Formal Call to Act — EUDA — 7 August 2026 — English

FORMAL CALL TO ACT – EUDA / ARTICLE 265 TFEU

FORMAL CALL TO ACT PURSUANT TO ARTICLE 265 TFEU

EUROPEAN UNION DRUGS AGENCY (EUDA)

for the attention of the Executive Director of EUDA

Praça Europa 1, Cais do Sodré

1249-289 Lisbon

Portugal

FORMAL CALL TO ACT PURSUANT TO ARTICLE 265 TFEU

concerning the performance of EUDA's tasks under Regulation (EU) 2023/1322

Subject:

Failure to ensure sufficient European harmonisation and comparability of analytical methods for determining THC in cannabis, including THC/THCA, sampling, homogenisation and measurement uncertainty – request for EUDA to perform its statutory tasks

Date: 7 August 2026

Submitted by:

Mgr. Dušan Dvořák

Czech Republic

Chairman of the Board

Cannabis is The Cure, z.s.

I. INTRODUCTION – FORMAL CALL TO ACT

By this document, I formally call upon the European Union Drugs Agency (EUDA) to act within the meaning of Article 265 of the Treaty on the Functioning of the European Union (TFEU).

This call concerns the performance of specific tasks assigned to EUDA by Regulation (EU) 2023/1322 of the European Parliament and of the Council of 27 June 2023 on the European Union Drugs Agency (EUDA), in particular:

- Article 4(1)(a);
- Article 6(1)(e) and (f);
- Article 15(1) and (2)(c) and (d);
- and related provisions of the Regulation.

The EUDA Regulation provides that the Agency is to provide the Union and the Member States with factual, objective, reliable and comparable information at Union level. Article 6(1)(f) further requires the Agency to ensure improved comparability, objectivity and reliability of information and data at Union level, inter alia through indicators and non-binding common standards aimed at ensuring greater uniformity of measurement methods used by Member States and the Union.

Article 15 of the Regulation further provides for the establishment of a network of forensic and toxicological laboratories. The tasks of this network include, inter alia, supporting quality assurance systems and supporting further harmonisation of data collection and analytical methods.

I am not asking EUDA to interfere with the jurisdiction of Czech courts.

I am not asking EUDA to determine the Czech criminal-law threshold for THC.

I am not asking EUDA to determine whether particular conduct is lawful or criminal under Czech criminal law.

I am not asking EUDA to repeal or amend the Czech Criminal Code.

I am asking EUDA to exercise its own powers and statutory tasks under Union law concerning scientific quality, comparability and reliability of drug-related information and the harmonisation of analytical methods.

II. SUBJECT MATTER OF THIS CALL

The subject matter of this call is a specific European problem:

Member States of the European Union may use different analytical methods and different procedures for

determining THC in cannabis, and the differences may concern not only the analytical technique itself, but also sampling, homogenisation, storage, the distinction between THC and THCA, decarboxylation, measurement uncertainty and the interpretation of analytical results.

Where such differences are material, the same or comparable biological material may produce different reported results in different Member States.

This is not merely a technical issue.

It may affect:

- the comparability of European data;
- the objectivity of European monitoring;
- the scientific reliability of information;
- the comparability of statistical data concerning cannabis;
- the assessment of trends;
- the criminal-law classification of conduct in Member States;
- legal certainty;
- proportionality of public-authority interventions;
- and fundamental rights.

This is precisely why the issue was brought to EUDA.

III. PREVIOUS COMMUNICATION WITH EUDA – CHRONOLOGY FROM 15 MAY 2026

This submission is not the first notification given to EUDA concerning this matter.

On the contrary, EUDA was informed of the specific issue on 15 May 2026, following which I travelled to Lisbon in connection with this matter and made repeated attempts to submit the relevant materials personally and to meet representatives of EUDA.

The chronology is important also for assessing whether EUDA had sufficient knowledge of the nature of the issue and whether it was given a genuine opportunity to consider it.

1. 15 May 2026 – First substantive submission to EUDA

On 15 May 2026, I sent the Executive Director of EUDA, Dr Lorraine Nolan, a written submission entitled:

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

The submission expressly requested EUDA, within the scope of its mandate, to assess the scientific transparency, harmonisation and international comparability of methods for determining THC in cannabis used in Member States in a criminal-law context.

