



Project Officer – Proposal 1042
Food Standards Australia New Zealand
PO Box 10559
The Terrace
WELLINGTON 6143

Attn: submissions@foodstandards.gov.au

25 August 2016

Dear FSANZ.

Re: Submission on P1042 Low THC Hemp Seeds as Food

Thank you for the opportunity to make a submission on P1042 Low THC Hemp Seeds as Food.

We acknowledge that FSANZ has created this proposal in response to a request from the Forum of Food Ministers for a proposal on how low THC hemp (industrial hemp - iHemp) could be legally designated as a food.

We do not support the variation to the food code contained in the P1042 proposal put forward by FSANZ.

The industrial hemp (iHemp) industry has been waiting for this issue to be resolved since Application A360 started in 1998, at that time FSANZ proposed a variation to allow all hemp foods and remove the prohibition on the use of cannabis in food.

The current proposal to allow only hemp seed foods does not go far enough. Consumers internationally have access to a wide range of hemp foods, derived from all parts of the plant not just the hemp seeds and we should have the same access in New Zealand and Australia.

FSANZ have long supported access to this safe food so it is disappointing, given the 18 years we have been in dialogue on this issue that when given the opportunity to raise a proposal they have decided to propose a variation, that is a half measure and only allows for hemp seed foods.

The proposed variation does not consider what is happening overseas nor what is being demanded by consumers in a growing market for healthy and nutritious superfoods, which is where iHemp based foods fits in.



FSANZ needs to accept that we have a legal framework to grow iHemp, which is a low THC crop and therefore has no value as a source of the THC drug.

- We grow iHemp under licence and therefore the market for producing the crop is controlled.
- Only iHemp can be made into hemp products, in this case food.
- Therefore there is no way that hemp food products can contain any significant amounts of the THC drug.
- There is no need to control iHemp foods products as though they are a drug.

We support a change to Schedule 23, whereby low THC iHemp is separately identified under the heading “cannabis” and is given an exemption from being considered a prohibited plant.

With regard to THC limits:

The proposed levels seem to be in line with overseas limits which have been accepted by the industry, but we would like FSANZ to note:

- FSANZ acknowledges iHemp foods are safe and there is no THC in the seed.
- Foods from low THC crops contain only trace amounts of THC, which are only detectable by sophisticated scientific equipment.
- The limits proposed will not be breached because the foods come from low THC iHemp crops, so any proposed limits do not add value to the safety of iHemp foods but can potentially add a further compliance cost.
- Displaying negligible THC content on labels/ packaging has potential to send mixed messages to the public and be seen as prompting the psychoactive properties of cannabis, when virtually none exist in iHemp based foods.

We do not agree that THC limits are required for low THC industrial hemp foods

Regarding labeling:

There is sufficient legislation and codes around labeling, and this falls outside the need for control by FSANZ. **We agree no further action is required on Labeling**

Regarding CBD:

We reject your conclusion that CBD should be subject to further control.

CBD has no THC drug content, has been shown to be safe and FSANZ should acknowledge all the constituents of iHemp as potential food ingredients and supplements, in the same manner that vitamin C is available and so are oranges.



All naturally occurring constituents in the iHemp plant may have commercial value and if there is consumer demand for them as a food product or ingredient in a food product, then the iHemp industry should be able to have access to supplying this legitimate (non-drug) market.

Regarding hulled and non-viable

The word non-viable in the variation adds nothing, if the seed is hulled it is automatically non-viable as it won't germinate into a plant. Having the word non-viable is unnecessary and may be interpreted as requiring another processing step adding further cost

In summary we:

- Reject the proposal as it does not go far enough in allowing access to all iHemp foods
- Reject the need to control iHemp as though it was a drug, it is just another arable crop that can produce wonderful, safe and nutritious foods.
- Reject the need for any THC limits, as low THC iHemp crops do not produce enough THC, to be considered a drug.
- Reject the need to control CBD, and any other cannabinoids, flavonoids and terpenes or constituent of iHemp as they are not a THC or THC-A drug

If this proposal goes ahead FSANZ should:

- Include a review date, so that we can address the issues we have raised above.
- Remove the word non-viable from the variation
- Remove the word seed and allow all forms of iHemp foods

The current prohibition on iHemp use in food, in the absence of identified public health and safety concerns, could be contrary to Australia's and New Zealand's obligations as members of the World Trade Organization.

Kind regards



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For the Bioregional Development of Seed and Natural Fibre based products and services
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