Dear colleagues,

With no doubt for hemp foods with absolutely no concern, containing only traces of THC (or other cannabinoids), and produced from authorized fibre hemp (http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32000R2860), there is no novel food issue as we discussed earlier in our NF working group.

Cannabis sativa

Common Names
Kanepe (sējas) (LV), indijska konoplja (SL), Hampa (SE), Hemp (EN), marijuana (PT), hamp (DK), Hanf (DE), hamppu, hennep (NL), chanvre (FR), cânhamo (PT), konopie siewne (PL), harilik kanep (ET), konopí seté (CZ), Marihuana (ES), indiai kender (HU), ινδική κάνναβις (EL)

Description
Without prejudice to other legal requirements concerning the consumption of hemp (Cannabis sativa) and hemp products, Regulation (EC) No 258/97 is not applicable to most foods and food ingredients from this plant.

It is an annual herb, usually erect belonging to the Cannabaceae Family. Native to Central Asia and long cultivated in Asia, Europe and China. It´s a multiple-use plant, furnishing fiber, oil, medicine and narcotics. Fibers are best produced from male plants. Leaves are added to soups in southeast Asia. Most varieties contain cannabinol and cannabinnin.

Status

We are confronted right now in Austria with hemp extracts enriched in CBD (Cannabidiol) used in food supplements and cosmetics. That products contain CBD amounts which are not common in "normal food items of hemp".
In Austria we discussed such products whether they could be considered as medicinal products. The outcome for us was clearly no, because at the moment there are no conclusive studies existing for CBD extracts to have therapeutic effects at least with such low THC contents.

Medicinal products like [redacted] contains in each ml 38-44 mg and 35-42 mg of two extracts (as soft extracts) from Cannabis sativa L., folium cum flore (Cannabis leaf and flower) corresponding to 27 mg delta-9-tetrahydrocannabinol and 25 mg cannabidiol. CBD/THC ratio = 1/1; Extraction solvent: Liquid carbon dioxide.

It seems that the same extraction solvent "Liquid carbon dioxide" is used also for the extraction of (authorized) fibre hemp to produce the "CBD Oils" in question. The CBD/THC ratio is not 1/1 like in the medicinal product "[redacted]", it ranges approximately from 10/1 to 30/1, because of different hemp strains (and parts of the plant) used for the extraction.

Our Conclusion:

As pointed out in many papers- i.e. from Health Canada- safety and efficacy of CBD enriched extracts are not clearly proven and we are not aware of any History of Consumption ("HOC") prior 15th of May 1997. Therefor we would deal those products as novel foods, where the safety is not established, because we can be quite sure that CBD is accompanied with THC in such a ratio (10:1 to 30:1) that the THC content can not be disregarded, for safety reasons.

Some valuable informations and documents, products you can find here:

http://www.bluebird-botanicals.com/CBD__Oil__FAQ.html
http://www.zamnesia.de/337-cbd-produkte
http://www.tatanka.nl/cbdshop

We would really appreciate your answers as soon as possible, because we have to handle this issue asap.
Best to all of you!

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