

Press release

European Industrial Hemp Association (www.eiha.org)
Brussels, 15 January 2019

European Industrial Hemp Association asked by European Commission to advise on traditional or novel food status of hemp extracts.

EIHA was invited to present to the Novel Food Working Group of the European Commission on October 16th, 2018. Our colleagues from the UK Cannabis Trades Association (CTA) were also present. Our objective was to outline the traditional food use of the aerial parts of the industrial hemp plant and such hemp extracts in which the Cannabinoid level does not exceed the naturally occurring level.

Food Business Operators (FBOs) produce and market a wide variety of hemp extracts as ingredients for food or food supplements in the European Member States. Depending on the method of preparation and their strength in cannabinoids, these may be traditional food or novel food according to the European Novel Food Regulation (EC) No 2015/2283.

The FBOs of hemp extracts low in cannabinoids have been invoking to a borderline drawn in the **Novel Food Catalogue of the European Commission**¹, stating under the entry for Cannabidiol:

“Extracts of Cannabis sativa L in which cannabidiol (CBD) levels are higher than the CBD levels in the source Cannabis sativa L are novel in food. Cannabidiol (CBD) is one of the cannabinoids in Cannabis sativa plant. In the European Union, the cultivation of Cannabis sativa L varieties is granted provided they are registered in the EU’s ‘Common Catalogue of Varieties of Agricultural Plant Species’ and the Tetrahydrocannabinol (THC) content does not exceed 0.2% of the plant.”

Hence, foods containing hemp extracts with CBD levels not higher than naturally occurring in European industrial hemp have been and are regarded as traditional food (not novel) by FBOs.

EIHA would like to reiterate its position on hemp extracts:

Until EIHA's presentation the borderline of the naturally occurring CBD level had not been defined in terms of a percentage of CBD.

EIHA can confirm that the natural concentration of Cannabidiol in hemp biomass commercially cultivated in the EU is between 1-5% on a dry weight basis. We should note that hemp strains cultivated outside the EU can contain much higher levels of CBD naturally present.

Whilst we accept that the Novel Food Catalogue is not legally binding and only serves as a guidance document for FBOs and regulatory agencies, this should be seen as the default

¹ https://ec.europa.eu/food/safety/novel_food/catalogue_en

position for all member states. FBOs may assume placing products on the market with a natural concentration of Cannabidiol are hence compliant with the European guidance.

European guidelines on “Consumption to a significant degree” which also play an important role in the distinction between traditional and novel food, were already published in 2012, and each food placed on the market should comply with them.

EIHA states that the use of aerial parts of hemp is traditional in the human diet and applying traditional processing technologies, does not change a “traditional” status of hemp food and extracts to “novel”.

As to the history of traditional food use we emphasize that Industrial hemp comprises different varieties of the Cannabis species from those used in medicinal cannabis or indeed recreational applications. As such, industrial hemp has been used as a traditional food source for several thousands of years.

Whereas medicinal and drug cannabis is high in the psychoactive THC, the EU limit for industrial hemp is 0.2% of THC in the upper third of the plant, 0.3% in Canada, USA, China, Czechia and Austria, and 1.0% in Switzerland and several states of Australia.

With such an extensive and documented use of hemp across Europe since the middle-ages, it would be disingenuous to argue that most parts of the hemp plant have not been used as food or in food. Hemp extracts and tinctures were indeed made and sold in products, which would nowadays be “supplements” up to 80 years ago. Other evidence shows the use of hemp green parts (flowers, leaves) in applications such as "hemp-beer" brewing and herbal infusions/tea making. Hemp flowers used for the production of beer-like beverages have been recognised as food ingredients by the European commission since 1998.

Secondly, the safety profile of CBD is well documented and widely accepted. Cannabidiol has been proven safe by WHO experts on drug dependence in their final Critical review in 2018 acknowledging “The Committee recommended that preparations considered to be pure CBD should not be scheduled within the international drug control conventions”. “There are **no** case reports of **abuse** or **dependence** relating to the use of pure CBD. **No public health problems** have been associated with CBD use.” “CBD has been found to be generally **well tolerated** with a **good safety profile**.”².

And: "CBD alone produced no significant psychoactive, cardiovascular or other effects."³

EIHA requests that European Union institutions rapidly adopt a policy strategy that would allow Europe to compete on the world stage that shows increasing competitive approaches from Asia, Canada and the US where of course the Hemp Farm Bill 2018 has recently been ratified permitting the whole use of the plant. Europe has the proven skills, expertise and experience to become the global leader in this rapidly expanding hemp industry experiencing revival after almost 60 years of oppression on the global scale. Innovations in hemp sector were severely halted after UN Single Convention on Narcotic Drugs was signed in 1961.

The profitability of the hemp plant is strongly weighted towards the fruiting tops and top leaves as this is the optimum source of hemp extracts and hence enables the rest of the plant to be a viable proposition for European farmers in the context of the ‘opportunity cost’ of European agricultural land.

² Excerpts from a letter of WHO Director General to Secretary-General of the United Nations, July 23, 2018.

³ Cannabidiol (CBD) Critical Review Report, Expert Committee on Drug Dependence, Fortieth Meeting, Geneva, 4-7 June 2018, WHO 2018.

For all these reasons EIHA requests the European Commission to recognise hemp extracts with naturally occurring CBD levels as traditional in food.

EIHA continues to make available its extensive stakeholder knowledge and scientific expertise in the development of an operational framework that satisfies both industry and compliance & regulatory requirements.

See the full EIHA presentation [here](#) (PDF)

Press Contact: info@eiha.org

Responsible under press legislation (V.i.S.d.P.):

Mark Reinders (President of the EIHA)

European Industrial Hemp Association (EIHA)

Internet: www.eiha.org

Email: info@eiha.org

Phone: +49 (0) 22 33-48 14 40

Note to Editors:

The European Industrial Hemp Association (EIHA) is a consortium of the hemp-processing industry. It represents the common interest of industrial hemp farmers and producers, both nationally and on a European level. EIHA is the only European consortium in the industrial hemp sector. This sector includes, amongst other things, the use of hemp fibres, shavings, seeds and cannabinoids. Originally founded as an association for the European hemp industry, a quarter of the 130 EIHA members are based in countries outside the EU.