

# The Day My Medicine Arrived

Irvin Rosenfeld’s forthcoming autobiography tells the story of his baseball childhood, his terrible illness, his discovery that marijuana provided more relief than conventional medications, and his personal campaign to use it legally —culminating in a 15-minute, make-or-break appearance before an FDA advisory committee of 15 skeptical MDs (who then voted unanimously to approve his “compassionate exemption” to the federal prohibition). This excerpt recounts the day his legal medicine arrived.

**By Irvin Rosenfeld**

On November 20th, 1982, I got a call from Dr. Goldman. He said, “Irvin, it’s here. The can has arrived. You need to come to the office.” Those words were magic to me. I told him I would be right over.

I took my seat in the waiting room and in due course a nurse opened the door and said, “Dr. Goldman is ready for you.” I walked back and there he was, seated behind his desk with a huge smile on his face, holding a tin can. We stared at the tin as if we had just won the lottery. And in a way, we had. Opening it turned out to be difficult, as the tin was sealed with wax around the top and we had to use a screwdriver to remove it.

Dr. Goldman then took off the lid, pulled out a thin piece of Styrofoam, and there we saw approximately 300 perfectly rolled cannabis cigarettes. He pulled out several and handed them to me. I took them, looked at them, and

thanked G-d. Dr. Goldman told me to take two, go outside and smoke them, then return.

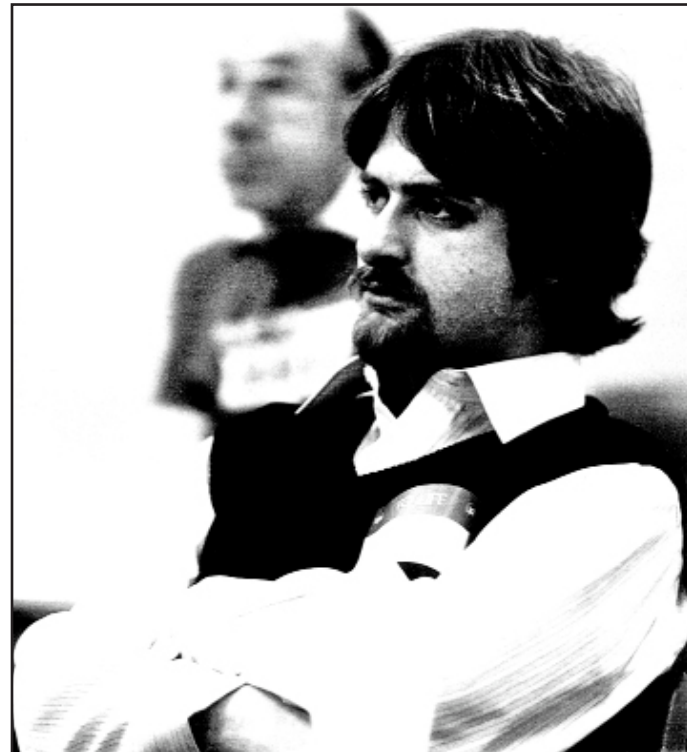
I went to my car, lit up, and took a puff of my first government-issued cannabis cigarette. The taste was harsh, but I smoked them both. As with the cannabis I had used in the past, I felt no euphoria but my muscles relaxed. I went back into the office where Dr. Goldman checked my vital signs, which were normal. We talked for a few minutes so he could see that I was perfectly coherent and could operate dangerous machinery, i.e. drive my car. He then gave me 68 more joints and said, “Come back in one week.” I told him, “No problem” and drove home as a law-abiding citizen with my Investigational New Drug.

That night as Debbie and I were lying in bed watching Johnny Carson, a commercial came on for a new company called Federal Express that would “deliver anything from 3 ounces to 70

pounds.” We cracked up laughing. It was Fed Ex that had delivered my 11 ounces of cannabis to Dr. Goldman. I wondered if anyone at the company had known what that package contained.

After a week I was examined again by Dr. Goldman. He asked if I needed

any refills of my prescribed medicines. “Not yet,” I told him. He gave me the rest of the cannabis cigarettes and said he would see me in three weeks. Before leaving I helped his secretary fill out the form to order my next can from the government.



