

Meeting on FSAI Survey: Regulatory Issues with Hemp-based Food and Food Supplements on the Irish Market

17.2.20

FSAI: Pat O'Mahony and Ray Ellard

DoH: Siobhán McEvoy, Tommy Wilson and Catriona Daly

Key points

- The lab used by An Garda Síochána use qualitative testing for THC and any amount of THC is considered illegal as there is no tolerance set out in the Misuse of Drugs Act 1977.
- [REDACTED]
- The EFSA safety level for THC is 1 µg/kg bodyweight (0.001mg/kg bw) which means the safety limit depends on a person's weight. For the purposes of this survey and in order to be practical and pragmatic, FSAI chose 100kg as a standard person weight so that products that would deliver levels of THC above this level (maximum stated dose) would be unsafe for most of the Irish population.
- [REDACTED] The definition of cannabis as listed in the UN Single Convention on Narcotic Drugs includes any preparations made from the flowering or fruiting part of the cannabis plant and therefore it is likely that any food products made with these parts of the cannabis/hemp plant would be considered drugs. Of note is that the definition in the convention refers to the plants of the *Cannabis* genus and therefore does not apply to synthetically manufactured cannabinoids.
- CBD is a large industry in the UK and Ireland. The industry in the UK is lobbying strongly against products being removed from the shelves based on novel food legislation. [REDACTED]
- Sport Ireland issued an advisory note on February 13th reiterating its warning that athletes must consider the risk of inadvertently ingesting THC through CBD products. POM advised that there are 2 cases in US of professional drivers failing drug tests and blaming CBD products as the source of THC. One individual is taking a class action lawsuit against the makers of the CBD products he claims contained the THC.
- The status of hemp and hemp-based products including cannabinoids in the Novel Foods catalogue was changed in 2019. All MS have accepted that non-aqueous extracts of hemp or hemp products are novel foods.
- FSAI have not issued any recall or food alerts for CBD on the basis of novel foods legislation alone. Some of the products which exceed the EFSA THC limit were also novel foods.
- [REDACTED]
- CBD sampling will be added to the annual routine sampling and analysis plan for the FSAI going forward.