



## ALNAV 074/20 Prohibition on the use of Hemp Products Updated

### *Background*

On 26 February 2020, the Undersecretary of Defense for Personnel and Readiness (USD (P&R)) issued a memorandum requiring each service to adopt a punitive general order prohibiting the use of hemp products. The USD (P&R) memorandum contained exceptions for legitimate law enforcement purposes, authorized medical usage, and mistaken usage. The USD (P&R) memorandum extended the ban on hemp to topical products such as shampoo, conditioners, soaps, and lotions whose usage was permitted under ALNAV 057/19. ALNAV 074/20 was issued on 24 July 2020 to ensure Department of the Navy compliance with DoD Policy.

### *Policy Update*

Personnel should review ALNAV 074/20 in its entirety; however, key provisions are outlined below:

- Use of any product made or derived from hemp (including cannabidiol (CBD)) is prohibited regardless of the concentration, claimed or actual, of THC contained within the product, and regardless of whether the product can be lawfully purchased, sold, and used under the relevant law applicable to civilians.
- “Use” means to inject, ingest, inhale, or otherwise introduce into the human body (including the use of hemp products designed to penetrate the skin layer). The term use includes the use of topical products containing hemp such as shampoos, conditioners, lotions, lip balms, or soaps.
- The prohibition does not apply to use pursuant to legitimate law enforcement activities, authorized use conducted in the performance of medical duties, or when a service member used a product without knowing the product contained hemp or CBD and the lack of knowledge is reasonable. The ingestion, consumption, or application of cannabinoid formulations approved as drugs by the Food and Drug Administration for which the Service Member has a valid prescription, such as Dronabinol (Marinol®), Syndros®) and cannabidiol (Epidiolex®), is not prohibited. A prescription will be deemed valid if issued by the Service Member’s assigned Department of Defense medical service provider or a civilian medical professional into whose care the Service Member was referred or directed.
- The use of durable goods containing hemp, such as rope or clothing, is not prohibited.

The above prohibitions are general intent offenses; therefore, violation occurs when a Marine intends to use a product made or derived from hemp, regardless of whether they intend consequences (e.g. mental or physical effects) to occur. Previous guidance on hemp use, including portions of Practice Advisory 1-19 (Recent Changes to Department of the Navy Policy) discussing prohibitions on hemp use, are hereby cancelled.

### *Points of Contact*

Direct any questions about this Practice Advisory to the JMJ Branch Head at (703) 693-9005, the JMJ Deputy Branch Head at (703) 693-8901, or Trial Counsel Assistance Training Program (TCAP) at (703) 693-9299.