The submission did not contain merely a general political objection.

EUDA was specifically asked questions concerning, inter alia:

- the use of liquid chromatography as compared with gas chromatography;
- the effect of decarboxylation of THCA on THC during laboratory analysis;
- the minimum representative sample size;
- the number of plants required to obtain a representative homogenised sample;
- storage conditions for cannabis seized by the police;
- possible changes in THC content resulting from storage and subsequent decarboxylation;
- laboratory tolerances and measurement uncertainty;
- and the precise definition of the material from which THC and THCA concentrations are determined.

At the same time, I asked EUDA to assess whether material methodological differences between Member States could lead to distorted or mutually incomparable data within the European monitoring system.

I also expressly asked EUDA whether it had already carried out, commissioned or considered a comparative analysis of forensic analytical methods used by Member States.

The submission was dated: Olomouc, 15 May 2026.

2. 18 May 2026 – Travel to Lisbon for the purpose of personal discussions with EUDA

In direct connection with the above submission, on 18 May 2026 I travelled to Lisbon in an attempt to discuss the matter personally with representatives of EUDA and to deliver the relevant materials.

This was therefore not a situation in which EUDA was merely informed once by electronic mail and then left without any opportunity for further communication.

On the contrary, I made concrete efforts to have the matter presented personally to the Agency's staff.

3. 20 May 2026 – First unsuccessful attempt to submit the materials personally

On 20 May 2026, I went to the EUDA premises and attempted personally to submit materials addressed to the Executive Director, Dr Lorraine Nolan.

The submission was not permitted by security staff.

4. 21 May 2026 – Second unsuccessful attempt to submit the materials personally and to hold discussions

On 21 May 2026, I made another attempt to submit the materials personally and to hold discussions.

This attempt was also unsuccessful.

In subsequent communication with EUDA, I expressly stated that during the attempts on 20 and 21 May we were informed that the Agency accepted materials only electronically or by post and that we were not permitted to speak with an Agency staff member.

I do not present this circumstance as an independent legal complaint against EUDA.

It is, however, relevant to the chronology and demonstrates that I attempted to submit the matter personally and to establish substantive communication with the Agency.

5. 22 May 2026 – Response from Danilo Ballotta, EUDA

On 22 May 2026, Danilo Ballotta, Coordinator – Institutional Relations and Civil Society at EUDA, responded to my communication.

He stated that the Executive Director would not be available during the following week and offered me a personal meeting on 26 May 2026 at 15:00.

He also expressly allowed me to leave the materials at the EUDA reception desk for his attention and stated that: “we will read it carefully and follow up by email.”

This fact is material to the present call.

Through its staff member, EUDA was therefore not merely informed of the existence of the materials. Its staff member expressly offered to receive them, study them and follow up by email.

6. 22 May 2026 – My response and confirmation of personal delivery

On 22 May 2026 at 19:27, I replied to Mr Ballotta.

I stated that I was leaving Portugal on Tuesday, 26 May 2026, and therefore could no longer make use of the proposed meeting date.

At the same time, I accepted his offer and informed him that I would deliver the materials on Monday, 25 May 2026, at the EUDA reception desk for his attention.

In my response, I also expressly described the unsuccessful attempts of 20 and 21 May.

7. 25 May 2026 – Actual delivery of the materials to EUDA

On 25 May 2026, the materials were actually delivered at the EUDA reception desk for the attention of Danilo Ballotta, precisely in accordance with the instructions received from the EUDA staff member.

I subsequently confirmed in my communication of 3 June that the materials had been delivered to the EUDA reception desk on 25 May in accordance with Mr Ballotta's instructions.

8. Content of the materials delivered on 25 May 2026

The materials delivered included, in particular:

- a letter addressed to Dr Lorraine Nolan concerning Czech cannabis policy and legislation;

- materials of Cannabis is The Cure, z.s.;

- information concerning the criminalisation of cannabis research, education and patients in the Czech Republic;

- documentation concerning the methodology for determining THC and its consequences in criminal proceedings;

- and, in particular, the submission of 18 May 2026 concerning methods of cannabis analysis, legal certainty, public health and human-rights implications.

