

OCHR FactSheet

Marijuana

Issued: June 2019

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This Fact Sheet:

- Provides description of marijuana
- Medical marijuana is illegal under federal law
- Provides additional information on medical marijuana

Background

Cannabinoids (Marijuana) compounds come from the hemp plant, *Cannabis sativa*. The principal psychoactive agent in cannabinoids is delta-9-tetrahydrocannabinol (THC). Cannabinoid containing compounds are found in two forms, marijuana and hashish. Marijuana is a mixture of crushed leaves, flowers, and sometimes the stems of the cannabis plant. Hashish contains the dried resinous secretions of the cannabis plant and, in general has a higher concentration of THC than marijuana. Certified laboratories are required to use confirmatory testing that specifically identifies the major marijuana metabolite THC.

Medical Marijuana

Due to the legalization of medical marijuana in several states, there is a curiosity among the federal workforce on how legalization affects them. Marijuana is a Schedule I drug under the federal Controlled Substances Act (CSA)-meaning any use of marijuana is illegal under federal law, regardless of state law.

Executive Order 12564 mandates the federal workplace as a drug-free workplace. Section 1 of the Executive order states:

- “To refrain from the use of illegal drugs”.
- “The use of illegal drugs by Federal employees, whether on or off duty, is contrary to the efficiency of service”.
- “Persons who use illegal drugs are not suitable for Federal employment”.

Still Need Assistance?

- For more information please visit the Substance Abuse and Mental Health Services Administration website <http://workplace.samhsa.gov>
- Drug Program Manager, Andrea Collings 202-285-4865 or Andrea.Collings@navy.mil



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Frequently Asked Questions

Q: My downstairs neighbor smokes marijuana every night on his balcony. Will I test positive for marijuana from the second-hand smoke?

No. It is possible THC (the psychoactive ingredient in marijuana) may be in your system and you could experience a "contact high," but even this is doubtful under these circumstances. With the initial and confirmatory concentration cut-off levels established by the Substance Abuse and Mental Health Services Administration (SAMSHA), passive inhalation will not produce a positive test result for marijuana.

Q: I was at a party and after eating some cookies I was told they had marijuana in them. Will I test positive for marijuana and if I do, can I just explain I ate the cookies and not be in trouble?

You are responsible for what you put in your body. Depending on the potency of the marijuana, how soon the drug test is after eating the cookies, and various other factors, it is possible to have a positive result. However, claims of unknowing ingestion of hemp products containing THC cannot form the basis of a legitimate medical explanation for a positive test result for marijuana (THC) on a federally-administered drug test and you will be subject to the full range of consequences for a verified positive drug test.

Q: Marijuana is legal where I live. Can I smoke marijuana if I have a prescription and not have to worry about testing positive on a drug test?

No. Marijuana remains illegal under Federal law as a Schedule I drug in the Controlled Substances Act (CSA). A prescription cannot be written under Federal law for a Schedule I controlled substance. If you test positive for marijuana you will be subject to the full range of consequences regardless of what your state law allows.

For additional information:

<https://portal.secnav.navy.mil/orgs/MRA/DONHR/DrugFreeWorkplace/Pages/default.aspx>



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