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FURTHER SUBMISSION ON APPLICATION A1039 *to amend Standard 1.4.4 of the ANZFS Code to permit the use of non-drug varieties of Cannabis sativa as food*

Submitter: The Hempstore Aotearoa Tapui (Ltd.)

SUMMARY

We welcome any moves towards improving public access to hemp seed foods, however we believe natural whole hempseeds should be allowed in addition to dehulled seeds.

- 1) We support any moves to grow the hemp industry and to improve access to hempseeds as a food. We agree hemp seed is a high quality food that can be produced in large quantities with a low environmental burden. The nutritional benefits offered by hemp seed will improve the health of New Zealand and Australian citizens. Hemp seeds and seed oil are nutritious and beneficial to human as well as animal health and wellbeing. The consumption of hemp based foods should be encouraged.
- 2) However, dehulled hemp seeds may not be as high quality as live whole hempseeds, because they cannot retain the same degree of freshness and cannot be sprouted for food purposes.
- 3) As such, we oppose the recommendation to allow only dehulled hemp seeds. Such a recommendation is merely kow-towing to the unreasonable demands of law enforcement agencies who continue to confuse hemp with marijuana, and who simply want to make their jobs easier at the expense of New Zealand and Australian consumers and food producers.
- 4) However, if the recommendation to ban whole seeds stands, *we request that this be made subject to an automatic review within a minimum period of time, or immediately responsive to any significant developments in NZ cannabis-related laws that may occur in the mean time.*

DISCUSSION

- 5) Prior to the 2002 Ministerial Council decision on Application A360 The Hempstore Aotearoa imported and distributed several successful hemp food product lines including hemp seed muesli bars, chocolate, pasta, teas and confectionary.
 - a) We had intended to develop local production of these and other hemp food items.
 - b) Since that decision no hemp food products have been imported or developed here, aside from bottled hemp oil.
- 6) Hemp seed offers these excellent benefits for human health and nutrition:
 - a) Hemp seed is an excellent source of vegetable protein: it is second only to the soybean in gross amount, but higher in globulin edestin, the protein that human cells are built from and which soy proteins must be converted into;
 - b) Hemp seeds contain all the amino acids essential to human health;
 - c) Hemp seed is an excellent source of essential fatty acids Omega 3 and Omega 6, and is the only food that provides these super lipids in the ideal 1:3 ratio that is suited for absorption into the human body, and provides the correct EFA balance for human nutrition;
 - d) Hemp seed is also a good source of complex carbohydrates, vitamins, minerals and fiber. Hemp seed has almost no saturated fats.
- 7) Experience in Europe and North America has shown that food products are the main economic driver behind developing their hemp industries.
 - a) Development of New Zealand and Australian hemp industries has been severely restricted by the ban on hemp food production (with an exception only for hemp seed oil in New Zealand, which has not provided enough opportunities).
 - b) The failure of the 2002 Ministerial Council to draw a sensible distinction between hemp seed food products and cannabis drugs has created a confusing legal situation from which no party emerges a winner.
- 8) Like the decision of the 2002 Food Regulation Ministerial Council to not allow the sale of hemp seed foods in Australasia, the latest recommendation from Food Standards to allow only dehulled hemp seed foods appears based on four main perceived risks:
 - i) *Consumers may be misled into purchasing non-drug cannabis hemp food products under the impression that they are drugs or contain drugs*
 - ii) *Hemp seed foods in the food chain may confound drug tests for marijuana use.*
 - iii) *Drug-variety cannabis seeds may somehow enter the food supply as hemp food products*
 - iv) *The availability of hemp foods in nutritional contexts may send a confusing message to the public about the health and safety of drug-variety cannabis.*

