

RUTGERS UNIVERSITY Cannabis Research and Funding – Frequently Asked Questions (FAQs)

For additional questions not covered in this document or the University Guidance document, please contact please contact Reynold Panettieri at rp856@rbhs.rutgers.edu or Mary Bridgeman at mary.bridgeman@pharmacy.rutgers.edu.

1. What is cannabis?

According to the U.S. Department of Justice Drug Enforcement Administration’s passage of Title II of the Comprehensive Drug Abuse Prevention and Control Act of 1970, also known as the Controlled Substances Act, botanical cannabis (marijuana), plant parts containing Δ^9 -tetrahydrocannabinol (THC) and other cannabimimetic compounds (e.g., spice) are recognized as Schedule I controlled substances. They are defined as having high potential for abuse, having no currently accepted uses in medical treatments in the United States, and having a lack of acceptable safety data for uses in treatments under medical supervision (U.S. Department of Justice 1970).

2. Is research involving cultivation, distribution, possession or use of cannabis permitted under federal law?

In accordance with federal regulations, the use, production, processing, sale, or growth of cannabis is not permitted, except with limited exceptions for research. Cannabis (marijuana) research may be permissible, as an exception to this federal law, if conducted under a Schedule I registration from the Drug Enforcement Agency (DEA), and conducted in compliance with all rules applicable to Schedule I research.

3. What is industrial hemp? Can Rutgers researchers engage in research related to this product?

Research involving industrial hemp, a variety of *Cannabis sativa L.* containing very low (0.3% or less according to dry weight) THC, may be permissible according to the federal Agriculture Improvement Act of 2018 (also known as the Farm Bill) and in accordance with U.S. Department of Agriculture and New Jersey Department of Agriculture rules and regulations.

4. Can a Rutgers researcher perform research involving direct cannabis use in a Rutgers-owned or operated facility?

Yes, research involving the possession and use of cannabis in humans and animals by researchers is allowable *if* the researcher has obtained a federal **Drug Enforcement Administration (DEA) Schedule I registration** and follows all applicable DEA regulations and guidelines as well as applicable regulations of the Federal Food and Drug Administration (FDA). The approval process may take as long as a year and DEA registration must be completed before research can begin. Researchers are encouraged to refer to the University Policy for Controlled Substances for additional information.

5. Where should Rutgers researchers obtain cannabis for research purposes?

Cannabis may be obtained only from a source approved by the DEA. At present, only the University of Mississippi is authorized to produce cannabis plant-based products for use by researchers in the U.S. Cannabis for research purposes must be obtained through the National Institute on Drug Abuse (NIDA) Drug Supply Program.

6. What state and federal requirements must be met in obtaining cannabis for research purposes?

Cannabis clinical research necessitates the researcher obtains a Schedule I registration with the DEA and approval for their research protocol through scientific review by the U.S. Food and Drug Administration's Investigational New Drug process. Other standard research approvals from the appropriate institutional review board(s) (IRBs) must also be obtained. Researchers are encouraged to refer to the University Policy for Controlled Substances and the NIDA website (<https://www.drugabuse.gov/drug-topics/marijuana/nidas-role-in-providing-marijuana-research>) for additional information.

7. Can Rutgers researchers perform research related to cannabis that does not involve the cultivation, distribution, possession, or direct use of cannabis?

Yes. Observational research, or research about cannabis or marijuana and its legalization that does not involve the growth, production, procurement, administration or use of any cannabis product, is acceptable, provided it is conducted in compliance with the Drug-Free Schools and Communities Act and the Drug-Free Workplace Act.

The following types of observational research and other activities are acceptable, although all normal approvals for research, including those for the use of human and animal participants, must be obtained:

1. Literature evaluations and analyses
2. Surveys of individuals already using cannabis for recreational or medical purposes
3. Environmental studies on the impact of cannabis cultivation
4. Research on the socioeconomic effects of cannabis cultivation, sale, or use
5. Research on policy and legislative issues concerning cannabis
6. Conducting conferences, seminars, or informal meetings intended to provide objective information to Rutgers faculty, students, staff and the public on various cannabis-related clinical and collateral issues

Rutgers University faculty or staff may not undertake activities intended to directly contribute to or aid and abet the cultivation, distribution, or sale of cannabis in contravention of federal law. Furthermore, in conducting these activities, Rutgers faculty, students, or staff may not imply that Rutgers endorses any company/individual involved in the cannabis industry or endorses any specific legislative changes.

8. Can Rutgers accept philanthropic or research funding from the cannabis industry?

No, Rutgers faculty, staff or other associates may not accept any forms of financial support from members of the cannabis or marijuana industry. Accepting this funding creates risks for the University and raises potential concerns over compliance with applicable federal laws. These concerns apply to the solicitation of donations as well as to applications for financial support in the form of contracts or grants from entities affiliated with the cannabis industry.

Rutgers employees, including faculty and staff, should consult with Reynold Panettieri at rp856@rbhs.rutgers.edu or Mary Bridgeman at mary.bridgeman@pharmacy.rutgers.edu before any offers of support are formally solicited or accepted to ensure that any questions of legal or reputational risk can be resolved.

9. Can Rutgers employees perform consulting work for businesses entities involved in the growing, processing or sale of cannabis?

Yes, but only in their personal capacities without any affiliation with the Rutgers. Paid outside work related to cannabis or marijuana must comply with standard Rutgers University policies and procedures governing outside activities. Additionally, because of the University's obligation to comply with federal law, University faculty and staff engaging in activities that do not comply with the federal law should make no use of University resources for these activities. University faculty or staff should make it clear to all parties that they are conducting such activities as private citizens, not University representatives, faculty or staff. Though they may identify themselves as having a University position, there should be a clear and consistent statement such as, "This work was performed as a private individual, not as a Rutgers University faculty/staff member. No Rutgers University resources, facilities, or funds were used. No University employees or students participated in this work in their roles as a University employee or student."

10. Should employees disclose consulting/employment/speaking engagement related to cannabis to Rutgers? If so, how should employees make such a disclosure?

Faculty and staff engaged in work related to medical or recreational cannabis should disclose the relationship on the Annual Outside Activity Questionnaire at ethics.rutgers.edu (click login to find form under the submissions tab). Faculty and staff may disclose their particular relationship with the outside group, whether they are an owner, consultant, advisory board member, employee, or have some other relationship related to the cannabis industry or cannabis research. For any specific questions related to disclosure, members of the Rutgers community should contact the ethics office at ethics@uec.rutgers.edu for guidance.