



U. S. Department of Justice
Drug Enforcement Administration
8701 Morrisette Drive
Springfield, Virginia 22152

www.dea.gov

April 3, 2024

Mr. David L. McCay
Louisiana Department of Health
Bureau of Legal Services
P.O. Box 3836
Baton Rouge, Louisiana 70821

Dear Mr. McCay:

I apologize for the delay in our response. This letter is in response to your email dated September 18, 2023, in which you request the control status of hexahydrocannabinol (HHC) under the Controlled Substances Act (CSA).

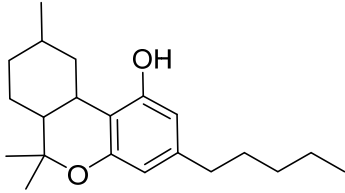
The Drug Enforcement Administration (DEA) conducted a scientific review of the chemical structure of this substance in accordance with the definitions within the CSA and its implementing regulations. Based on this review, DEA determined that HHC is a schedule I substance under the CSA.

The CSA classifies tetrahydrocannabinols as controlled in schedule I. 21 U.S.C. § 812, Schedule I(c)(17); 21 CFR 1308.11(d)(31). Subject to limited exceptions, for the purposes of the CSA, the term “tetrahydrocannabinols” means those “naturally contained in a plant of the genus *Cannabis* (cannabis plant), as well as synthetic equivalents of the substances contained in the cannabis plant, or in the resinous extractives of such plant, and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant.” 21 CFR § 1308.11(d)(31). Thus, tetrahydrocannabinols synthetically produced from non-cannabis materials is controlled under the CSA as a “tetrahydrocannabinol.”

The CSA, however, excludes “hemp” from the definition of marijuana and the classification of tetrahydrocannabinols in Schedule I. 21 U.S.C. 802(16)(B)(i); 21 U.S.C. 812, Schedule I(c)(17). The term “hemp” is “the plant *Cannabis sativa L.* and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9-tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.” 7 U.S.C. § 1639o.

HHC is a tetrahydrocannabinol having similar chemical structure and pharmacological activity to those contained in the cannabis plant. Based on the current scientific literature and consulting with experts, DEA determined HHC does not occur naturally in the *Cannabis sativa L.* plant and can only be obtained synthetically, and therefore does not fall under the definition of hemp. Thus, HHC meets the definition of “tetrahydrocannabinols,” and it (and products containing HHC) are controlled in schedule I by 21 U.S.C. § 812(c) Schedule I, and 21 CFR § 1308.11(d). If new information is published about HHC being contained in the Cannabis plant, DEA will reevaluate the control status of HHC at that time.

The chemical structure used to make this determination is shown below. If you have any further questions, please contact the Drug and Chemical Evaluation Section at DPE@dea.gov or (571) 362-3249.



hexahydrocannabinol (HHC)
schedule I
CSCN 7370
C.F.: 1.00

Sincerely,

A handwritten signature in black ink, appearing to read 'Terrence L. Boos'.

Terrence L. Boos, Ph.D., Chief
Drug & Chemical Evaluation Section
Diversion Control Division

cc: Baton Rouge Resident Office