CBD IN THE DoD

MARIJUANA v. HEMP

A cannabis plant can be classified as marijuana or hemp depending on its level of tetrahydrocannabinol (THC) — 0.3% or less THC content is considered hemp, more than 0.3% is considered marijuana.

CANNABIDIOL (CBD)

CBD can be derived from either marijuana or hemp. CBD is not well regulated, the Food and Drug Administration does not certify THC levels in products[1], and CBD products may omit or inaccurately represent their THC content. Use of CBD products, including those derived from hemp, could lead to a positive urinalysis for THC.

LEGALITY OF MARIJUANA

Knowing use, possession, or distribution of marijuana and any product derived from or containing marijuana, including CBD, is illegal for all military members under Article 112a, Uniform Code of Military Justice (UCMJ). The UCMJ applies at all times and in all places to active duty military members.

LEGALITY OF HEMP

Each service has prohibited the use of hemp or hemp-derived products, including CBD. A knowing violation of these prohibitions is an offense under Article 92, UCMJ.

Air Force: AFMAN 44-197, paragraph 1.2.2.1
Army: AR600-85, section 4-2p
Navy and Marines: ALNAV 057/19, paragraph 3
Coast Guard: COMDTINST M1000.10A, chapter 5, section D.1

CIVILIAN EMPLOYEES

Use of marijuana and its derivatives, including CBD, is illegal for federal civilian employees. While it is not currently illegal for civilians to use hemp-derived CBD products, use of these products is risky and could lead to a positive urinalysis for THC. If a civilian employee tests positive for THC, use of hemp-derived CBD would not qualify as a valid excuse.

BOTTOM LINE

It is illegal for military members to ingest (smoking, vaping, eating, transdermal patches, etc.) CBD in any form! It is illegal for federal civilian employees to use marijuana and its derivatives, including CBD, and risky to use hemp-derived CBD!

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[1] The FDA has only approved one prescription drug containing CBD, called Epidiolex®, and individuals with a valid prescription are permitted to use this.