IRVIN ROSENFELD IN 1982



## A Mythical Program

According to Irv Rosenfeld —now 55 and as healthy as a man with multiple congenital cartilaginous exostoses can be— the federal government’s “Compassionate Investigational New Drug (IND)” program “existed in name only.”

The Food & Drug Administration never actually investigated whether the individuals getting marijuana from the National Institute on Drug Abuse were benefitting from its use.

Rosenfeld was the so-called program’s second participant. The first was Robert Randall, who had discovered marijuana as a treatment for his severe glaucoma, been arrested on federal cultivation charges in Washington, D.C., and defended himself by citing “medical necessity.”

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Charges against Randall were dismissed in November, 1976, and the government agreed to provide him with marijuana grown at the University of Mississippi under contract to NIDA.

When Randall and his wife, Alice O’Leary, publicized the medical benefits of marijuana and urged others to obtain

it legally, the government threatened to cut off his supply. Randall, represented by a high-powered Washington law firm, Steptoe & Johnson, sued the FDA, NIDA, DEA, and the Departments of Justice and Health, Education & Welfare for access to marijuana. The government under President Jimmy Carter, agreed to maintain his supply.

After Irv Rosenfeld got his FDA approval in 1982, he and Randall helped guide other seriously ill people through the complex application process —George McMahon (Nail-Patella Syndrome), Elvy Mussika (glaucoma, Corinne Millett, Barbara Douglas (MS), Kenny and Barbara Jenks (AIDS from a transfusion). It is uncertain how many eventually were authorized to receive marijuana from the government, as some preferred to remain anonymous. Rosenfeld puts the number at 13.

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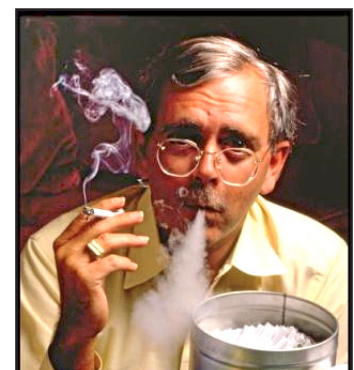
In March, 1992, the U.S. government —under President George Herbert Walker Bush—stopped taking applications. Thousands of people with AIDS had discovered marijuana as an appetite stimulant, and some had begun seeking legal access. Twenty-eight applicants who had received medical authorization from the FDA were simply never supplied by NIDA and DEA. Rosenfeld and the others who had been supplied previously were “grandfathered in.” Rosenfeld figures that “the government wanted to avoid the negative publicity of cutting us off from a medicine that obviously worked.”

### Patients Out of Time

Although the government never investigated the safety and efficacy of the “new drug” that it provided, a study was undertaken in 2001 by Ethan Russo, MD, and co-workers, including MaryLynn Mathre, RN, and Al Byrne. Mathre and Byrne had organized a conference for NORML in 1990 at which Randall, Rosenfeld, Musikka, McMahon and Millet spoke. They subsequently formed “Patients Out of Time,” an advocacy group led by healthcare professionals and the surviving “federal patients.”

Russo *et al* examined four of the eight surviving patients, conducting brain scans, pulmonary function tests, chest X-rays, neuropsychological tests, hormone and immunological assays, electroencephalography, P300 testing, history and neurological clinical examination.

As they reported in the *Journal of Cannabis Therapeutics*: “Results demonstrate clinical effectiveness... All four patients are stable with respect to their chronic conditions and are taking many fewer standard pharmaceuticals than previously... These results would support the provision of clinical cannabis to a greater number of patients in need. We believe that cannabis can be a safe and effective medicine with various suggested improvements in the existing Compassionate IND program.”



ROBERT RANDALL



LEGAL CANNABIS is provided to Irvin Rosenfeld and three other U.S. citizens in cans packed with approximately 300 pre-rolled cigarettes. These individuals received “compassionate exemptions” from the Food and Drug Administration to get marijuana grown by the National Institute on Drug Abuse and transferred under the supervision of the Drug Enforcement Administration.