

JAN-30-1998 07:40

P.01/04



**OFFICE OF THE DEPARTMENT OF DEFENSE COORDINATOR
FOR DRUG ENFORCEMENT POLICY AND SUPPORT**

1510 DEFENSE PENTAGON
WASHINGTON DC 20301-1510

29 JAN 1998



**MEMORANDUM FOR ASSISTANT SECRETARY OF THE NAVY FOR MANPOWER
AND RESERVE AFFAIRS (ATTN: N313)
DEPUTY ASSISTANT SECRETARY OF THE ARMY FOR
MILITARY PERSONNEL MANAGEMENT AND EQUAL
OPPORTUNITY POLICY
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE FOR
FORCE MANAGEMENT AND PERSONNEL
DIRECTOR, ACCESSION POLICY, OFFICE OF THE ASSISTANT
SECRETARY OF DEFENSE FOR FORCE MANAGEMENT
POLICY
VICE CHIEF, NATIONAL GUARD BUREAU (ATTN: NGB-CD-SA)**

SUBJECT: Impact of Hemp Seed Products on the Military Drug Testing Program

A recent newspaper article (copy attached) reported the acquittal of a military member on marijuana (THC) drug abuse charges. The defense attorney implicated a commercially available hemp seed oil, used as a nutritional supplement, as the source of the THC metabolite in the defendant's urine specimens. Defense was able to cite an article published in a reputable science journal that inferred the presence of THC in the hemp seed oil product. The reliability of the military drug testing was not in question, since the military laboratory correctly identified the presence of the THC metabolite in the urine. The issue is whether the presence of THC in the urine resulted from the illicit use of marijuana or from the use of a THC-containing hemp product.

Pertinent information on hemp seed oil products has not been publicized and is relevant in understanding the issue. First, it should not be assumed that most hemp seed or hemp seed oil products contain THC. Second, claims of positive THC urinalysis due to hemp oil/seed ingestion must be supported by THC quantitative analysis of the explicit product and sample implicated. Third, commercial products that may have contained THC as marketed in the past should not be assumed to contain THC currently.

The frequency in which hemp-based products will be invoked as the explanation for THC presence in urinalysis testing may increase. THC is a controlled substance under the Drug Control Act of 1988. In all cases, concerted action must be taken to explicitly identify the alleged hemp product and substantiate THC presence by actual testing of the product.

At DoD's request, the Office of the National Drug Control Policy, hosted a meeting of Federal Agencies to address the problem of hemp-based products and drug testing. To facilitate development of DoD guidance on this issue, I request a representative from the Services' military personnel division, criminal law division, and drug program management office attend a meeting on Tuesday, February 17, 1998, to develop a guidance document. A copy of proposed draft guidance is attached. The meeting will be held in the Pentagon, room 2E544 from 1000 to 1200 hours.



JAN-30-1998 07:41

P.02/04

For additional information on this issue, my point of contact is Captain John Jemionek, MSC, USN, who may be reached at (703) 693-1917. Your continued support of the DoD Demand Reduction Program is appreciated.



Robert J. Newberry
Acting Deputy Assistant Secretary of Defense for
Drug Enforcement Policy and Support

Attachments:

As stated