

Irish Industrial Hemp Association (IIHA)

Press release

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A statement in response to the FSAI report dated Thursday, 13th February 2020, regarding CBD product recall on the Irish market.

ABOUT the IIHA: The Irish Industrial Hemp Association (IIHA) are a non-profit body representing the hemp industry in Ireland. We are dedicated to the development of the domestic Irish industrial hemp industry.

We have developed close relationships with agencies and producers to try establish regulations that benefit the hemp industry across the Ireland. We provide a wealth of expertise in fields ranging from agriculture to hemp materials processing and the latest developments pertaining to laws and regulations.

We aim to provide innovative solutions, support & funding to the Irish Industrial Hemp Industry. We are dedicated to promoting good practice within the Irish Hemp industry.

This goal will be reached by coordinating legislation, agricultural organisations, farmers, processors, manufacturers, and retailers. The promotion of the industrial hemp industry is inline with the desire to improve the environment through production and utilisation of hemp farming and products.

The IIHA strive to build a viable Irish industrial hemp economy. Trending towards bio-sustainability

The FSAI have been attempting to take over and control the emerging Hemp industry in Ireland using blatantly misleading statements regarding the safety of related products.

They have propagated deliberate falsehoods made to pass as fact for partisan and propagandistic purposes.

FSAI report: A national survey of CBD products by the Food Safety Authority of Ireland (FSAI) has found that the majority of products analysed were in breach of various articles of food law and some posed potential safety risks for consumers. The survey, published today, reveals that 37% of the products tested had a THC* content that could result in safety limits set by the European Food Safety Authority (EFSA) being significantly exceeded and the implicated batches of these products are currently being recalled. In addition, it was found that the analytically determined CBD content in over 40% of samples varied significantly (>50%) from the declared CBD content.

The implications of these results for consumers range from consumers being grossly misled to being put at risk by the ingestion of relatively high levels of THC. The majority of the 38 products tested from the Irish market were manufactured outside of the country. The FSAI is working with the Environmental Health Service of the HSE and the relevant food businesses in relation to the matter.

The survey found that 37% of the products tested contained levels of THC that significantly exceed the EFSA safety limit. This indicates a more widespread problem with THC content in these products that merits further investigation. While consumer safety is the priority, the undeclared presence of THC in these products can also pose a risk for drivers, as well as athletes who may be buying and consuming these products without knowing they contain a psychotropic substance.

This survey was undertaken by the FSAI due to the rapid and significant increase in the availability of these products on the market in Ireland, the EU and other parts of the world. Each product was analysed in the accredited Public Analyst's Laboratory in Dublin from November to December 2019, using a validated test method.

The main findings of the survey found:

37% (14/38) of the products tested had levels of THC that if consumed at the maximum stated dosage could significantly exceed the safe limit set by EFSA of 1µg/kg/body weight/per day. These are unsafe products.

34% (13/38) of the samples are classified as novel foods and thus require authorisation before being placed on the EU market. These products should not be on the market.

36% (13/36) of samples classed as food supplements had not been notified to the FSAI before being placed on the market, as required by the law. Many of those that had been notified also had issues to be addressed, such as notifying changes of labels.

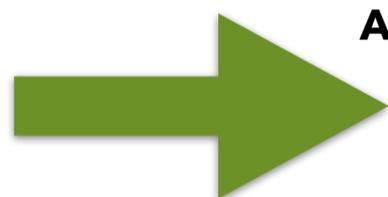
41% (15/37) of the products tested contained CBD levels which differed by >50% compared to the declared level (one product did not declare CBD levels). This rose to >92% of products where the analytical and declared CBD content differed by at least 10%. Some products had barely detectable levels of CBD.

50% (19/38) made misleading claims including lactose free, gluten free, non-GMO, along with unauthorised health claims and some which may be considered medicinal claims.

According to Dr Pamela Byrne, CEO, FSAI it is difficult to estimate the number of these CBD-based products on the market in Ireland, as many of these food supplements which come from outside of Ireland have not been notified to the FSAI contrary to legal requirements and are traded online.

“We carried out this survey to determine exactly how compliant these products are with EU and Irish food legislation. People consuming CBD products where the quality control is poor may not be getting what they are paying for and also could unwittingly be exposing themselves to psychoactive THC. Also of concern is that people consuming CBD products containing significantly high levels of THC could fail a drug test and the implicated batches of the products identified in the survey are now subject to a product recall. We are working with the Environmental Health Service of the HSE in relation to other products identified in the survey and further appropriate action will be taken.”

The FSAI is adopting a pragmatic approach in terms of how it is addressing the many regulatory issues highlighted in this survey, with consumer safety taking priority. This type of survey forms part of the FSAI’s proactive regime of surveys to ensure consumers are protected and food businesses comply with food law.



A number of our members had their products tested by the FSAI, As an example, you can view the official lab report from a uHemp 3% CBD oil product [HERE](#). This clearly shows it's of the highest possible standard and also within EU guidelines in relation to the THC content.

This fsai report was released in an unethical manner with unsubstantiated claims and therefore damaging to the emerging Hemp industry in Ireland.

The fsai state: Consumers should not purchase or consume any of the implicated batches of the below CBD foods and food supplements.

Consumers:

Consumers should not purchase or consume any of the implicated batches of the below CBD foods and food supplements.