The important point is that this is not merely a retrospective interpretation of the content of the materials.

I expressly described the content of the materials delivered to EUDA in my subsequent email of 3 June 2026.

9. 3 June 2026 – Formal reminder and request for confirmation of receipt

On 3 June 2026 at 15:57:14, I sent Danilo Ballotta an email entitled: “Request for Confirmation of Receipt of Materials Delivered to EUDA on 25 May 2026”.

I requested EUDA:

1. to confirm that the materials had been received;

2. to confirm that they had been forwarded to the appropriate persons within EUDA;

3. to indicate when a response from EUDA could reasonably be expected, particularly concerning the submission of 18 May 2026.

In that email, I again expressly stated that the materials concerned:

- methods for determining THC in cannabis;

- possible inconsistencies with internationally recognised scientific standards and recommendations;

- and the broader consequences of these practices for patients, scientific research and public health.

I also informed EUDA that, at national level, attempts to obtain meaningful consideration of these issues had been unsuccessful for many years, and therefore requested at least an indication of the expected date of a response.

10. Summary of previous communication

The chronology is therefore as follows:

15 May 2026 – first substantive submission to EUDA concerning the comparability and scientific validity of methods for determining THC;

18 May 2026 – travel to Lisbon for the purpose of personal discussions with EUDA;

20 May 2026 – first unsuccessful attempt at personal delivery;

21 May 2026 – second unsuccessful attempt at personal delivery and discussion;

22 May 2026 – Danilo Ballotta, EUDA, responds and offers a personal meeting on 26 May 2026 or delivery of the materials at the reception desk for his attention;

22 May 2026 – I confirm that, because of my departure on 26 May, I cannot accept the proposed meeting date and will deliver the materials on 25 May;

25 May 2026 – materials are delivered at the EUDA reception desk for the attention of Danilo Ballotta;

3 June 2026 – formal reminder requesting confirmation of receipt and an indication of the date of a substantive response.

On the basis of the documentation available to me, however, there is no evidence that EUDA subsequently provided a substantive position on the specific questions concerning the comparability of analytical methods for determining THC that had already been submitted on 15 May 2026.

IV. WHY THIS MATTER GOES BEYOND MY PERSONAL CASE

It is important to emphasise that I am not presenting this matter as an individual request to resolve my criminal case.

My personal criminal and constitutional proceedings were the reason why I encountered the issue of analytical methods in practice.

The underlying problem, however, extends beyond me.

The question is:

Are data concerning THC obtained in different Member States genuinely comparable, objective and reliable if Member States use different analytical procedures and if the relevant parameters of measurement are not uniformly defined?

That is a question concerning European monitoring and European scientific methodology.

V. SPECIFIC EVIDENCE FROM THE CZECH REPUBLIC – CRIMINALISTICS INSTITUTE

On 25 June 2026, the Criminalistics Institute of the Police of the Czech Republic issued response No. KU-4139-5/ČJ-2026-2305KM.

I consider this document to be significant new evidence.

The Criminalistics Institute states that individual regional departments of the Criminalistics Institute (OKTE) create their own standard operating procedures (SOPs). It further states that measurement uncertainties are reported on

the basis of the quality system established by each laboratory.

The Criminalistics Institute also describes its own role vis-à-vis the OKTE laboratories as a methodological, managerial, professional and supervisory role.

This finding is important to EUDA because it is not an unsupported statement by an individual.

It is a written statement from the central expert workplace of the Police of the Czech Republic.

At least in the Czech Republic, therefore, there is documented evidence that:

1. individual OKTE laboratories create their own SOPs;

2. the manner in which measurement uncertainty is reported is connected with the quality system of each individual laboratory;

3. certain methodological matters are addressed through internal management instruments.

This raises a specific European question:

How does EUDA ensure that data obtained under such conditions are objective, reliable and comparable at Union level?

VI. ARTICLE 6(1)(f) OF REGULATION (EU) 2023/1322

Article 6(1)(f) of Regulation (EU) 2023/1322 provides that EUDA is to: “ensure improved comparability, objectivity and reliability of information and data at Union level” and, for this purpose, is to establish, in cooperation with the national focal points, indicators and non-binding common standards with a view to ensuring greater uniformity of measurement methods used by the Member States and the Union.

