



KINSTELLAR

Ukraine Leaps Forward in Its Cannabis Policy

March 2024

On 16 August 2024, a cannabis law (the “Law”) passed by the Ukrainian parliament back in December of last year, will come into force. Developed in compliance with EU regulations, the Law represents a significant overhaul of cannabis regulations in Ukraine¹.

Secondary cannabis-related legislation is expected to be drafted by the Ukrainian government by the end of May 2024.

¹ The Law of Ukraine “On Amendments to Certain Laws of Ukraine Regarding the State’s Regulation of the Circulation of Plants of the Cannabis Genus (Cannabis) for Use in Learning Purposes, Educational, Scientific and Scientific and Technical Activities, the Production of Narcotic Drugs, Psychotropic Substances and Medicines and to Expand Patient Access to Necessary Treatments” No. 3528-IX, dated 21 December 2023.

Scope of the Law



The Law covers the use of cannabis for medical, scientific, and industrial purposes.



It also establishes rules for laboratory testing, traceability, labelling, transportation, medical use, the prescription and selling of cannabis-based medicines to patients, as well as significantly relaxes rules on the industrial use of cannabis.

NB!

The **recreational use of cannabis is out of the scope** of the Law and is not expected to be legalized anytime soon.



Licensing

Activities such as cultivation, import, export, transportation, and production will be permitted subject to licensing and quota requirements.



Import Restrictions

The import of cannabis and cannabis-based products will remain subject to strict restrictions until 1 January 2028, with exceptions made for i) seeds and planting materials and/or (ii) scientific research and/or (iii) the manufacturing of medicines included in the State Register of Medicines. Cannabis-based medicines must be included in the State Register of Medicines (the "Register"), or produced in a pharmacy, only from those active pharmaceutical ingredients (APIs) included in the Register.



Medical Use

Sales of cannabis products are permitted only with an electronic prescription for approved conditions, as determined by the Ministry of Health of Ukraine.



Patient Rights

Patients are permitted to transport and store medicines as per their prescriptions without the need for additional permissions.



Control and Traceability

Medical cannabis will be permitted for medical purposes subject to strict controls and traceability requirements throughout the product's life-cycle, including ensuring secure cultivation, storage, and processing areas, along with mandatory round-the-clock video surveillance accessible to the National Police of Ukraine.



Manufacture for Specific Purposes

The production of new cannabis-based narcotic drugs or psychotropic substances is permitted exclusively for medical, scientific, and scientific-technical purposes, subject to licensing and adherence to procedures specified under the new Law.



Industrial Cannabis Guidelines

Declarative
Cultivation
from
August
2024



The cultivation of hemp for industrial purposes is permitted on a declarative basis, subject to inclusion in the Register of Legal Entities Engaged in Sowing, Cultivation and Processing of Hemp for Industrial Purposes as maintained by the Ministry of Agrarian Policy and Food of Ukraine.

The statutory limit for tetrahydrocannabinol (THC) in industrial hemp will increase from 0.08% to 0.2% in dried hemp straw by February 2027 and up to 0.3% thereafter. The Law outlines the process for carrying out laboratory tests to determine THC concentrations in dried hemp straw, with harvesting conditional on the receipt of laboratory results.

THC
Content
Regulation



If you have any questions regarding the new law,
please contact



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