

## **Puerto Rico Cannabis Laws**

On May 3rd 2015, after years of discussion in the US island territory of Puerto Rico, Governor Alejandro García Padilla signed an executive order legalizing medical marijuana. Governor Padilla noted that several studies conducted in the United States had demonstrated the therapeutic value of marijuana and were a contributing factor in his decision to sign. Puerto Rico is the second Caribbean entity to legalize medical marijuana use, after Jamaica.

The Puerto Rico Health Department is now able to authorize the use of marijuana and its derivatives for health reasons.

Recreational Marijuana in Puerto Rico  
Possessing marijuana for recreational use in Puerto Rico is still illegal and marijuana is a Schedule I(c) controlled substance under

## Puerto Rico Law.

Penalties for possession include a felony charge, incarceration of up to 10 years and a fine of up to \$5,000. Penalties for distribution include a felony charge, incarceration of up to 96 years and a fine of up to \$80,000.

### **Medical Marijuana in Puerto Rico:**

The marijuana law signed by the Governor in May 2015 allows cannabis use for certain medical conditions. This came after years of debate and one of the major arguments in favor of legalization was the mention of 25 different U.S. states that have now legalized medical marijuana.

Since the marijuana law has just recently been signed, a system for accessing the medication has not been set up. There are plans, though, to allow patients 21 years of

age and older to possess up to one ounce of medical marijuana.

Medical marijuana is approved for the following conditions in Puerto Rico:

Alzheimer's Disease

Glaucoma

HIV/AIDS

Migraines

Multiple Sclerosis (MS)

Parkinson's Disease

Other illnesses that are not responsive to traditional medicine and approved by a qualifying physician

## **Consumption of CBD from Hemp Oil in Puerto Rico**

In most countries and regions of the world, CBD from hemp oil is legal. Puerto Rico has legalized medical marijuana but

recreational use still remains illegal. No legislation is on the books as it relates to CBD from hemp oil.

## **Cultivation of Cannabis in Puerto Rico**

Since the medical marijuana law has just recently been passed, there is no system in place for the cultivation and distribution of cannabis. Dispensaries will be operated and licensed by the Department of Health in Puerto Rico.

Now that medical marijuana is legal in Puerto Rico, don't count on local farmers joining the green rush. At least not yet.

Instead, growing high-grade medical cannabis will initially be in hands of the government and "maybe in the future, we can enter the market," the man in charge of the Puerto Rico Farm Bureau told News is

my Business.

“Right now, there are no opportunities for farmers,” said Héctor Iván Cordero, who leads the group founded in 1924.

Puerto Rico reportedly has about 2,000 bona-fide farmers and some have expressed interest in cultivating medical marijuana.

But, according to Cordero, the government intends to be the sole grower for the time being. Cultivation, he said, is going to be a restricted activity.

“Until there is enough data, (the government) is not going to open it up. The project is going to be carried out by the Agriculture Department together with the University of Puerto Rico,” he said in a brief phone conversation.

Even if farmers could get involved, medical marijuana farming would pose big challenges. Cordero said this type of operation entails a hefty investment and high costs associated with strict compliance requirements, security and insurance. (Taxes are high as well, with producers required to pay \$5,000 each year to the local treasury.) As for financing, he said the banking sector has made it known that it has no intention of lending money for this activity.

A marijuana analyst for the National Conference of State Legislatures recently told a stateside newspaper that it usually takes an average of nine to 18 months before medical marijuana is available to patients following legislative approval.

## **Regulations released**

The Health Department, which is charged with overseeing the entire medical marijuana industry, released the regulations (Reglamento 155) that will control the use, cultivation, production, and distribution of medical cannabis and its derivatives.

Jumpstarting a green industry based on a controlled substance is proving a step-by-step process for the Health Department. Now that the regulations are out of the way, the agency is turning its attention to the doctors who will prescribe the drug. Puerto Rico reportedly has 250,000 patients who suffer from conditions that might benefit from the use of medical cannabis.

Maldonado, the Health Department's legal counsel, said the agency is currently reviewing the training courses that doctors will be required to take before being allowed to prescribe medical marijuana.

Doctors also need to have state and federal licenses for prescribing controlled substances and pay a \$1,500 tariff to the local treasury.

Puerto Rico has 19,239 doctors licensed to prescribe controlled substances, according to Maldonado.

The maximum a doctor may prescribe is 2.5 ounces per month.

As doctors register, their patients will also be able to register for the identification card they and a caretaker, if one is needed, will be required to have.

Adult patients need one doctor to recommend the use of medical cannabis while underage patients need two recommendations.

As to when patients in Puerto Rico will be able to access medical marijuana, the government said recently that it could happen by the end of the year.

According to information gleaned from the mainland press, most of the states that have regulated medical marijuana favor growing the drug indoors for security reasons and to have better control over temperature levels.

Cultivation can be tricky. One story noted that marijuana is “a finicky plant” prone to mold and mildew, requires humidity levels under 50 percent, and temperatures between 76 and 80 degrees.

It also needs certain levels of carbon dioxide, special nutrients and controlled pH levels.