This provision is crucial to the present matter.

It does not mean that EUDA can or must harmonise the entire criminal law of the Member States.

It does mean, however, that the Union legislature has expressly assigned EUDA the task of improving the comparability, objectivity and reliability of data and of promoting greater uniformity of measurement methods.

I therefore ask EUDA to address specifically whether differences in methods for determining THC affect such comparability.

VII. ARTICLE 15 OF REGULATION (EU) 2023/1322 – NETWORK OF FORENSIC AND TOXICOLOGICAL LABORATORIES

Article 15 of Regulation (EU) 2023/1322 provides for the establishment by EUDA of a network of forensic and toxicological laboratories active in forensic and toxicological investigations of drugs and drug-related harms.

Under Article 15(2), this network is intended, inter alia, to serve as a forum for:

- data acquisition and information exchange;

- professional training;

- support for quality assurance systems;

- and, in particular, supporting further harmonisation of data collection and analytical methods.

This is directly connected with the problem presented to EUDA.

The Czech Criminalistics Institute has now confirmed in writing the existence of individual OKTE SOPs and different systems for reporting measurement uncertainty.

The question therefore arises:

Has this issue been systematically identified, compared and addressed within the network established under Article 15?

If so, I request the outcome.

If not, I request an explanation as to why it has not been addressed.

VIII. SPECIFIC FACTORS THAT MAY CHANGE THE RESULT OF THC DETERMINATION

When determining THC in cannabis, the question of scientific comparability cannot be reduced merely to the instrument used by a laboratory.

The result may be affected, in particular, by:

- GC/GC-FID or LC/HPLC methodology;

- whether THC and THCA are determined separately;

- decarboxylation of THCA to THC;

- representativeness of the sample taken;

- number of plants analysed;
- homogenisation;
- sample size;
- drying;
- storage;
- time between seizure and analysis;
- laboratory validation;
- measurement uncertainty;
- and interpretation of the result.

I expressly drew EUDA's attention to these questions in my first submission of 15 May 2026.

This is therefore not a new issue created by this call.

EUDA received it already on 15 May 2026.

IX. RELATIONSHIP BETWEEN THC AND THCA AND SCIENTIFIC COMPARABILITY

Of particular importance is the question whether different analytical methods actually measure a comparable quantity.

If an analytical method causes THCA to be converted into THC during sample processing, the resulting THC value may differ from a result obtained by a method that distinguishes THC and THCA.

It is therefore necessary to know at least:
- what exactly is designated as THC;
- whether THCA is determined separately;
- whether and how it is included in the result;
- which analytical procedure is used;
- whether decarboxylation occurs during the procedure;
- and how results are compared between laboratories.

These questions were already put to EUDA in the first submission.

X. EUROPEAN COMMISSION AND THE DISTINCTION BETWEEN AGRICULTURAL AND FORENSIC ANALYSIS

Another important consideration is that European regulation may prescribe certain analytical methods for particular agricultural or administrative purposes.

That does not, in itself, resolve the question whether a sufficiently harmonised standard exists for forensic determination of THC in criminal proceedings.

This is precisely the gap I presented to EUDA.

I am not asking EUDA to create a criminal-law rule.

I am asking it to determine, from a scientific perspective, whether the results of different methods are sufficiently comparable and whether further harmonisation of analytical methods is necessary.

XI. IMPACT ON FUNDAMENTAL RIGHTS AND LEGAL CERTAINTY

This problem is not merely a matter of statistics.

Where a laboratory result is used in criminal proceedings, the manner in which that result is obtained may have a fundamental impact on:
- criminal liability;
- personal liberty;
- property;
- reputation;
- the ability to cultivate cannabis;
- scientific research;
- provision of medicinal products;
- and other fundamental rights.

It is therefore essential to be able to establish objectively:

what was measured, how it was measured, from which sample, using which procedure, with what uncertainty and

according to which standard.

In the Czech Republic, I have brought and am bringing several proceedings concerning the conduct of public authorities, including proceedings involving the Ministry of Justice, the Ministry of the Interior and the Police of the Czech Republic.

I am not asking EUDA to review those proceedings.

