



## CANNABIS

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Do you want to plant, grow, and harvest cannabis in Portugal?

Do you know that you can do it for medical purposes regulations?

Do not waste your time. Get all the information you need at the Portuguese Law Firm Dantas Rodrigues & Associados (DR&A).

### PREVIOUS NOTE

The grow and harvest of cannabis are regulated by Portuguese law since 1994, laid down in Regulatory Decree No. 61/1994 of 12th October. More recently, the Decree Law No. 33/2018, of July 18, amended that Regulatory Decree, providing for the possibility of using medicinal products, preparations and substances based on the cannabis plant for medical purposes.

Cannabis harvest. Procedures required by law to be observed

### AUTHORIZATION

The grow and harvest of cannabis are subject to terms and conditions, whose responsibility belongs to the Chairman of the Board of Directors of INFARMED (National Authority for Medicines and Health Products, I.P.)

Applications for authorization for the grow and harvest of cannabis, and for their plantation, addressed to INFARMED, shall be decided within 60 days, through authorization orders. The grow and harvest of cannabis are still subject to inspection, within which there may be a revocation or interruption of that grow and harvest, by order of the competent authority.

Such authorization will only be granted if based on the needs of the country. For this reason, prevalence is given to medical, veterinary, scientific or didactic interests.

Applications for authorization or maintenance of authorization shall be addressed to the Chairman of the Board of Directors of INFARMED, identifying the legal entity that subscribes to them.

Such applications must also be accompanied by the Criminal Record Certificate of the candidates representing the legal person.

### SEEDS

Seeds intended for planting different varieties of cannabis must be entered in the Community catalog of varieties, and those seeds must also be certified.

A notice should be given to the Direcção-Geral de Alimentação e Veterinária (DGAV), as it is the highest authority responsible for the control and certification of seeds of agricultural species. A certificate attesting that the seed was obtained from plants with a tetrahydrocannabinol (THC) content and that content is not higher than that stipulated in Article 5 of Council Regulation (EC) No. 1251/1999 of 17 May 1999, i.e. 0,2 %.

### OTHER INFORMATION

There are also legal obligations to inform the authorities – PSP, local GNR, and Police Judiciária – that the grow and harvest of cannabis is being carried out.

If seed is certified, as required, there are support programs established under Council Regulation (EC).