



# Maryland Department of Agriculture

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## *Statement from the State Board of Veterinary Medical Examiners* **CBD Oil and Maryland Veterinarians**

**(March 1, 2019)** - The Maryland State Board of Veterinary Medical Examiners frequently receives calls from veterinarians asking about the legality and propriety of prescribing, administering or discussing CBD oil with clients. The Board recently met with officials from the Maryland Department of Health Office of Controlled Substance Administration (OCSA), which issues CDS permits and is responsible for enforcing related State laws. The OCSA provided the Board with an overview of applicable law at both the State and federal levels.

Prior to the passage of the Agriculture Improvement Act of 2018 (also known as the Farm Bill) in December 2018, both federal and state law classified CBD oil products as Schedule 1 drugs, which are defined as drugs with no accepted medical use and a high potential for abuse. The 2018 Farm Bill, however, **changed federal law** and removed CBD oil that is made from hemp from Schedule 1. However, the bill left it up to the states to develop plans for regulating hemp cultivation and production. The change in federal law did not exempt CBD oil made from marijuana from Schedule 1.

**IMPORTANTLY**, these changes to Federal law **DO NOT** affect the Maryland Controlled Substance Act (Criminal Law, Title 5). Although the General Assembly may change state law at some point, right now, in Maryland, all products containing cannabidiol, except for Epidiolex, are Schedule 1 Controlled Substances. Epidiolex is the first CBD product that FDA has approved for medical use. DEA placed it in Schedule 5 in September 2018. It is an anti-epileptic drug indicated for *severe* forms of epilepsy in humans. Currently, the FDA has not approved any CBD products for use in animals.

The State Board recognizes that many pet owners choose to administer these products to their pets regardless of legal status or veterinary advice. The Board is also aware that many products claiming to be CBD Oil are easily available online and in reputable establishments. Still, the Board urges veterinarians to exhibit great caution if clients initiate discussions about these drugs. Regulations adopted under the Maryland Veterinary Practice Act state that: "a veterinarian shall ensure that all controlled dangerous substances are maintained, administered, prescribed, dispensed, and destroyed in compliance with all State and federal laws. See COMAR 15.14.01.12B. In addition, a veterinarian's failure to comply with State and federal laws with respect to use of controlled dangerous substances may violate the Board's professional conduct regulation, found in COMAR 15.14.01.04, and its professional judgment regulation, found in COMAR 15.14.01.07.

If the Board receives a complaint involving an adverse reaction to a CBD product that was administered, prescribed, or recommended by a veterinarian, issues such as the status of

the law, and the status of FDA approval of CBD products, may be considered by the Board during a disciplinary proceeding.

If you have questions about the legal status of CBD products, contact OCSA (410) 764-2890 or toll free at (866) 240-7458. See their website:

<https://health.maryland.gov/ocsa/pages/home.aspx>

-Maryland State Board of Veterinary Medical Examiners

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