I present them solely as evidence that the methodological issue is not abstract.

The result of THC measurement may in particular cases be used as evidence with potentially fundamental consequences for an individual.

XII. MY PREVIOUS NATIONAL EFFORTS

The issue presented has not been pursued solely at European level.

At the level of the Czech Republic, I have repeatedly drawn the attention of the competent authorities to questions concerning:

- the methodology for determining THC;
- the distinction between THC and THCA;
- representativeness of the sample;
- homogenisation;
- measurement uncertainty;
- method validation;
- and the legal consequences of these issues.

In 2026, these matters were further submitted to the competent Czech authorities and became the subject of additional proceedings.

On 25 June 2026, the Criminalistics Institute provided a written response confirming that individual OKTE laboratories create their own SOPs and that measurement uncertainty is reported according to the quality system of each laboratory.

This makes European assessment of the matter even more urgent.

XIII. EUDA HAS BEEN SPECIFICALLY INFORMED OF THE PROBLEM

I consider it important to distinguish between an ordinary submission and the present situation.

EUDA:

1. received specific substantive questions on 15 May 2026;
2. knew that the issue concerned the comparability of methods for determining THC in the Member States;
3. knew that the issue also concerned GC/GC-FID, HPLC/LC, THC/THCA, sampling, storage and measurement uncertainty;
4. knew that the issue could affect the comparability of European data;
5. on 22 May 2026, through its staff member Danilo Ballotta, offered a personal meeting and the possibility of leaving the materials at the reception desk for his attention;
6. on 25 May 2026, the materials were actually delivered at the EUDA reception desk for his attention;
7. on 3 June 2026, EUDA was expressly asked to confirm receipt and to indicate when a substantive response could be expected.

This call therefore does not constitute a new and undefined allegation.

It constitutes a formal procedural call to state a position concerning an issue that EUDA has already received and had an opportunity to consider.

XIV. SPECIFIC QUESTIONS TO WHICH I REQUEST AN ANSWER

1. Does EUDA consider differences between analytical methods for determining THC used by Member States to be a matter falling within its mandate under Article 6(1)(f) of Regulation (EU) 2023/1322?
2. If so, what specific steps has EUDA already taken to improve the comparability, objectivity and reliability of such data?
3. Does EUDA maintain an overview of the methods used by Member States for forensic determination of THC in cannabis?
4. Does this overview include differences between GC/GC-FID and LC/HPLC?
5. Does it include differences in the analytical treatment of THC and THCA?

6. Does it include differences in sampling, homogenisation, drying and storage?

7. Does it include differences in determining and reporting measurement uncertainty?

8. Does a comparative analysis of these methods between Member States exist within EUDA?

9. Has the issue of THC determination methods been discussed within the network of forensic and toxicological laboratories under Article 15 of Regulation (EU) 2023/1322?

10. Has the harmonisation of analytical methods for determining THC and THC/THCA been discussed within that network?

11. Do common or recommended standards for these methods exist within EUDA?

12. If no such standards exist, does EUDA consider their development or recommendation to constitute a task falling under Article 6(1)(f) or Article 15(2)(d)?

13. Does EUDA consider it compatible with the requirement of comparability, objectivity and reliability for individual forensic laboratories within a Member State to use their own SOPs?

14. Does EUDA consider it compatible with those requirements for the manner in which measurement uncertainty is reported to depend upon the quality system of an individual laboratory?

15. How does EUDA verify that differing national analytical procedures do not result in methodologically incomparable data at Union level?

16. If EUDA has not yet examined this issue, does it intend to conduct or commission such a comparative assessment?

17. If EUDA concludes that this issue falls outside its mandate, I request that it identify the specific provision of Regulation (EU) 2023/1322 on which that conclusion is based.

18. If EUDA concludes that it is under no obligation to act in this matter, I request specific legal reasoning, including an explanation of the relationship between that conclusion and Article 6(1)(f) and Article 15(2)(d) of Regulation (EU) 2023/1322.

