POLICY DECISION - CAN114 - FINAL

OPEN POLICY: This policy is intended to be shared with stakeholders and may be freely distributed.

Practice note – Synthetic cannabinoids

Date established: 3rd May 2023
Date to be reviewed: 3rd May 2024

Practice detail.

This policy outlines the extent of the GSC's legislation with respect to synthetic cannabinoids.

Explicit authority in law predicated on molecular formulation

The GSC has explicit legal authority for the licensing of

- Cannabinol
- Tetrahydro derivatives of cannabinol
- 3-alkyl homologues of the molecules above (meaning those molecules with sidechains of 3 carbons, but in practice of X number of carbons, because "homologue" is a repetition of a substituent.)

While any number of cannabinoids may meet the molecular requirements of this definition, the specification is designed to capture twelve specific molecules which are known to have, or are suspected of having psychoactive properties.

The core chemical – cannabinol – and its variations share a common chemical skeleton, which is known as a dibenzo-pyran, from:

- Pyran, a carbon ring with 5 carbon atoms and 1 oxygen atom;
- Benzine, a carbon ring with 6 carbon atoms.

In law, any molecule that meets these specifications falls to licensing by the GSC, whether it is imported, exported, extracted or used in a manufacturing process. In fact, mere possession of the substance requires licensing.

Detecting the substances

The GSC's mandate is to control production of cannabis in the Isle of Man, but it is always possible that it will be asked for a view on a cannabis related matter. The flowchart in appendix A may be used to determine if the GSC's law obliges licensing, and if it does not, it suggests steps that the GSC may decide to take in respect of certain classes of cannabinoids (synthetics) to protect the public.

Synthetic cannabinoids

It is possible to create cannabinoids without using the cannabis plant. Cannabinoids have been harvested from other plants (i.e. not the genus cannabis) in experiments, and cannabinoids have been created in laboratories using purely chemical processes. This latter category is known as synthetic cannabinoids.

Synthetic cannabinoids have acquired an uncertain reputation for a number of reasons:

- They are generally more concentrated when isolated;
- The end products of the chemical process used to create them may also co-create, or fail to exclude contamination by other chemicals whose effects are harmful or unknown. This is particularly the case for those who attempt to create synthetics in an attempt to evade cannabis legislation (for example, "legal highs").
- In some cases, the chemical action of the synthetic in the human body is, weight for weight, more potent than cannabinoids extracted from the plant;

Synthetic cannabinoids and Isle of Man law

At least one known synthetic cannabinoid matches the molecular specification cited in the law. It is called HU-210 and has the psychoactive effect of THC, except that it is between 100 and 800 times more potent in its effect on the body's nervous system, and it is unlikely that all of its effects are known because the body of evidence surrounding the illicit use of synthetics is not available in a way (albeit largely anecdotally) that it is for phyto-cannabinoids.

Identifying cannabinoids that match the legal test in the literature is not easy for the regulator, but in any case, the continual emergence of "legal highs" on to the market demonstrates that any survey can easily be rendered obsolete by new discoveries. For this reason, the GSC has published a policy of not licensing synthetic cannabinoids.

Appendix A : Can the GSC oblige licensing?