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## Uruguay Legalizes Limited Sales of Marijuana

by *Andrés Gaudín*

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More than three years after former President José Mujica (2010-2015) introduced the topic of drugs into the national debate, the Uruguayan government has found a way to implement his proposal to legalize the production, sale, and consumption marijuana. The legalization of marijuana sales, aimed at exploring a new way to combat illegal drug trafficking, comes exactly 43 months after Mujica opened the politically charged debate ([NotiSur, Aug.3, 2012](#), and [May 6, 2016](#)).

On July 17, a small group of pharmacies in Uruguay began selling 5-gram envelopes of two varieties of cannabis flowers produced and regulated under state control. The agency that supervises cannabis production and use is the Instituto de Regulación y Control del Cannabis (IRCCA), which is part of the national agency that regulates and controls drug use, the Junta Nacional de Drogas (JND). IRCCA was created by law “to order and regulate the planting, cultivation, harvesting, collecting, production, elaboration, and distribution of cannabis and its derivatives.”

### *Purchases limited to 40 grams per month*

Law 19.172 was enacted a few days before Christmas in 2013. Last year saw the implementation of the portion of the law that provides for the cultivation of the plants (six per person) for personal use and the acquisition of marijuana through membership in producer clubs of up to 45 members. On July 19, consumers were given the possibility to buy up to 10 grams of cannabis a week (40 grams a month). Each 5-gram envelope, sold only to “authorized consumers,” is priced at US\$6.50 (or \$1.30 per gram), equivalent to about a third of the drug’s black-market value. Of the \$1.30 per gram price, 70% goes to the producing company, 20% to the pharmacy, and the remaining 10% goes to financing IRCCA.

Private companies authorized by the Ministry of Public Health, which guarantees strict technical supervision for the product, develop the marijuana that is sold in pharmacies.

Purchase of the marijuana is kept confidential. The personal information submitted to register as a consumer goes into an identification system that functions with a fingerprint database and is encrypted by an algorithm. The only information publicly available is whether a person is registered as a grower or a member of a cannabis club and has not exceeded the permitted monthly allowance of 40 grams per month.

The envelopes are made with two varieties of cannabis, according to IRCCA officials: Alfa-1, a hybrid with mostly cannabis indica plants, and Beta-1, a hybrid of cannabis sativa. “In both cases,” the agency said, “the hybrids contain 2% THC, the active chemical ingredient that causes the psychological effects of marijuana.” The IRCCA statement emphasized that envelopes have a security stamp to guarantee the authenticity of the product as well as a series of warnings and recommendations on the advantages of safe consumption and the dangers associated with excessive use. The agency said that cannabis “comes from greenhouse cultivation developed under strict technical supervision on the part of authorized private companies, which assures full traceability of the process, from the plant to delivery to the consumer.”

Eduardo Blasina, an agronomist and owner of Symbiosis, one of the authorized marijuana producing companies, said that Uruguay had completed a legalization process that many had opposed.

“This small country has become a true laboratory for drug policy, and from now on millions of eyes around the world will look at what’s happening here under the microscope,” he said. “The Uruguayan experience is quite remarkable. When Holland allowed consumption, it did not get involved in production. What is revolutionary here is that the law authorizes state monopoly and requires that it oversees production.”

In addition, Blasina said, people no longer need to place themselves in danger to purchase marijuana. “Now they can consume safely, distancing themselves from other dangers associated with illegal outlets that are veritable supermarket shelves where drug dealers not only offer cannabis but other dangerous substances of dubious quality, such as cocaine or coca paste” he said, referring to the dangerous and cheap drug, similar to crack, which is made with cocaine residues and processed with sulphuric acid and kerosene, often mixed with ether and even ground glass.

“As if this weren’t enough,” he added, “society now sees that those who buy [marijuana] in the pharmacy aren’t marginal people; they are their neighbours, ordinary people who have moved away from illegal supply places and buy a product that is guaranteed by the state.”

Many in the scientific and academic world and among those who specialize in studying drugs have said they are proud of Uruguay’s progress.

“The country is a pioneer in marijuana reform as it already was with tobacco,” said physician Julia Galzerano, vice president of an organization that promotes the use of medical marijuana, the Sociedad Uruguaya de Endocannabinología. She was referencing the success that Uruguay’s strong anti-tobacco campaign has had in reducing cigarette smoking among people 15 years and older, from 22.8% in 2006 to 8.5% in 2014 (the latest known data) ([NotiSur, Feb. 4, 2011](#), and [Aug. 12, 2016](#)).

“Uruguay is taking a leadership position in the world debate on drug use, with the idea that there are substances of broad social use that should be regulated rather than prohibited,” she said.

Sociologist Martín Collazo is a member of Monitor Cannabis, a team based at the school of social sciences at the Universidad de la República dedicated to disseminating information and monitoring cannabis regulations in Uruguay. He said the government should not try to force consumers to abstain, but rather “help them understand marijuana use and develop strategies to reduce associated dangers.”

Indeed, the first article of the marijuana law notes that it is in the public interest to protect, promote, and improve public health via a policy aimed at minimizing risks associated with the use of cannabis.

Julio Calzada, former director of the JND, said Uruguay is going in the right direction.

“In just one or two years, we will be able to evaluate the full phenomena, from consumption, legal proceedings for possession, health issues, and the impact on illegal drug trafficking, with adequate mechanisms and concrete information, based on research and analysis from the Universidad de la República,” he said.

As director of the JND, Calzada was responsible for shepherding the cannabis project and coordinating the team that investigated and processed every legal, health, and logistical aspect that was needed to get the program up and running. He said he is hopeful the law's principal objective, which is to reduce the business of drug dealers, will be fulfilled.

"There is a sector of society that is no longer linked to drug traffickers, nor goes to an illegal source to buy marijuana and is sold coca paste. Those were the law's objectives and there has been progress in both," Calzada said.

According to Calzada—and Blasina and other experts, such as the journalist Daniel Erosa—the accomplishments so far serve to defend the law ideologically and politically, which is precisely what Mujica said when he introduced the project for public debate in 2013.

"I will be more than satisfied if we manage to remove marijuana from the black market," Calzada said. "It is a perverse business, it hurts society, it's harmful for people and the value system, and it moves the [amount of] money it does only because it is illegal."

### *Coup de grace for narcos?*

Calzada's optimism is contagious. "This law will be the coup de grace for this [specific] drug business, but not for those of amphetamines or cocaine, which have other issues. For that, we will have to think and write other laws," he said.

According to information from Monitor Cannabis cited by Erosa, there are 55,000 habitual marijuana users in Uruguay. About 17,000 of them obtain the marijuana through regulated cultivation for personal use or belong to a marijuana club; various indicators estimate non-regulated growers supply another 10,000; another 6,000 are registered to buy in the pharmacies; the rest continue to buy in the black market.

Collazo, of Monitor Cannabis, said that from here on out, it will be possible to determine who the consumers are, where they are located, and how much they consume.

"Prohibition never worked," he said. "The only thing we knew was that the market was growing; the basic information came from police raids, a very weak indicator because the true size of the market wasn't known. There were no points of reference; nothing was known. We now know that legalization took more tons away from the drug dealers than was confiscated in all of 2016."

-- End --