- 9) We have previously addressed these in our main submission ("2011 HS Sub ANZFA Final.pdf" April 27, 2011). We do not consider any of these risks to be valid. Furthermore the current licensing restrictions and regulations in place for hemp cultivation in New Zealand are more than sufficient to allay any such concerns.
- a) There are no risks associated with hemp foods. All hemp grown in New Zealand and Australia is of negligible THC content.
 - b) Hemp seed and hemp seed oil food products of a non-therapeutic nature should be freely available to consumers without undue regulatory interference.
- 10) In a time of growing international pressure on food supplies, it is perverse to twist New Zealand's food and nutritional regulations to satisfy pedantic and spurious concerns raised by non food-related law enforcement authorities. These parties are attempting to stymie an important growth opportunity for the Australasian food supply and economy, due to a falsely-perceived threat to the effectiveness of old-fashioned drug control policies, which are in any case:
- a) Considered worldwide by the majority of academics and experts to be a failure; and
 - b) Currently under serious review and scrutiny in New Zealand, from experts, lobbyists and the government (e.g. please refer to the Law Comm. Report on the Misuse of Drugs Act).
- 11) Maintaining the prohibition on natural whole hempseeds would mean New Zealand and Australian people have less access to a nutritionally comprehensive food source.
- a) Food shortage is now recognised by the UN as a looming international concern. Food price inflation is worsening in Australasia and the value of food-producing land is increasing.
 - b) It is therefore increasingly important that Australasian people have available the widest options possible for enriching their diet. The nutritional "super-food" offered by fresh hemp seed sprouts should be among these options. Industrial hemp's superb growth means it can produce greater quantities of sproutable seed per acre than most or all other crops.
 - c) The fast-growing, bulk production capacity of cannabis means that sproutable hemp seed's benefits may be especially relevant to the nutrition of Australasians living on or below the poverty line.
 - d) By the same token, the world's fisheries are currently under severe stress. The high protein, omega oil rich qualities of fresh hemp seed sprouts and hemp sprout milk provide a viable and easily mass-produced alternative to fish.
 - e) Given growing pressure on the world's food supply, it is therefore irresponsible and perhaps immoral for governments to block the distribution of sproutable hempseeds as a source of nutrition.

- 12) Dehulled seeds do not maintain their nutritional properties to the same extent as whole seeds.
- a) Dehulling results in a loss of freshness and vitality. The seed shell protects the contents of the seed from oxidation, which would result in lower nutritional values.
 - b) Removing the seed shell will result in lower shelf life, and higher costs of production.
 - c) As with all seed foods, hemp seed sprouts are of even higher nutritional value than whole, un-sprouted hemp seed. Sprouts cannot be germinated from hulled seed.
 - d) The best quality hemp milk is made from sprouted seed.
 - e) Retaining the seed shell will better ensure optimal freshness of hemp seed foods.
- 13) The restriction against selling or processing viable (sproutable) hemp seed for food should be scrapped. So long as all legal seed stock is from a low-THC certified source, which is guaranteed by current controls, there is no reason that fertile seed not be available for food.
- a) Growing seed into plants without a hemp license would still be illegal. Even if a consumer chose to grow plants from the seeds, the resulting product would be useless for drug purposes.
 - b) Viable low-THC hemp seed is legal and available throughout Western Europe including the UK, where it is used for nutritional sprouts, and there has been no issue there with people trying to grow un-licensed hemp.
 - c) Whole hemp seeds are permitted in North American hemp foods, and widely available there, despite similar laws criminalizing cannabis and a continuing ban on growing hemp in the US.
 - d) Denying Australasian food producers the opportunity to develop and market whole hemp seed foods will put them at a significant competitive disadvantage compared to European and North American producers:
 - i) Local costs of production will be higher;
 - ii) shelf life will be reduced;
 - iii) the range of products that could be made available will be greatly reduced.
- 14) Given that current controls on hemp cultivation in Australasia have proved entirely successful in ensuring that legal hemp is a non-drug product there should be no further controls or regulations to be placed on hemp food producers, manufacturers and distributors.
- 15) Protection of the current drug policy appears to be at the root of the restrictions on hemp foods, rather than actual food safety concerns. Therefore if the drug policy that imposes these restrictions changes, some restrictions may be rendered irrelevant or of negligible importance.

16) If FSANZ finds it necessary to continue with the ban on whole hemp seed, this restriction should be automatically reviewed:

- a) After three years, at the most (one Parliamentary term), from the time of inception.
- b) Immediately following (or concurrent with) any significant changes that may occur to the Misuse of Drugs Act or any other legislation relevant to the cultivation, consumption and distribution of cannabis/hemp products.
- c) If any significant new information emerges from science and/or industry that further supports reducing restrictions on hemp seed.

We trust this submission has been helpful to FSANZ. For further information please contact us.

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