



15 January 2020

Biopharmaceutical Research Company (BRC)
11045 Commercial Parkway
Castroville, CA, 95012
Attn: George Hodgkin, CEO
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Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, DC 20515

***Re: Statement for the Record regarding United States House of Representatives
Committee on Energy and Commerce, Health Subcommittee, Cannabis Policies for the
New Decade***

Chairman Pallone, Subcommittee Chairwoman Eshoo, Ranking Member Walden and Subcommittee Ranking Member Burgess,
Biopharmaceutical Research Company (“BRC”) appreciates the opportunity to submit a letter for the record regarding our experience attempting to produce federally compliant cannabis for federally approved research.

BRC is a Monterey, California based pharmaceutical company that maintains and operates an active DEA Registration for the handling of all schedules of Controlled Substances. BRC does not violate federal law or the Controlled Substances Act (CSA).

I’m the CEO and Founder of BRC. I started BRC after serving as a Navy SEAL Officer for seven years, several of which were in combat in Afghanistan and SE Asia. After watching my teammates and fellow Veterans turn to cannabis after struggling with traditional therapeutics to treat their wartime wounds, I decided to start a business dedicated to answering the important questions of cannabis usage in a completely legal manner. My story should be one of the American dream. A Navy SEAL Veteran serves in combat, uses the G.I. Bill to get a graduate education at Stanford and then starts a business to answer nationally important questions around cannabis. Instead, my company sits and waits idly by for permission to grow cannabis for research while consumers, Veterans and policy-makers are being forced to make critical health decisions about cannabis blindly because the DOJ and DEA are preventing cannabis’ production for research purposes. In the meantime, Veterans are killing themselves at a rate of 22 per day¹ and are twice as likely to die of an opioid overdose than a civilian². Could cannabis help them? We don’t know and we won’t know until the DOJ and DEA make good on their promise to open the production of cannabis for research like they promised in 2016.

¹ <https://www.stripes.com/news/us/va-reveals-its-veteran-suicide-statistic-included-active-duty-troops-1.533992>

² <https://www.whitehouse.gov/articles/fighting-pain-addiction-veterans/>

My premise has always been, if cannabis is indeed useful let's figure it out so we can help the most people possible. If it's harmful, we need to figure that out too so that consumers can make informed decisions. But to this day, despite the fact that 200 million Americans live in a state where they can access cannabis, scientists and doctors rely on a sole source of the drug for research. That source has been widely reported to be unsatisfactory in timely access and quality of material. Consumers have access to cannabis, scientists and doctors don't.³ The purpose of your hearing is to gain insights in order to better make smart cannabis policy for this new decade. The key to any meaningful cannabis policy in the United States is encouraging the DEA and DOJ to allow expanded production of cannabis for research. Until that happens, scientists, doctors, consumers and policy-makers will be making critically important decisions without appropriate health data.

I started my business in response to a 2016 US Drug Enforcement Administration (DEA) policy allowing for the licensure of companies to produce federally legal cannabis for exclusively scientific research purposes. This policy change was to be the first meaningful cannabis policy improvement in nearly 60 years and would indeed give scientists, policy-makers and consumers the answers to the questions around the safety and efficacy of cannabis. I started a business, hired a team, raised investment capital and built a pharmaceutical manufacturing facility because I trusted the federal government to follow through. Finally- the US government intended to allow cannabis to be produced for government-approved research purposes. Alas- to this day, nearly 3.5 years later, the US DEA and DOJ have refused to even examine my application. There have been nearly 20 bicameral and bipartisan letters to DOJ and DEA encouraging them to process these applications- but they have refused. In fact, they continue to move the permit applications through regulatory purgatory by asserting that they need to review the process of reviewing the applications first, to ensure conformity with the 1961 Single Convention on Narcotic Drugs.

The US produces every other federally controlled substance for research purposes. Why do they treat cannabis differently? While the DOJ and DEA hide behind a few sentences in a 1961 treaty in order to slow walk meaningful cannabis research reform, the rest of the world is lapping the United States in job creation, intellectual property generation and treating their patients. The following countries, all signatories to the same treaty as the USA, all have expansive medical cannabis research programs. None of them have been cited or censured by the United Nations:

- Argentina
- Australia
- Belgium
- Bermuda
- Brazil
- Canada

³ <https://www.politico.com/agenda/story/2019/10/14/cannabis-medical-marijuana-research-000984>

- Chile
- Colombia
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Georgia
- Germany
- Greece
- Ireland
- Italy
- Jamaica
- Lithuania
- Luxembourg
- Malta
- Netherlands
- New Zealand
- North Macedonia
- Norway
- Peru
- Poland
- Portugal
- San Marino
- Slovenia
- South Africa
- Sri Lanka
- Switzerland
- Thailand
- United Kingdom
- Zimbabwe

In April of 2018, then Attorney General Sessions asserted that the DOJ and DEA were nearly ready to allow cannabis to be produced for research by remarking, “We are moving forward and we will add fairly soon, I believe, the paperwork and reviews will be completed and we will add additional suppliers of marijuana under the controlled circumstances.”⁴

⁴ <https://www.marijuanamoment.net/sessions-admits-there-may-well-be-some-benefits-from-medical-marijuana/>

BRC's policy positions and comments for the record and for your consideration on cannabis and cannabis-derived products:

- BRC supports the federally compliant research into cannabis' therapeutic and adverse effects
- BRC supports and advocates for the DEA's Expanded Marijuana program released on 12 August 2016 and 27 August 2019 allowing for the licensing of multiple entities to produce marihuana and its chemical constituents for legitimate research
- BRC supports further research into the analgesic efficacy of cannabis and its potential to displace opioid based therapies for the treatment of chronic pain.
- BRC encourages the FDA, DOJ and DEA to advance the status of scientific research into cannabis by allowing for the registration of legitimate and federally compliant marihuana producers
- We have invested significantly in personnel, physical infrastructure and the development of practices in order to be compliant with Code of Federal Regulations (CFR) Title 21 Chapter 1300 Part C Section 823, the federal government should honor that.

We have refused to violate the CFR and CSA by participating in federally illegal cannabis markets, at great personal and corporate expense, because we have trusted that DOJ and DEA would remain true to their word and federal law. We have undertaken this enterprise as a business, at great risk, because we believe in the importance of compliant and top-quality federal research.

In conclusion, BRC recommends that if the Congress' goal is to ensure cannabis and cannabis-derived products are safe and efficacious, then the DEA and DOJ must register additional producers of federally compliant cannabis for scientific purposes so that legitimate data may be produced.

Sincerely,



G.B Hodgin