XV. SPECIFIC ACTION REQUESTED FROM EUDA

By this call, I request EUDA, within the scope of its powers, to:

1. assess the comparability of methods for forensic determination of THC used in the Member States;

2. assess in particular the differences between GC/GC-FID and LC/HPLC;

3. assess differences in the analytical treatment of THC and THCA;

4. assess the issues of representative sampling, homogenisation, drying and storage;

5. assess differences in determining and reporting measurement uncertainty;

6. determine whether those differences may affect the comparability, objectivity and reliability of information at Union level;

7. discuss this issue within the network of forensic and toxicological laboratories under Article 15;

8. consider whether common or recommended non-binding standards are necessary under Article 6(1)(f);

9. and inform me of the outcome of this assessment.

If EUDA has already conducted such an assessment, I request the title, date, scope and available output thereof.

If it has not conducted such an assessment, I request a clear statement as to whether it intends to do so.

If it does not intend to do so, I request specific legal and scientific reasons.

XVI. ARTICLE 265 TFEU – FORMAL CALL TO ACT

I make this submission expressly as a call to act pursuant to Article 265 TFEU.

Article 265 TFEU expressly provides for proceedings in respect of an omission to act by Union institutions, bodies, offices or agencies.

Under Article 265 TFEU, the institution, body, office or agency concerned must first be called upon to act. If, within two months of that call, it has not defined its position, an action for failure to act may, subject to the further conditions laid down by Union law, be brought within a further period of two months.

I am aware of this procedural requirement.

This submission is therefore not formulated as a general political petition.

It is formulated as a specific call to define a position concerning the performance of EUDA's statutory tasks.

XVII. REQUEST FOR EUDA TO DEFINE ITS POSITION

I request EUDA to define its position within the period prescribed by Article 265 TFEU.

I do not regard the following as sufficient definition of its position:

- a mere acknowledgement of receipt;
- an automated response;
- a reference to a website;
- a general statement that criminal law falls within the competence of the Member States;
- or a general statement that EUDA lacks competence without identifying the specific legal basis for that conclusion.

Such a response would not address the issue submitted.

The subject matter of this call is not harmonisation of criminal penalties or the definition of a criminal offence.

The subject matter is the scientific comparability, objectivity and reliability of information and the further harmonisation of analytical methods, i.e. an area expressly included among EUDA's tasks under Regulation (EU) 2023/1322.

XVIII. POSSIBLE FURTHER PROCEEDINGS BEFORE THE COURT OF JUSTICE OF THE EUROPEAN UNION

If, following this call, EUDA fails to define its position within the prescribed period, I reserve the right to consider and, where appropriate, make use of further remedies under Union law, including an action pursuant to Article 265 TFEU.

I am aware that, before any such action is brought, it will be necessary to assess separately, in particular:
- the substantive scope of EUDA's powers;
- whether the requested action constitutes a legally relevant obligation of EUDA;
- whether the requested act is an act addressed to a specific person;
- my standing;
- the jurisdiction of the General Court;
- compliance with the applicable time limits;
- and all other admissibility requirements.

I therefore do not submit that an action under Article 265 TFEU would automatically be admissible.

I formulate this call so that, if EUDA fails to define its position, the clearest possible procedural basis will exist for subsequently assessing an action for failure to act.

The case-law of the Court of Justice confirms that a prior call to act is a necessary procedural condition for an action under Article 265 TFEU and that the call must be capable of requiring the institution concerned to define its position concerning the alleged failure to act.

XIX. URGENCY OF THE MATTER

The urgency of this issue is not merely theoretical.

In the Czech Republic, I have brought and am bringing several proceedings connected with the conduct of public authorities in this field.

I have also repeatedly drawn the attention of Czech authorities to questions concerning:
- the methodology for determining THC;
- the distinction between THC and THCA;
- representativeness of samples;
- homogenisation;
- measurement uncertainty;
- method validation;
- and possible consequences for criminal liability.

On 25 June 2026, the Criminalistics Institute of the Police of the Czech Republic additionally confirmed in writing the existence of individual OKTE SOPs and the fact that measurement uncertainty is reported according to the quality system of the respective laboratory.

This creates a concrete and current reason for requesting a European assessment.

This is not a historical academic question.

It concerns the present functioning of forensic methods and their European comparability.

XX. FINAL SUMMARY

The European Union established EUDA, inter alia, to provide the Union and the Member States with factual,

objective, reliable and comparable information concerning drugs and drug-related harms.

