

Italy

Dear all,

regarding the hemp we have also some request and evaluation, and we would like to know the Commission position regarding it.

First of all, although it is true that the status of hemp in the catalogue seems to be not novel for any part of the plant, we do not think that this is the case.

We all know that, especially in the past, the description on the catalogue were not so clear.

At our knowledge the part not novel in food are seed and flour and oil derived from it, also EFSA opinion when asked to give an opinion on THC limits in food is referring just to this parts of the plant.

So, we would like to know the Commission position on that, and also if some other MS has an HOC for flowers or leaves.

Moreover, the art. 2 letter g) of Reg. (CE) 178/2002 excludes from the definition of food: "narcotic or psychotropic substances within the meaning of the United Nations Single Convention on Narcotic Drugs, 1961, and the United Nations Convention on Psychotropic Substances, 1971". My other question is: are you aware if the flower are excluded from the convention when they derived from plant cultivated according to par. 6, art. 32 of Reg. (EU) 1307/2013?

Finally CBD enriched extract needs to give proof of their significant use before 1997, we have an application on CBD.

I am sorry I couldn't attend the Monday meeting, I hope this may be of any help.

Best regards and enjoy your weekend

[Redacted signature]



Ministero della Salute

Direzione Generale Igiene, Sicurezza Alimenti e Nutrizione

[Redacted contact information]

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Task force G7 salute area food system and nutrition

Spain

Dear all,

We would like to thank UK their discussion paper and Italian comments about hemp products.

Hemp extracts and hemp products are also controversial issues for us.

As cannabis extracts are included in list 1 of 1961 Convention (page 3 of the attached document: 2017 Yellow list), we also have our doubts that CBD extracts could be considered as food, as Italy has pointed out.

The content of psychoactive compounds in flowers and other parts of the plants can be consulted on the cannabis updated document attached and also the other non-psychoactive effects of CBD that could be considered as medicinal ones.

Best regards and see you on Monday,

[Redacted signature]

[Redacted signature]

Subdirección General de Promoción de la Seguridad Alimentaria
Agencia Española de Consumo, Seguridad Alimentaria y Nutrición (AECOSAN)

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UK

From: [redacted] [@blv.admin.ch](mailto:[redacted]@blv.admin.ch) [redacted] [@blv.admin.ch](mailto:[redacted]@blv.admin.ch)

Sent: 18 December 2017 10:22

To: [redacted] [@food.gov.uk](mailto:[redacted]@food.gov.uk); [redacted] [@bvl.bund.de](mailto:[redacted]@bvl.bund.de);
[redacted] [@bvl.bund.de](mailto:[redacted]@bvl.bund.de); Food Incidents IE;
FoodIncidents@foodstandards.gsi.gov.uk

Cc: [redacted] [@ec.europa.eu](mailto:[redacted]@ec.europa.eu); [redacted] [@blv.admin.ch](mailto:[redacted]@blv.admin.ch); [redacted] [@blv.admin.ch](mailto:[redacted]@blv.admin.ch);
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Subject: CBD products from Satipharm, Switzerland

Dear colleagues

We thank the English authorities for their feedback and assessment. According to Swiss food law Article 3, food that does not comply with Swiss law may only be exported if the country of destination agrees:

Art 3 export

¹ Food intended for export must comply with the provisions of this Act.

² They may derogate from the provisions of this Act if the legislation or the authorities of the country of destination require or permit otherwise.

³ Foods which do not comply with the provisions of this Act may be exported only if the authorities of the country of destination agree to importation, after having informed them of the reasons why the foodstuffs in question may not be placed on the market in Switzerland, and of circumstances have been extensively informed.

According the feedback from the English colleagues, the competent authority in England agrees to the import of the product. Therefore, the Swiss authority will take the necessary measures to ensure that Satipharm no longer exports the two CBD products to Ireland and Germany, based on the above mentioned legal requirements of the Swiss Food Law.

Von: [redacted] [@food.gov.uk](mailto:[redacted]@food.gov.uk)

Gesendet: Mittwoch, 13. Dezember 2017 14:25

An: [redacted] [@blv.admin.ch](mailto:[redacted]@blv.admin.ch)>

Betreff: RE: ICID00031247 - Novel food enriched by CO₂, CBD products from Satipharm, Switzerland, KT23 3PB

Dear colleagues,

It has been advised from the FSA's Novel Foods Team that the Satipharm CBD enriched with CO₂ is not a novel food so therefore can be marketed in the European Union. No action needs to be taken under the Novel Foods Regulation.

Kind regards,

[redacted]

[redacted]
Incidents and Resilience Unit
Food Standards Agency
[redacted]

From [redacted] blv.admin.ch [redacted] [@blv.admin.ch](mailto:blv.admin.ch)
Sent: 12 December 2017 15:34
To: [redacted] [@bvl.bund.de](mailto:bvl.bund.de); [redacted] [@bvl.bund.de](mailto:bvl.bund.de); FoodIncidents
<FoodIncidents@food.gov.uk>; foodincidents@fsai.ie
Cc [redacted] [@blv.admin.ch](mailto:blv.admin.ch); [redacted] [@blv.admin.ch](mailto:blv.admin.ch) [redacted] [@blv.admin.ch](mailto:blv.admin.ch);
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Subject: Satipharm - CBD capsules

Dear colleagues

We would like to thank everyone for the feedback on the marketability of these CBD products from Satipharm. According your feedbacks , it is most likely assumed that this CBD products are novel foods in the sense of the Novel Food Regulation, since the CBD has been enriched by a CO2 extraction.

Therefore, the products would need to be submitted for approval as a novel food under Article 4 of the Novel Food Regulation (EC) No 258/97.

The product was notified on the 3rd Apr 2017 by Satipharm Europe Ltd. in the EU. c / o UK Company Secretaries, 11 Church Road, Great Bookham Surrey KT23 3 PB England (see enclosures). Therefore, we kindly ask the competent authority of UK to get in contact with the mentioned company for further clarification and for taking possible measures. Please find enclosed the distribution list of the affected product for Ireland, Germany and UK.

If you have questions or further remarks, feel free to contact us.
Best regards

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Greece

Dear All

Unfortunately I cannot attend the meeting today. I wish you a fruitful meeting.

Regarding the use of various parts of *Cannabis sativa* I would like to remind you that a non alcoholic beverage containing extract from leaves of *Cannabis sativa* (free of tetrahydrocannabinol) was marketed in EU (Austria, Germany etc) many years ago. This beverage has been marketed in Greece since 2005.

Regarding CBD, I would like to remind you that Recommendation (EU) 2016/2115 (monitoring of cannabinoids in foodstuffs) refers to CBD as a non psycho-active substance and it provides for its monitoring in food. This does not mean that a cannabis extract rich in CBD can be consumed as a food – novel or not novel - (even it is free of other psycho - active substances), as it has pharmacological properties.

Kind Regards

