

Trust Territories

Kolonia, Ponape
September 29, 1968

Mr. [REDACTED]
Kolonia, Ponape
Eastern Caroline Islands 96941

INFORMATION DELETED UNDER 5 U.S.C. 552 (b) (6),
THE FREEDOM OF INFORMATION ACT, AS AMENDED IN
1974 BY PUBLIC LAW 93-502.

Dear [REDACTED]

I am writing in regard to your inquiry as to the legality of marijuana in the Trust Territory of the Pacific Islands.

Crimes in the Trust Territory are divided into five major divisions: Crimes Against the Person (Sections 377 to 387), Crimes Against Property (390 to 404), Crimes Against the Public Health, (Safety, Comfort and Morals (405 to 409), Crimes Against the Public Justice and Authority (412 to 420) and Crimes Against the Public Peace (424 to 429). Within these sections there is no provision prohibiting the importation, sale or use of marijuana.

According to Section 619 (c) it is a misdemeanor to import or sell, without official permission, opium or opium compounds in the Trust Territory. Needless to say, marijuana is neither opium nor an opium compound.

Under Chapter 12, it is a misdemeanor to violate the Plant and Animal Quarantine Controls. However, there is no mention of marijuana in Chapter 12. Neither are there any administrative orders from the Staff Entomologist prohibiting marijuana in the Trust Territory.

Ponape has no District Law against marijuana, nor is there any municipal ordinance prohibiting marijuana in Ponape. Although I am not certain about the other districts, I would assume that they have no laws or ordinances prohibiting the importation, sale or use of marijuana.

In conclusion, it is my professional opinion that the laws of the Trust Territory and Ponape District do not currently prohibit the importation, use or sale of marijuana. If I can be of any further assistance please let me know.

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