



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 controlled in Schedule III of the CSA.

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 placed in Schedule III of the CSA. 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 findings for control in Schedule III set forth in 21 U.S.C. 812(b)(3).

Based on my review of the evidence and FDA’s recommendation, it is my recommendation as the Assistant Secretary for Health that marijuana should be placed in Schedule III of the CSA.

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](mailto:cderecsec@cder.fda.gov)), at (301) 796-3200.

Sincerely,

A handwritten signature in black ink, appearing to read "RL Levine MD".

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

Enclosure