

114TH CONGRESS
1ST SESSION

H. R. 1635

To amend the Controlled Substances Act to exclude cannabidiol and cannabidiol-rich plants from the definition of marihuana, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 2015

Mr. PERRY (for himself, Mr. AUSTIN SCOTT of Georgia, Mr. MASSIE, Mr. HONDA, Mr. GRAYSON, Ms. NORTON, Mr. LOWENTHAL, Mr. BLUMENAUER, Mr. MCCLINTOCK, Mr. JONES, Mr. BARR, Mr. DOLD, Mr. COHEN, Mr. YARMUTH, Mr. COOPER, Mr. DAVID SCOTT of Georgia, Mr. WOODALL, Mr. HANNA, and Mr. VAN HOLLEN) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Controlled Substances Act to exclude cannabidiol and cannabidiol-rich plants from the definition of marihuana, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Charlotte’s Web Med-
5 ical Access Act of 2015”.

1 **SEC. 2. EXCLUSION OF CANNABIDIOL AND CANNABIDIOL-**
2 **RICH PLANTS FROM DEFINITION OF MARI-**
3 **HUANA.**

4 (a) IN GENERAL.—Section 102 of the Controlled
5 Substances Act (21 U.S.C. 802) is amended in paragraph
6 (16)—

7 (1) by striking “(16) The” and inserting
8 “(16)(A) The”; and

9 (2) by adding at the end the following:

10 “(B) Cannabidiol and cannabidiol-rich plants—

11 “(i) are excluded from the definition of
12 marihuana under subparagraph (A); and

13 “(ii) shall not be treated as controlled sub-
14 stances under this Act.”.

15 (b) DEFINITIONS.—Section 102 of the Controlled
16 Substances Act (21 U.S.C. 802), as amended, is further
17 amended by adding at the end the following:

18 “(57) The term ‘cannabidiol-rich plant’ means
19 the plant *Cannabis sativa* L. and any part of such
20 plant, whether growing or not, with a delta-9
21 tetrahydrocannabinol concentration of not more than
22 0.3 percent on a dry weight basis.

23 “(58) The term ‘cannabidiol’ means the sub-
24 stance cannabidiol, as derived from a cannabidiol-
25 rich plant.”.

1 **SEC. 3. OTHER LIMITATIONS.**

2 (a) NON-APPLICABILITY OF FEDERAL FOOD, DRUG,
3 AND COSMETIC ACT.—The Federal Food, Drug, and Cos-
4 metic Act (21 U.S.C. 301 et seq.) shall not apply to
5 cannabidiol or cannabidiol-rich plants as those terms are
6 defined in section 102 of the Controlled Substances Act
7 (21 U.S.C. 802) as amended by this Act.

8 (b) STATE LAW.—Nothing in this Act shall prohibit
9 or otherwise restrict any activities related to the use, pro-
10 duction, or distribution of marijuana in a State in which
11 such activities are legal under State law.

12 **SEC. 4. SUNSET PROVISION.**

13 The provisions of this Act, and the provisions inserted
14 into the Controlled Substances Act by this Act, shall cease
15 to apply on the date that is 3 years after the date of enact-
16 ment of this Act.

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