

Draft regulation of cannabis for medical use

On July 27, 2020, the Regulation of Sanitary Control for the Medical Production, Research and Use of Cannabis and its Pharmacological Derivatives was published on the webpage of the National Regulatory Improvement Commission (CONAMER). Its primary purpose would be to establish the sanitary regulation, control, promotion and oversight of the raw material, molecular compounds, pharmacological derivatives and medicines of cannabis for production, scientific, industrial and medical purposes.

Such draft would also establish the guidelines under which the different governmental agencies would exercise the legal powers that correspond to them in relation to authorizations for primary production, pharmaceutical production, acquisition, commerce, transport, medical prescription, supply, employment, use and consumption, as well as research, import and export for the above mentioned purposes.

The draft regulation implements the changes to the General Health Law and the Federal Criminal Code published in the Official Federal Gazette on June 19, 2017, that obligate the Ministry of Health to design and execute the public policies that regulate the medical use of the pharmacological derivatives of the cannabis Sativa, Indica and Americana or marihuana, including Tetrahydrocannabinol. It is clarified that this draft is not related to the unconstitutionality of the absolute prohibition of the recreational consumption of cannabis contained in the General Health Law, which at some point will also have to be reflected in the corresponding laws.

The draft regulation will remain on CONAMER'S webpage for consultation and comments of interested parties for at least 20 business days.

To obtain additional information contact our experts:

Luis Miguel Jiménez, Partner:
+52 (55) 5258 1058 | lmjimenez@vwys.com.mx

Javier Lizardi, Partner:
+52 (55) 5258-1021 | jlizardi@vwys.com.mx

María de Lourdes Salazar y Vera, Associate:
+52 (55) 5258 1058 | mlsalazar@vwys.com.mx

Cinthya González, Associate:
+52 (55) 5258 1021 | cgonzalez@vwys.com.mx

VON WOBESER Y SIERRA, S.C.
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