)

The National Institute on Drug Abuse has reviewed the enclosed documents (which were prepared by FDA’s Controlled Substance Staff and are the basis for FDA’s recommendation) and concurs with FDA’s recommendation. Marijuana meets the (b)(5)

(b)(5)

Based on my review of the evidence and FDA’s recommendation, it is my recommendation as the Assistant Secretary for Health that marijuana should (b)(5)

Should you have any questions regarding this recommendation, please contact FDA’s Center for Drug Evaluation and Research, Office of Executive Programs (cderecsec@cder.fda.gov), at (301) 796-3200.

Sincerely,

Rachel L. Levine, M.D.
ADM, USPHS
Assistant Secretary for Health

Enclosure