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To Whom It May Concern,

This submission is a response to the FSANZ list of questions published on December 7<sup>th</sup> 2011 and relating to the application to have industrial hemp recognised as a food for humans.

([www.foodstandards.gov.au/foodstandards/applications/applicationa1039lowt4708.cfm](http://www.foodstandards.gov.au/foodstandards/applications/applicationa1039lowt4708.cfm).)

We believe that this is an important piece of legislation as it brings us into line with the rest of the developed countries such as Germany, UK, France, Canada, China, Russia and Japan.

We declare that, as an Industrial Hemp Licence holder in NSW that we are an interested party. At present we can only grow industrial hemp for fibre which requires broadacre planting with product being processed offshore. To process hemp fibre in Australia will require a multi-million dollar investment. We have no doubt that this will happen as the industry develops.

Industrial Hemp seed is a superfood for Australians and represents great potential for exports. Industrial hemp seed contains 30% protein and Omega 3, 6 and 9 in perfect ratios for human wellbeing. Hempseed is very safe for those unable to tolerate nuts, gluten, lactose, and sugar. There are no known allergies to hemp foods. Hempseed contains no gluten and therefore would not trigger symptoms of celiac disease.

As there is no THC in Industrial Hemp seed there is no possibility of it having a psychoactive effect and people who consume seed or oil will not test positive to drug testing, whether from saliva, urine or blood. This is in contrast to poppy seeds that do test positive to opiate testing, but can be bought at any supermarket in Australia.

When industrial hemp seed is recognised as a human food there will be an immediate opportunity for farmers and smallholders to grow hemp for seed, subject to licensing.

Seed cultivation and processing can be economically carried out on small land parcels and the barriers to entry are, consequently, very low. The economic impact of this move is immense. In addition Industrial Hemp cultivation has very positive environmental benefits. The crop absorbs more CO<sub>2</sub> than any other and represents a permanent carbon sink.

There are over 2,000 varieties of Hemp (*Cannabis Sativa*) with a handful (subspecies *Cannabis Sativa Indica*) that have a psychoactive effect. A blanket ban on all Industrial Hemp seeds and oils as human food is the equivalent of banning all mushrooms as some may be toxic or induce some psychoactive effect?

Yours Faithfully,

James Vosper

## QUESTIONS FOR SUBMITTERS:

1. **Will the inclusion of a maximum level in the Code for hemp seed oil products be an issue for hemp seed oil products produced in or imported into New Zealand?**

A- This does not represent an issue as industrial hemp already has a maximum level of THC of 0.5%.

2. **Are there other methods of distinguishing between the seeds of hemp and drug varieties of cannabis? Please provide evidence in support of these methods.**

A- Visually there would be no difference. However possession of hemp seeds without a valid licence is an offence regardless of THC levels. The FSANZ proposal restricts the food to hulled seed and oil which are non-viable for propagation.

3. **Are there other methods of rendering hemp seeds non-viable that will also result in the whole seed being distinguishable from the seeds of drug varieties of cannabis? Please provide evidence in support of these methods. Can you provide any evidence on whether hulled hemp seeds remain viable?**

A- Hulled seeds are not viable as they only have the fleshy interior and lack the hard exterior. Other methods of rendering seed unviable are heat treatment or irradiation. These methods are less than satisfactory as nutritional value is lost and taste could be affected.

4. **Are you aware of any studies reflecting the effect of consumption of hemp foods on the results of saliva THC tests?**

A- This link is to a live testing using quantities of Industrial Hemp foods that equate to one week's consumption in one sitting. The results show that there is no possibility that a positive result will be returned.

<http://www.youtube.com/watch?v=wlvMjRAMxCE&feature=youtu.be>

<http://www.orasure.com/docs/pdfs/products/sat/Oral-Fluid-Collections-for-Marijuana-Testing.pdf>

5. **Can you provide information on the type of saliva tests that are available, including sensitivity of the tests?**

A-There are many THC saliva tests on the market. One of the most widely used is the Drugwipe from Securetec which detects THC in saliva. A link to the company is included below.

[http://www.securetec.net/cms/upload/Produkte/DrugWipe/DW\\_S\\_Instructions\\_70058-v02-EN-110322\\_150dpi.pdf](http://www.securetec.net/cms/upload/Produkte/DrugWipe/DW_S_Instructions_70058-v02-EN-110322_150dpi.pdf)

6. **What saliva THC tests are currently in use in Australia and New Zealand? For these tests, what levels of detection of THC are currently used?**

A- As far as we know the tests measure the presence of any amount of THC.

