

The European Commission about to kill the hemp sector: preliminary view states natural hemp extracts are a drug, against all reason, the latest scientific literature and the EU green ambitions.

Brussels – Right before the summer holidays, the European Commission decided to deliver its preliminary view on the legal status of Cannabis sativa L. under EU legislation. The executive body of the European Union froze all applications of hemp extracts and natural cannabinoids under Novel Food regulation, considering them to be drugs. If confirmed, this position is likely to strike the final blow to the sector and deprive farmers from a low maintenance and profitable rotation crop with the potential to bringing environmental benefits. Cannabidiol would stay on the market but only in its synthetic form, produced via polluting chemical manufacturing.

After an interservice consultation, **the European Commission's services came to the preliminary conclusion that extracts from industrial hemp varieties of Cannabis sativa L., and thus CBD, qualify as "drugs"** in the framework of the EU legislation. This was communicated to companies, operating on the European market, that had submitted a Novel Food application under article 10 of Regulation 2015/2283. The decision seems to be political, rather than purely legal, and surely not based on the latest scientific literature nor on the reality of the United Nations texts.

"This preliminary view stands against any logic and is nothing but unfair. The whole hemp sector is working extremely hard and has planned a 3.7 million euros investment to commission unprecedented studies on THC and CBD under a joint Novel food application, in full transparency and under the monitoring of EFSA." says Mrs Lorenza Romanese, EIHA Managing Director. "Other countries such as the US, Canada, China or Switzerland are making a headway. I wonder whether Europe will decide to be bold enough to pursue evidence-based policy making, or instead, choose to stand idle gaping at the world moving ahead."

According to EIHA's view, **industrial hemp and its downstream products are not narcotic or psychotropic drugs.** Hemp is exempted from the scope of the United Nations Single Convention of 1961, whose authors made a clear distinction between Cannabis varieties grown for the production of drugs (falling under the scope of the treaties) and exempting those grown for any other purpose (i.e. low-THC varieties). On top of that, EIHA states clearly that not all hemp extracts shall be considered novel but only the enriched and isolated ones. EIHA collected many evidences which clearly demonstrate that traditional hemp extracts was widely used as food for centuries.

Traditional hemp extracts, which have been consumed for centuries in Europe and worldwide, should therefore be considered as traditional food according to food

regulations. Hemp extracts processed by new extraction methods should be subject to the respective legal frameworks of the Novel Food Regulation (EU) 2015/2283.

“In the 1970s Industrial hemp was finally regulated by the EEC Council as a crop and it was even subsidized. Later, in 1997 the Commission confirmed that food coming from any part of the hemp plant was not “Novel”. In 2019 some of those parts and the food obtained from them suddenly became “Novel”, and now some parts of the same industrial hemp are considered to be a drug... This seems more like a deliberate decision to kill the sector rather than aiming at a science-based and transparent policy.” adds EIHA President, Mr Daniel Kruse.

It is worth noting that **applications for synthetic cannabinoids have already been accepted under the NF process**. Authorizing synthetic, but not natural extracts, is **a nonsense from a scientific and environmental point of view**. In fact, the final CBD product obtained from the chemical process is the same as the natural CBD extract. Moreover, the chemical processes that are carried out require energy and do not store carbon. Promoting synthetic over natural extracts will **deprive farmers and food business operators from a market opportunity that is bound to generate an important revenue in these times of crisis**. Giving up the most profitable commercial hemp application will also prevent the parallel development of value chains for the valorization of coproducts (fiber and shives) that can be used for the production of paper, construction material, textile, cosmetics and bio-based plastics.

EIHA believes that **classifying natural extracts as a drug will** inevitably damage the whole sector and, what is more, **facilitate the proliferation of a grey market of products which are not manufactured and marketed following food safety standards and labelling regulation**. In an ideal world, the Commission would work hand in hand with the hemp sector and the other Institutions to ensure, in full transparency, a fair market for operators, as well as safe and quality products for consumers.

*“Today, not only the hemp sector is on the brink of losing a battle, but whole Europe is. As a European citizen, I am disappointed that the Commission is not working for a constructive approach and is instead punishing a sector that, if given a chance, could contribute to speed up the transition towards a zero-emission, bio-based and sustainable economy and represent an additional revenue for our farmers, who are the backbone of the EU food market. **If hemp extracts become a drug, it will not be the farmers and SMEs benefiting from the success of the hemp industry, but only those big companies that can afford the synthetic production of chemicals.** An absurdity we cannot afford nor accept.”* concludes Mrs Romanese.



Note to editors:

The **European Industrial Hemp Association (EIHA)** represents the common interests of hemp farmers, producers and traders working with hemp fibres, shives, seeds, leaves and cannabinoids. Our main task is to serve, protect and represent the hemp sector in the EU and international policy-making.

EIHA covers different areas for the application of hemp, namely its use for **construction** materials, **textiles**, **cosmetics**, **feed**, **food** and **supplements**.

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