

Request for EUDA assessment regarding comparability and scientific validity of THC measurement methodologies and cannabis-related criminal enforcement within the EU

Dr Lorraine Nolan
Executive Director
European Union Drugs Agency (EUDA)
Praça Europa 1, Cais do Sodré
1249-289 Lisbon
Portugal

Dear Dr Nolan,

I am writing to respectfully request that the European Union Drugs Agency (EUDA), within its mandate to provide factual, objective, reliable and comparable drug-related information across the European Union, examine a matter which may have broader implications for scientific comparability, proportionality of criminal enforcement, and legal certainty within the EU cannabis policy framework.

For many years, I have been involved in extensive criminal and constitutional proceedings in the Czech Republic concerning the cultivation of cannabis intended for research purposes and the preparation of medicinal products. References regarding my person may be provided to you by both the former and the current National Drug Coordinators of the Czech Government, Mr Jindřich Vobořil and Mr Pavel Bém. In connection with these proceedings, I have submitted numerous appeals before the Supreme Court and constitutional complaints before the Constitutional Court, raising questions regarding the scientific and legal validity of the methodologies used by national authorities to determine THC content in cannabis plants.

My concern is not limited to my individual case. Rather, it concerns a potentially systemic issue affecting the reliability and comparability of cannabis-related data and criminal enforcement outcomes within the European Union.

I therefore respectfully ask whether EUDA could assess:

1. whether Member States of the European Union apply scientifically transparent, harmonised and internationally comparable methodologies for determining THC content in cannabis plants used in criminal proceedings;
2. whether there exists a sufficiently precise and uniformly applied definition of the analytical method used (liquid chromatography versus gas chromatography, the latter altering the analysed sample through decarboxylation of THCA into THC at the forensic laboratory), whether there exists a sufficiently precise and uniformly applied definition of the minimum representative sample size and number of cannabis plants required for homogenisation in order to obtain a scientifically reliable analytical result, further whether there exists a sufficiently precise and uniformly applied definition governing the storage of cannabis seized by police authorities, including in relation to subsequent decarboxylation altering THC content, whether there exists a sufficiently precise and uniformly applied definition of laboratory measurement tolerances, and whether there exists a sufficiently precise and uniformly applied definition of the cannabis sample from which THCA and THC concentrations are measured, specifically:
 - o from the entire above-ground part of the plant,

- o only from fruiting or flowering tops, or solely from the female flower,
- o from dried material,
- o from fresh material,
- o or from another specifically defined sample composition;

3. whether substantial methodological differences between Member States may lead to distorted or mutually non-comparable data within the European Union monitoring framework;

4. whether criminal enforcement based on unclear or non-standardised THC measurement methodologies may create risks of disproportionate criminalisation and legal uncertainty, particularly in cases involving medicinal or research-related cannabis cultivation, or personal handling of cannabis by cultivators;

5. whether the absence of transparent methodological standards may affect the scientific reliability of data reported at European level regarding THC concentrations in cannabis, illicit cultivation, and cannabis-related criminality.

I further respectfully inquire whether EUDA has conducted, commissioned, or considered comparative analyses of forensic analytical methodologies used by Member States for determining THC content, including the impact of sampling methodologies on the resulting reported THC concentration and the subsequent criminal-law classification.

Given the growing importance of evidence-based drug policies within the European Union, I believe this issue may merit careful consideration from the perspective of scientific integrity, comparability of monitoring data, proportionality of enforcement, and fundamental legal certainty.

I would be grateful for any position, methodological recommendation, reference to relevant materials, or indication whether this issue could fall within the analytical or monitoring competence of the Agency.

Thank you for your attention to this matter and for the important work carried out by the European Union Drugs Agency in strengthening scientifically grounded and reliable approaches across Europe.

Yours sincerely,

In Olomouc, 15 May 2026

Mgr. Dušan Dvořák

Chairman of the Board

Cannabis is The Cure Alliance of Non-Governmental Organisations, z.s.

Contact address:

Cannabis is The Cure, z.s.

Přichystalova 180/14

779 00 Olomouc

Czech Republic