The Union legislature expressly assigned EUDA, in Article 6(1)(f), the task of improving the comparability, objectivity and reliability of information and data at Union level and promoting greater uniformity of measurement methods.

Furthermore, Article 15(2)(d) expressly provides that the network of forensic and toxicological laboratories is to support further harmonisation of data collection and analytical methods.

EUDA was informed of the specific problem already on 15 May 2026.

On 18 May 2026, I travelled to Lisbon in connection with this matter.

On 20 and 21 May, I attempted personally to submit the materials and to discuss the matter with EUDA.

On 22 May, EUDA staff member Danilo Ballotta offered me a personal meeting and the possibility of leaving the materials at the reception desk for his attention.

On 25 May 2026, the materials were actually delivered at the EUDA reception desk for his attention.

On 3 June 2026, I expressly requested EUDA to confirm receipt, confirm that the materials had been forwarded to the appropriate persons and indicate when a substantive response could be expected.

On 25 June 2026, I subsequently received a written document from the Criminalistics Institute of the Police of the Czech Republic confirming that individual OKTE laboratories create their own SOPs and that measurement uncertainty is reported according to the quality system of each laboratory.

I therefore now ask EUDA for a clear position:

“How does EUDA fulfil its statutory tasks under Article 6(1)(f) and Article 15(2)(d) of Regulation (EU) 2023/1322 if Member States use differing methods for forensic determination of THC and if, even within the Czech Republic, not all analytical procedures and parameters are uniformly standardised?”

I am not asking EUDA to decide in my favour.

I am not asking EUDA to interfere with Czech criminal proceedings.

I am not asking EUDA to harmonise the Czech Criminal Code.

I am asking EUDA to perform its own statutory tasks, scientifically assess the European problem presented and formally define its position concerning it.

If EUDA concludes that the problem exists, I request that it identify the specific measures it will take or propose within the scope of its mandate.

If EUDA concludes that the problem does not exist, I request a scientific and methodological explanation.

If EUDA concludes that the matter falls outside its competence, I request precise legal reasons for that conclusion.

If EUDA declines to act, I request an express and reasoned statement defining that position.

This submission constitutes a formal call to act pursuant to Article 265 TFEU.

I therefore request EUDA to define its position within the period prescribed by Article 265 TFEU.

Done in the Czech Republic on 7 August 2026

Mgr. Dušan Dvořák

Chairman of the Board

Cannabis is The Cure, z.s.

ANNEXES AND DOCUMENTARY MATERIAL

Annex 1 – Key evidence

Criminalistics Institute of the Police of the Czech Republic

Ref. No. KU-4139-5/ČJ-2026-2305KM

dated 25 June 2026

This document is submitted as the sole extensive substantive annex because it directly supports the statements concerning the use of individual SOPs by the OKTE laboratories and the manner in which measurement uncertainty is reported.

Other documentation

For reasons of economy and clarity, the remaining documentation will not be attached in full.

This includes, in particular:

- the EUDA submission of 15 May 2026;
- correspondence with EUDA of 20–25 May 2026;
- the email from Danilo Ballotta of 22 May 2026;
- the confirmation and reminder of 3 June 2026;
- scientific documentation concerning THC/THCA;
- documentation concerning the difference between GC/GC-FID and LC/HPLC;
- scientific materials concerning representative sampling and homogenisation;
- expert materials concerning measurement uncertainty;
- previous correspondence with the European Commission;
- and documentation concerning Czech proceedings and submissions.

These materials are available and may be submitted to EUDA immediately upon request.

For the purposes of maintaining clarity, this submission will not be overloaded with dozens of annexes.

EUDA is also informed that a substantial part of the documentation will be published in the documentary archive on the Konopí je lék website, where individual documents can be located by date and designation.

DOCUMENTARY NOTE

This call is not based on the assertion that every Member State uses the same method or that EUDA must reach a conclusion in favour of the applicant in advance.

Its purpose is to require EUDA to verify the actual situation, conduct a European comparison and formally define its position as to whether differences in analytical methods affect the required comparability, objectivity and reliability of Union information and whether further harmonisation of analytical methods is necessary.

This is the subject matter of the call pursuant to Article 265 TFEU.