

Submission

APPLICATION A1039 -LOW THC HEMP AS A FOOD

SUBMITTER DETAILS

NAME:	Keith Bolton/ Ecotechnology Australia P/L
ADRESS:	43 Ewing Street
	Lismore NSW 2480
PHONE/FAX:	0428 888 123
EMAIL:	keith@ecoteam.com.au

Questions

- 1) **Are you aware of any evidence that consumers believe that low THC hemp foods have psychoactive effects?**

Yes, a small proportion of people ask the question whether hemp seed has psychoactive effects, however most consumers are aware that hemp seeds are a safe food. Education through hemp food promotion as a safe food would inform consumers that hemp seeds contain negligible amounts of THC. It would soon be common knowledge. Hemp products such as clothes and bags are sold throughout Australia. People do not believe that these products would be able to give them psychoactive effects. Hemp foods are eaten throughout the world including the USA. Hemp food are well known for their exceptional health benefits and unique omega 3 to 6 ratio, this will be their prime marketing feature.

- 2) **Are you aware of any evidence that representations on low THC food (including labelling and advertising) mislead consumers by leading them to believe that low THC hemp foods have psychoactive effects when consumed?**

No. Throughout other western countries hemp foods are eaten and sold as health foods, not for any psychoactive properties. Labelling on hemp foods would be directed to the exceptional essential fatty acids and amino acid profiles that hemp foods provide and the health benefits gained as a result. It will draw attention to the fact that hemp food does not have psychoactive effects.

- 3) **Can you provide any evidence in addition to that presented in this consultation paper whether or not the consumption of low THC foods can return a positive test for a THC drug test?**

No

- 4) **Can you provide information on THC testing in Australia and NZ, particularly with regard to regulatory limits of THC that may be set?**

Hemp food products are made from the seed of the *Cannabis sativa* plant. Hemp seed which is made into foods are grown from low THC containing plants. Testing for low THC hemp crops are currently set at 0.5% in NSW. As a comparison, a profile of hulled hemp seed sold in Germany has 82.1 µg/kg, which is 0.0000082% THC. Hemp seed oil has no detectable levels. These low levels have proven to have no effect on consumers throughout the world.

- 5) Can you provide information to indicate whether there will be an impact on the cost of testing for THC in humans that could arise from an approval of hemp foods?**

No, testing in human would not be required as the amount of THC would not have any psychoactive effect.

- 6) Do you agree that there are adequate controls currently in place, or that would be achieved by imposing maximum limits for THC, to mitigate any risk of high THC Cannabis varieties entering the food supply?**

Yes, the laws currently allow cultivation only of low THC hemp varieties and crops are regularly tested in NSW and other states. The process of turning hemp into food deactivates the majority of viable seeds which further reduces the risk of any viable high THC seeds entering the food supply. A small amount of whole (un-hulled) seeds would not present any risk or require any addition controls. Whole seeds are sold in Europe as part of the raw food market; these seeds are of no concern.

- 7) Do you consider that trade practices legislation in Australia and New Zealand is sufficient to mitigate the potential risk that representations (including labelling and advertising) of hemp foods could suggest psychoactive properties relating to consumption of those foods? If not, what labelling and representations of hemp foods should be considered?**

Yes, education through hemp food promotion as a safe food would inform consumers that hemp seeds contain negligible amounts of THC. It would soon be common knowledge. Hemp foods would be advertised for their exceptional health benefits, any association with psychoactive effect would be negative towards the promotion of the product and the industry. Food legislation should discourage and/or prevent labelling which promotes hemp food as being psychoactive.

- 8) What is the potential opportunity costs for current producers of hemp crops if hemp foods continue to be prohibited?**

The food legislation prohibiting sale of hemp food is the single most important factor inhibiting the establishment of the Australian hemp industry. Fibre products have a huge longer term potential, the food market will be the major market during the establishment stage for the hemp industry in Australia.

- 9) What are the potential benefits to food manufacturers if hemp foods were approved for use?**

Food manufactures would be able to make a range of products. Some products sold in Europe include hemp seed milk, hemp seed butter, hemp seed pancake mix, hemp seed bread, hemp seed muesli, hemp seed chocolate, hemp seed cookies, hemp seed nibbles, hemp seed marzipan, hemp seed sports bars and hemp seed pasta. Sales of hemp foods in Australia would allow for the manufacture of a huge range of products.

- 10) Are there likely to be any additional costs for food manufacturers wishing to supply hemp foods?**

Yes, there will be upfront establishment cost for the industry. However the hemp seed hulling industry would also be created in Australia, this would increase jobs and reduce costs to manufactures. Hulled hemp seed foods could then be produced in Australia using the current food manufacturing plants.

- 11) Would the approval of low THC hemp foods increase the cost of food enforcement beyond what would be expected of the approval of any other substance added to food, or other food regulatory change?**

No, low THC hemp crops are tested throughout Australia, this ensures that hemp food is produced from low THC hemp.

12) What other legislation would affect or be affected by approval of hemp foods?

None

13) Would the approval of hemp food have an impact on hemp regulations in Australia and New Zealand? Would industrial hemp destined for use in food require additional controls to those already specified in industrial hemp regulations?

No, current control are sufficient to prevent high THC cultivars from being used to produce hemp foods. Further more significant amounts of THC in hemp foods are unlikely because hemp seeds do not produce THC.

14) Would food manufacturers be required to be licensed under existing hemp regulations?

No. They would be regulated under normal FSANZ regulations.

15) Would additional costs be incurred by government agencies responsible for granting licenses for the cultivation of hemp as a result of approval of hemp foods?

No. In NSW producers pay for testing and a licence which increases government revenue and offsets additional costs of regulation.

16) Can you identify risk management options that have not been considered in the impact analysis, Comments on possible costs and benefits?

No, the eating of hemp seed throughout the world has resulted in a positive industry which has many benefits. Hemp seeds have significant health benefits which should be available to all Australians. It is documented that humans have been eating hemp seeds for millennia.

17) Can you identify any other costs and benefits for any of the risk management options considered in this paper?

Any regulator controls would ultimately incur costs to the consumers.

18) Do you have a view about the appropriate preferred regulatory options regarding the approval of hemp foods, based on benefits and costs?

Cost will be incurred on the hemp industry if the regulations require that hulled hemp to contain no whole seeds, because of additional sorting which will render a larger proportion of seed unsellable. The hemp food market will demand raw hulled hemp seeds. Regulations could be made to allow a small proportion of whole seeds into a mixture as per the current European model of hulled hemp seeds rather than the current no tolerance for raw whole seeds in Australia for hemp pet food.