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FSANZ: Applications and Submissions - Submission

Tuesday, 12 April, 2011

1. Assessment Report Number: A1039

2. Assessment Report Title: Low THC Hemp as a Food

3. Organisation Name: Industrial Hemp Association of Tasmania

4. Organisation Type: Other

5. Representing: growers,processors,retailers

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12. Submission Text: Submission – Hemp for Food – FSANZ Food Application A1039 Date Submitted - 11th April 2011 Introduction Australia is the only western world country that currently does not permit industrial hemp seed products for use a human food. Industrial hemp plant components have been used in Australia historically up until regulation made these products prohibited substances after 1936. Overseas reports indicate that industrial hemp plant components have a broad range of uses for general domestic and nutritional uses. Seeds of Cannabis sativa do not contain tetrahydrocannibanol (THC). Food derived from industrial hemp seed thus does not contain any THC and therefore does not have any psychoactive effects on consumers. Industrial hemp seed oil is known to have many health enhancing properties for human body cell maintenance. Uninformed potential consumers may believe that hemp seed components in food may have psychoactive effects when ingested however this is not true. There is no THC in industrial hemp seed components and thus is safe to consume. With honest labelling and promotion of the benefits of hemp seed based foods, there can be no misunderstanding of the health value to human consumers. Packaging should always display a detailed analysis of the constituents of the contents of the package. There is no proven evidence that the consumption of industrial hemp seed components when used as human food has ever returned a positive THC reading. Laboratories in Victoria (police forensic), Tasmania (Dept Health & Human Services, Hobart) and Western Australia have undertaken to analyse and issue results to researchers and broadacre primary producers of THC levels in submitted samples from production sites. Levels measured have always

been found to be less than 50 ppm in seed and seed components. This level is barely detectable except with specialised facilities and has no actual effect on the human body when ingested. Were industrial seed hemp based components for food legalised, then the volume of samples presented for analyses would increase dramatically from production sites. Laboratory technicians have indicated that the cost of analysis per sample would decrease dramatically if the volume of samples presented for testing were to increase. There are savings to be made with increased volume of testing. Humans will never need to undergo THC testing if the hemp seed based food they consume is from crops that are proven to be of zero or very low THC production sites. There are safety benefits to industrial hemp seed based food consumers while rigorous testing is undertaken from all production sites destined for the food market. Currently seed components are limited to 50 ppm of THC. While seeds themselves contain zero THC, seed holding bracts may have traces of sap containing THC which if not carefully handled may at times contaminate the seed with traces of THC. Testing and sound management will overcome any contamination risks. Currently there are already adequate checks to prevent unacceptable levels of THC entering the food chain. Trade practices legislation is assessed as being adequate in mitigating potential risk of industrial hemp seed based foods for human consumption allaying fears that they have psychoactive properties. Currently industrial hemp seed yield is approximately one tonne per hectare. When sold as seed grain for the next seasons crop, the financial gross yield is $2,500. Were the grower able to sell the seed to a seed oil extraction plant as oil for human food, the one tonne of seed would yield 300 litres of oil with a gross value of $7,500. The seed-pressing by-product of hemp seed mash also has a value as animal fodder and is estimated at about $1,400 but as human food would be value added to and marketed as health food bars at a much increased value. Under the existing legislation, Australian farmers are not able to capitalise on this food production option while overseas country farmers are. With the legalisation of industrial hemp seed components in human food would come a broad range of additional opportunities for food manufacturers and processors. Once the health benefits became more broadly known amongst the public, there would be a surge of interest in consuming these products and provide a sound industry base for food value adding industries in Australia. Legalising hemp seed for food would also provide a legitimate opportunity for export to overseas countries. This food also has the potential to add another product into the health food industry. Industrial hemp seed components for human food would not be any more costly to include in new and niche market food production options but would provide a far broader range of ingredients for the public and manufacturing market sectors. With the rigorous and monitored testing of field production crops for THC levels, the cost of food content standards enforcement would already be met by the time harvesting concluded. As the THC levels of seed is known to be very low, the risk of unacceptable levels of THC entering the food chain is assessed as zero. With the information available at the moment, it is assessed that there is no impact on any other existing legislation were hemp seed for human food made legal. There would in fact be benefits to the Australian producers in that they would be able to sell seed oil and other seed components to New Zealand which currently is not a viable proposition. New Zealanders are already permitted to market hemp seed components in Australia to the detriment of Australian farmers marketing options. The health regulations and Acts in the various States of Australia will need to address the issue of Cannabis sativa as being a poison or prohibited substance. While licensed Cannabis plant production sites are regularly tested, then the legally grown low or zero THC crops should be exempted from the existing restrictive legislation. There are some significant issues to be resolved in areas such as value adding licensing, cartage licensing, food manufacture conditions as well as legalising protocols for seed storage and handling. There is a problem in that under the existing legislation, food manufacturers need to be licensed when handling industrial hemp seed components. This needs to be addressed and modified because the seed has already been tested and found to have zero THC levels and thus is not a threat to anyone. It is now in the same category as green

pea seed or bean seed and thus should be treated the same way. There is no licence or handling permit required for other seeds and thus processors of industrial hemp seed should not need any additional permits or licences. There is no health risk to anyone at this stage of value adding. There would be no additional costs for government agencies or regulating bodies if the industrial hemp seed for food legislation was to be modified, simplified and legalised. The existing cost structure is deemed to be adequate and because it is already efficient and effective, the change from a strongly regulated to a managed legal system would in fact be cost neutral. The cost benefits to the State would be significant in taxation returns and employment opportunities to the public. There are no perceived additional management risks to law enforcers or regulators to what is currently in place. As the public and illicit hemp producers become familiar with the beneficial attributes of industrial hemp, then a strong support base for this new commodity will develop and a form of self regulation will support the government regulations as currently exists with the poppy industry in Tasmania and will provide benefits to the new legal industrial hemp industry. Due to pollination issues, illicit hemp producers will be forced away from legal and licensed hemp production sites. There are cost benefits in the areas of soil management and carbon sequestration. It is an established fact that soil degradation occurs with most monoculture farming practices and that industrial hemp has soil enhancing properties. Research as shown that fields where industrial hemp has been grown provides an increased nutritional environment for the subsequent crop and also improves soil quality with added humus from leaf litter and root ball digestion. Industrial hemp stems can lock up carbon when used in some building applications and would eventually assist in mitigating global warming potential. Industrial hemp crops can also be used for soil remedial functions in a role referred to by some as “mop crops”. Licensed crops that have undergone laboratory testing at the peak THC development time would always be deemed to be legal crops for value adding purposes. The author proposes that any seed from these licensed crops would become totally deregulated after harvest time as testing will have confirmed they are totally devoid of THC and have no detrimental effects to the public. To maintain some level of government regulatory control, it would seem appropriate that a licensed producer would be the only person needing a licence. Processing and value adding operators would have no need to be licensed or regulated other than within the conditions of existing food legislation.