



**EUROPEAN COMMISSION**  
 DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Directorate E - Food and feed safety, innovation  
 E.2 - Food processing technologies and novel foods

Brussels,  
 DG SANTE/E2/[REDACTED]

**Subject: Placing on the market of food supplements containing extracts from hemp flowers (*Cannabis sativa*)**

Dear [REDACTED],

I refer to your letter of 25 April 2017 (Ref. Ares(2017)2125868) regarding the above subject.

You are requesting the Commission's view on the placing on the market of food supplements containing extracts from hemp flowers (*Cannabis sativa*).

At the outset, it should be recalled that pursuant Regulation (EC) No 258/97 on novel foods and novel food ingredients<sup>1</sup> foods and food ingredients consisting of or isolated from plants which have not been used for the human consumption to a significant degree within the EU should be considered as novel food in the meaning of this Regulation.

The Standing Committee for Foodstuffs agreed in December 1997 that foods containing parts of the hemp plant do not fall under the scope of Regulation (EC) No 258/97. To date this statement has not been modified or recalled.

However, some Member States raised questions on whether extracts from hemp flowers (*Cannabis sativa*) should be considered as foods containing parts of the hemp plant.

Concerning the Novel Foods Catalogue<sup>2</sup>, it should be stressed that it serves as an orientation only on whether a product will need an authorisation under Regulation (EC) No 258/97. Member States may restrict the marketing of a product through specific legislation.

In this context, according to the Novel Foods Catalogue, Regulation (EC) No 258/97 is not applicable to most foods and food ingredients from *Cannabis sativa*; however, enriched cannabidiol (CBD) *Cannabis sativa* extracts are considered novel food.

<sup>1</sup> OJ L 43, 14.2.1997, p. 1

<sup>2</sup> Please kindly see the explanations accompanying the catalogue at [https://ec.europa.eu/food/safety/novel\\_food/catalogue\\_en](https://ec.europa.eu/food/safety/novel_food/catalogue_en)

In the light of the above, we do not have sufficient information to conclude on whether the food supplements containing extracts from hemp flowers may fall within the scope of the novel food regulation. Therefore, we will include it in the agenda of the next working group to be held on 6 June 2017.

We will inform you about the outcome of the discussion.

Yours sincerely,

