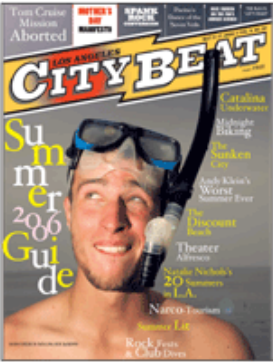




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THE 4/20 ADVISORY

The FDA's recent pronouncement that pot has no medical value has generated outrage from Congress to 'The New York Times'

~ By MICK FARREN ~

When the U.S. Food and Drug Administration (FDA) issued its recent one-page "inter-agency advisory," stating that "marijuana has no currently accepted or proven medical use in the United States," the outcry was immediate. Doctors, patients, and medical marijuana advocates angrily charged the FDA with walking roughshod over current research data. The FDA's only response was that of spokeswoman Susan Bro, who claimed the advisory was "a combined review by federal drug enforcement, regulatory and research agencies."

Only comedian and longtime pot defender Bill Maher seemed cynically amused by the advisory, and noted it had been leaked to The New York Times on April 20 – the "4/20" of stoner code – and then wondered, during his monologue on Real Time with Bill Maher, if the FDA had picked the date because even the feds knew their pronouncements were nonsensical.

The FDA statement evoked major fury because it totally ignored the 1999 review by the Institute of Medicine, a part of the prestigious National Academy of Sciences, that found marijuana "moderately well suited for particular conditions, such as chemotherapy-induced nausea and vomiting and AIDS wasting," and also confirmed marijuana's effectiveness in treating anorexia and nerve pain, while dismissing the canard that marijuana acted as a "gateway" to harder drugs.

The New York Times followed its initial 4/20 story with a scathing editorial. "The Bush administration's habit of politicizing its scientific agencies was on display again this week when the Food and Drug Administration, for no compelling reason, unexpectedly issued a brief, poorly documented statement disputing the therapeutic value of marijuana." Protests also came from a bipartisan group of 24 House members led by Rep. Maurice Hinchey (D-N.Y.), who called on the agency to offer scientific proof for its position. In a letter to FDA Acting Commissioner Andrew von Eschenbach, the group demanded to be shown "evidence that you have new scientific proof or that you oversaw clinical trials." Hinchey also accused the agency of playing politics with people's lives. "We saw it with the agency's decision on the emergency contraceptive, Plan B, and we're seeing it again with medical marijuana: the FDA is making decisions based on politics instead of science."



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The FDA's motives also came under fire from Caren Woodson, Director of Affairs at Americans for Safe Access (ASA), the leading medical marijuana coalition. "Even with polls showing an 80 percent approval for medical marijuana use, politics is trumping science, ignoring the evidence while sick people are suffering." With medicinal marijuana now legal in 11 states, but the DEA continuing to arrest and harass users and distributors, the FDA has been under pressure to make a definitive statement. Woodson, however, says of the 4/20 statement, "The government is circulating misinformation that ignores scientific data."

Misinformation has, of course, been a major weapon in the war on pot since Harry Anslinger demonized weed in the 1930s, with tales of homicidal hopheads, to provide employment for G-men made redundant by the repeal of alcohol prohibition. The FDA's new statement not only continues that tradition, but caves to traditionalist drug warriors like Rep. Mark Souder (R-In.), who firmly believes efforts to legalize medicinal marijuana are an evil front for full recreational decriminalization.

The release of a document as contemptuously dismissive as this one, however, may backfire on the feds. On May 2, lawyers for thousands of patients suffering from cancer, AIDS, and multiple sclerosis demanded that the Department of Health and Human Services respond to an ASA petition filed 18 months ago claiming federal policies on medical marijuana are in violation of the Data Quality Act (DQA). The legal maneuvers are complex, but it's essentially a squeeze play to force the reclassification and recognition of reefer as legitimately therapeutic.

Also, the FDA may have undermined their 4/20 position when they gave the OK for human testing by the British company, GW Pharmaceutical, of a drug called Sativex: a cannabis extract already approved for sale in Canada that could ultimately be packaged as an inhaler, not unlike the familiar pocket aerosols for asthma relief. By approving Sativex, the FDA has not only opened the door to definitively testing a form of marijuana, but also demonstrated that Washington bureaucrats may be more impressed by packaging than either science, common sense, or public opinion. ★

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