7. **provide information on the methodology of these tests and the costs of conducting these tests?**

A- The Drugwipe 5 test used in the video referenced in question 4 were purchased online for A\$50 per test. This cost would be less for bulk orders.

**8. Can you provide any additional data on other THC testing methodologies that are used in Australia and New Zealand (for example, urine and blood)?**

- A- THC and other compounds from cannabis can be detected in the blood and urine for some time after marijuana has been used. These compounds can be stored in body fat, to be gradually excreted from the body. For infrequent users of marijuana, a single occasion of use may be detectable in the urine for several days. Long-term heavy users of marijuana may have cannabis compounds detectable in their urine for many weeks after their last use of cannabis. However, it is difficult to determine how recently a person has used cannabis from blood or urine tests.
- B- The time that it takes before the average person will stop testing positive for THC is extremely variable and dependent on several factors. THC is the only one of the illicit drugs that is stored in the fat tissue, so it can take longer to be cleared from the system. Every individual has a different body size and shape and metabolism, which are all factors in how quickly the drug will be eradicated.
- C- The concentration of THC can also vary greatly between plants, from 1-30% of the total dry weight, thus a person who ingests or smokes marijuana with a very high THC level will probably take longer than someone who has taken marijuana with a low THC level to clear the drug from their system. It is very dependent on how much an individual has smoked, how often, what they have smoked and how long they have been smoking for.
- D- Usually someone who has one dose of marijuana and is not a common smoker it would probably take between 1-4 days to be cleared from the system, but for a very heavy and constant smoker it can take up to 4 weeks. For a very heavy and constant smoker, with some form of metabolic disorder, i.e. Hepatitis C, it can take up to 8 weeks.

**9. Which analytical laboratories currently conduct confirmatory THC testing, for example blood tests? How much do these tests cost?**

- A- There are many. There is register of companies and the types of tests they conduct. Here is the link, <http://www.drugtesting.net.au>

One example is Medvet <http://www.medvet.com.au>. Medvet is available in all states and all capital cities.

Medvet can provide drug testing anywhere in Australia including regional locations- Medvet has over 115 sample collection staff nationally.

- Workplace Drug Testing NSW - New South Wales
- Workplace Drug Testing SA - South Australia
- Workplace Drug Testing VIC - Victoria
- Workplace Drug Testing QLD - Queensland
- Workplace Drug Testing WA - Western Australia
- Workplace Drug Testing NT - Northern Territory
- Workplace Drug Testing TAS - Tasmania
- Regional Workplace Drug Testing

Medvet can perform drug testing in every capital city

- Workplace Drug Testing Sydney
- Workplace Drug Testing Adelaide
- Workplace Drug Testing Melbourne
- Workplace Drug Testing Brisbane
- Workplace Drug Testing Perth

- Workplace Drug Testing Darwin
- Workplace Drug Testing Alice Springs
- Workplace Drug Testing Hobart

**10. Do you have data to indicate the levels of THC in current hemp food products? Is it likely that hemp foods could be produced to comply with lower maximum levels of THC?**

A- The level of THC in current Hemp foods is less the 10 parts per million. This easily complies with regulatory requirements, and is well under maximum THC levels. As hemp seeds contain no THC hemp foods can be produced to comply with lower THC levels.

**11. Would additional processing costs be incurred in order to achieve lower THC levels in hemp foods?**

A- The cultivars available are already low THC and therefore no additional costs are incurred.

FSANZ is also requesting the following information from submitters:

**12. FSANZ seeks advice on the number of hemp licenses and hemp businesses in Australia and New Zealand to better calibrate the market potential.**

A- Information on the number of hemp licences would have to be sourced from the Department of Primary Industries in each state and New Zealand. Regarding the number of Hemp businesses, the Dept. of Fair Trading would hold business registrations for these and could answer this question. One thing is certain the numbers continue to grow if examples of Hemp businesses worldwide is any indication.

**13. FSANZ seeks advice on other cost items that might influence the analysis.**

A- Comprehensive information on all matters pertaining to the development and regulation of the Hempfood industry are available from the Canadian Dept. of Trade.

**14. FSANZ seeks advice on possible entry barriers to a hemp food market.**

A- Individual countries with significant Hempfood industries may impose tariffs to protect local interests. There are no barriers to developing a hemp food market locally.

**FIN**