



U.S. Department of Justice
Drug Enforcement Administration

Washington, D.C. 20537

JUL 27 1995

Mr. Jon Gettman
Rt. 1 Box 26
Lovettsville, Virginia 22080

Dear Mr. Gettman:

Reference is made to your petition dated July 10, 1995, requesting the Drug Enforcement Administration (DEA) to initiate proceedings to issue a rule or regulation pursuant to § 201 of the Controlled Substances Act (CSA) to repeal the rules placing marihuana in Schedule I (21 C.F.R. § 1308.11(d)(18)), tetrahydrocannabinols in Schedule I (21 C.F.R. § 1308.11(d)(26), dronabinol in Schedule II (21 C.F.R. § 1308.12(f)(1)) and nabilone in Schedule II (21 C.F.R. § 1308.12(f)(2)), remove these drugs from their respective schedules, and reschedule these drugs on the basis of evaluation by the Department of Health and Human Service and in accordance with existing law. The Attorney General has delegated authority under the CSA to the Administrator of DEA. 28 C.F.R. § 0.100. Pursuant to 28 C.F.R. § 0.104, the Administrator, in turn, has redelegated his authority under this section to the Deputy Administrator. Because your petition complies with the requirements of 21 C.F.R. § 1308.44(b), DEA hereby accepts this petition for filing.

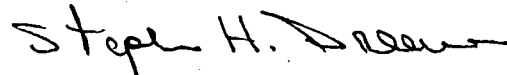
The DEA shall determine within a reasonable period of time whether there are sufficient grounds to justify removing marihuana and tetrahydrocannabinols from Schedule I and removing dronabinol and nabilone from Schedule II. 21 C.F.R. § 1308.44(c). If DEA finds that sufficient grounds do not exist to initiate proceedings, it shall deny the petition. Otherwise, should DEA determine that there are sufficient grounds, then it must request a medical and scientific recommendation from the Secretary of the Department of Health and Human Services. The Secretary's recommendation shall be binding on DEA as to medical and scientific findings and to the extent that the Secretary recommends that a substance not be scheduled or controlled. 21 C.F.R. § 1308.44(d). Only after this process is completed may DEA initiate proceedings for rulemaking.

Mr. Jon Gettman

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Should you have any questions, please contact the Office of Chief Counsel at (202) 307-8010.

Sincerely,



Stephen H. Greene
Deputy Administrator

cc: Elizabeth Murphy
Office of Chief Counsel