

**From:**  
**To:**

**Subject:** VS: Cannabis sativa L.  
**Date:** vendredi 28 juin 2019 13:53:57  
**Attachments:** [image001.png](#)

Dear [REDACTED],

Thank you [REDACTED] for bringing this up, we totally agree that the entry for Cannabis sativa L. should be modified to include all plant parts which can be used in foods.

However, we are a bit concerned of the suggestion to include the use of hemp flowers, if the resin has been extracted, for the production of beer and beer-like beverages.

First of all, how do you extract the resin from the flower without destroying the flower? How do you control whether the resin has been extracted or not? What happens to the resin after it has been extracted? I suppose it wouldn't be thrown away, as it is the most valuable part of the plant (?!).

Secondly, we have only the following statuses: novel, not novel and not novel in food supplements. If the flowers have history of consumption in beer production, how can we restrict the use to only beer production? And what is meant with "beer-like beverages"? And even more questions will arise, whether it can be used also in other drinks, other foods etc.

Thirdly, should the use of hemp flowers in the beer production be considered as flavouring use (not as ingredient)? The purpose of the use is to bring a certain flavour to the beer, isn't it?

I hope we will get some clarity/conclusion to this in the WG meeting next week!

Have a great weekend!

Best regards, [REDACTED]

Ystävällisin terveisin | Med vänlig hälsning | Kind regards

[REDACTED]  
Ruokavirasto | Livsmedelsverket | Finnish Food Authority

Elintarvikkeiden koostumusjaosto | Sektionen för livsmedlens sammansättning | Food Composition Section

Mustialankatu 3, FI-00790 Helsinki, Finland

tel. [REDACTED], gsm [REDACTED]

vaihde | växel | exchange [REDACTED]



Elintarviketurvallisuusvirasto, Maaseutuvirasto ja osa Maanmittauslaitoksen tietotekniikan palvelukeskusta ovat nyt **Ruokavirasto**.

Livsmedelssäkerhetsverket, Landsbygdsverket och en del av Lantmäteriverkets central för ICT-tjänster har gått samman till **Livsmedelsverket**.

The Finnish Food Safety Authority, The Finnish Agency for Rural Affairs and a part of the National Land Survey of Finland's Centre for ICT Services have been merged into **The Finnish Food Authority**.

**Lähetäjä:**

**Lähetetty:** perjantai 28. kesäkuuta 2019 12.16

**Vastaanottaja:**

[Redacted content]

**Aihe:** Cannabis sativa L.

Dear [Redacted],

Like a number of other Member States, Germany also sees a need to modify the entry for *Cannabis sativa* L. in the Novel Food Catalogue. The current entry does not reflect the market situation and does not properly take into account the conclusions of the Standing Committee for Foodstuffs in 1997. This leads to irritation of food business operators and food control authorities, and questions arise which cannot be answered satisfactorily.

According to the information available, in addition to hemp seeds and derived products (for example hemp seed flour and hemp seed oil), at least also hemp leaves as an ingredient of herbal and fruit infusions and hemp flowers – if the resin has been extracted – for the production of beer and beer like beverages have a history of consumption in the EU. These products are therefore not novel and this should be reflected in the Novel Food Catalogue.

It is important to note that only the leaves and flowers of those hemp varieties may be used which are listed in the EU's Common Catalogue of Varieties of Agricultural Plant Species and whose THC content does not exceed 0.2 % (as already stated in the Novel Food Catalogue).

It should also be noted that, according to Article 2(g) of Regulation (EC) No 178/2002, narcotic drugs and psychotropic substances within the meaning of the United Nations Single Convention on Narcotic Drugs, 1961, and the United Nations Convention on Psychotropic Substances, 1971, do not belong to foods. The 1961 United Nations Single Convention on Narcotic Drugs defines cannabis as: “‘Cannabis’ means the flowering or fruiting tops of the cannabis plant (excluding the seeds and leaves when not accompanied by the tops) from which the resin has not been extracted (...).” Consequently, the flowers of the cannabis plant can only be considered as food if the resin has been extracted and thus cannabinoids (THC, CBD and others) have largely been removed.

Against this background, it is proposed to amend the entry for *Cannabis sativa* L. in the Novel Food Catalogue as follows:

#### **“*Cannabis sativa* L.**

##### Common Names

Kanepe (sejas) (LV), Hampa (SE), Hemp (EN), marijuana (PT), hamp (DK), Hanf (DE), hennep (NL), chanvre (FR), cânhamo (PT), konopie siewne (PL), harilik kanep (ET), konopí seté (CZ), Cáñamo (ES), indiai kender (HU), ινδική κάνναβις (EL), navadna ali industrijska konoplja (SL), hamppu (FI)

In the European Union, the cultivation of *Cannabis sativa* L. varieties is permitted 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 % (w/w).

According to Article 2(g) of Regulation (EC) No 178/2002 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, are not foods. The 1961 United Nations Single Convention on Narcotic Drugs defines cannabis as: “‘Cannabis’ means the flowering or fruiting tops of the cannabis plant (excluding the seeds and leaves when not accompanied by the tops) from which the resin has not been extracted (...).” Consequently, the flowers of the cannabis plant can only be considered as food if the resin has been extracted and thus cannabinoids (THC, CBD and others) have largely been removed.

For the following products from *Cannabis sativa* L. a history of consumption in the EU before 15 May 1997 has been demonstrated and these products / uses are therefore regarded as not novel:

Seeds, seed oil, seed flour and defatted seeds.

Leaves as an ingredient in herbal and fruit infusions and intended to be consumed as such.

Flowers, if the resin has been extracted, for the production of beer and beer like beverages.

Other specific national legislation may restrict the placing on the market of this product as a food or food ingredient in some Member States. Therefore, it is recommended to check with the national competent authorities.”

I would be happy if we could discuss this proposal at the working group meeting next week.

Best regards,

[Redacted]

[Redacted]

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