

**Voluntary Report** – Voluntary - Public Distribution

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**Report Name:** Awaiting Regulations for Medicinal Cannabis and Industrial Hemp

**Country:** Costa Rica

**Post:** San Jose

**Report Category:** National Plan, Agriculture in the News, Planting Seeds, MISC-Commodity

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**Report Highlights:**

After more than three years of legislative effort, Costa Rica has legalized hemp production and commercialization as well as cannabis for medicinal and therapeutic purposes. The Government's commitment to publish implementing regulations – including those related to import and export of value-added products – by May 8, appears unlikely to be reached.

After vetoing an earlier version of the law in January, President Carlos Alvarado signed medicinal cannabis and industrial hemp legislation into law on March 2, 2022. The January version of the law foundered on provisions that would have allowed ailing Costa Ricans to consume their own home-grown psychoactive cannabis (i.e., cannabis with a tetrahydrocannabinol (THC) content greater than one percent). The final version of the law is available (in Spanish) here: [Ley #10113](#).

The law will allow non-psychoactive cannabis to be produced for medicinal and therapeutic purposes as well as for food, feed, and industrial uses. Psychoactive cannabis (i.e., those materials with one percent or more THC content by dry weight) utilization will be restricted to medicinal and therapeutic purposes and require medical oversight.

The law defines non-psychoactive cannabis or hemp as “the plant of the genus *cannabis* and any part of such plant (either biomass or crop), including seeds, by-products, or extracts, with a THC content (including delta 8-tetrahydrocannabinol, delta 9-tetrahydrocannabinol, and delta 10-tetrahydrocannabinol) of less than one percent (1%) in dry weight.” Shortly after the law was passed, industry sources highlighted the 1 percent THC threshold – set more than three-times higher than the U.S. threshold – as less likely to result in unintentional excess THC violations, while still sufficiently stringent to protect public health and safety.

The Alvarado administration committed to issuing implementing regulations before the transition of power to the next president on May 8, 2022. However, that ambitious timeline for establishing a comprehensive regulatory regime appears in jeopardy as draft regulations had not been published for public comment as of the writing of this report. Regulatory oversight of cultivation, processing, distribution, international trade, and consumption will be shared between the Ministry of Agriculture and Livestock (MAG) and the Ministry of Health (MINSA).

Under the eventual regulatory regime, MAG will be responsible for issuing licenses to authorize production, enabling license holders to import and propagate seeds for authorized activities. MINSA will manage licensing for the manufacture of cosmetics, essential oils, and other value-added products for medicinal or therapeutic use. MINSA will also issue permits required for scientific research and teaching activities. According to the law, licenses will be valid for six years and renewable.

**Attachments:**

No Attachments.