Brand Name	Product Name	Batch Number	Best Before Date	Pack Size
Canabidol	CBD Cannabis Oil	0343614	January 2021	10ml
CB1 Botanicals	ION Certified Organic Hemp Flower Phytoconcentrate	CB0102	31/08/2020	30ml
CBDFx	HEMP+ MCT Oil – Feel the Difference	CBD-MCT-1500 C3 0718	-	30ml
Provacan	CBD Oil	DR12019007A	07/2020	10ml
Eco CBD	Paste Hemp Extract	-	-	10ml
Extreme Labs	CBD citrus	EXL CBD 1199	11/2020	10ml
Four Five CBD	CBD oil	FFCBC 01	03/22	30ml
Hempful by Nature	CBD Oil Spray	20419	12/20	20ml
Jacob Hooy	CBD+	055663 055624 056556	31/08/2020 31/08/2020 06/05/2021	10ml 30ml 10ml
Little Collins	CBD Oil	-	-	10ml
NICBD	CBD Oil 3%	NIBN4	06/2020	10ml
Plant of Life	Bubble Gum CBD	MJ.18.1203.83	-	1.5g
uHemp	3% Raw Hemp Oil	3/19	06/2020	10ml
Voda	CBD drops	V1908	08/2021	10ml

By issuing this blanket statement with absolutely no consultation with the producers has put many jobs at risk within the industry.

The fsai and would be ill advised to take action against any CBD seller, specifically one that is a member of a trade body like the IIHA that has the full backing of all its members to challenge any unlawful action that may be taken.

The authorised officer or food authority could be liable for any financial losses to a members business. A class action would be possible.

The fsai attempt to use the Novel food guidelines to control the Hemp industry in Ireland.

The fsai report conveys concerns with THC content, while simultaneously trying to exert further damage by forcing the Novel food myth.

Although the novel food catalogue can be seen as a useful tool for companies to support legal classification, the catalogue is not legally binding and is only an informational tool.

These opinions have no basis, have a significant amount of challenges against them and by all accounts even the process of updating the list is considered not to have followed the correct procedure.

"THE NOVEL FOOD CATALOGUE IS NOT LEGALLY BINDING"

As stated in the Novel Food Catalogue https://ec.europa.eu/food/safety/novel_food/catalogue_en

"The Novel Food Catalogue lists products of animal and plant origin and other substances subject to the Novel Food Regulation, based on information provided by the EU Member States. It is a non-exhaustive list and serves as orientation on whether a product will need an authorisation under the Novel Food Regulation."

FACTS:

All IHA members products are compliant with EU and Irish legislation and do not contain more than 0,2% of THC.

Industrial hemp can be grown and sold as food in Ireland so long as the trace THC content of a product did not exceed 0.2%. This is the view of the World Health Organisation (WHO) and has also been the view for the FSAI until they published this damaging report.

EFSA recommendation of Acute Reference Dose of 0,001mg/kg body weight is a recommendation and not a binding law.

Regulation (EU) 2015/2283 (Novel Foods): Hemp and hemp derived products (including hemp extracts and cannabinoids) have a long history of consumption prior to 1997. Evidences of such consumption are widely available.

Previously the EFSA had determined that Cannabis Sativa L. was on the market as a food or food ingredient and consumed to a significant degree before 1997. It was never their opinion that it was limited to seed only and as such when reaching this determination, they were aware of a body of evidence to demonstrate the prior use.

Previously the EFSA had determined that "Extracts of Cannabis Sativa L in which cannabidiol (CBD) levels are higher than the CBD levels in the source Cannabis Sativa L are novel in food." Therefore, in reaching this determination it was accepted that "Extracts of Cannabis Sativa L. in which cannabidiol (CBD) levels are the same or lower than the CBD levels in the source Cannabis Sativa L. are not novel in food." In order to be of this opinion they would have to be satisfied that there was prior use of cannabis in food before 1997 with CBD concentrations up to at least 5%

The UK's FSA confirmed in written correspondence in September 2018 that there was evidence of consumption within the union prior to 1997 for Cannabis Sativa L. "From a novel foods perspective, the UK FSA is aware that a significant history of consumption exists for industrial hemp strains of Cannabis sativa L in the EU, prior to 15 May 1997, and therefore it does not fall within the scope of the novel foods regulation.

The UK's FSA also confirmed explicitly that they were aware of a significant history of Cannabis Sativa L. plant in the EU prior to 1997. Specifically, this is the whole plant they refer to and for which they categorically state that it does not fall within the scope of the novel food regulation.

The European Court of Justice has confirmed that "foods or food ingredients must satisfy two cumulative conditions" to be considered novel: it is "necessary that human consumption of those substances was not 'significant' within the EU before 15 May 1997" (our emphasis); it is necessary that "the substances also fall within one of the categories. This is confirmed in European case law (see par. 30, Case C-383/07 M-K Europa GmbH).

In 2013, The European Commission eliminated the requirement for Member States to report THC data from field hemp samples to the Commission with the implementation of EC 393/2013.

The intentions to minimise illicit and harmful drug production by the EU are understandable. But this has not been achieved by lowering the THC limits in industrial hemp from 0,3 % to 0,2 %. Instead, hemp varieties in the EU have been subjected to a haphazard application of this regulation. Several industrially valuable hemp varieties, especially from East Europe, have been eliminated from the market by lowering the THC limit to 0.2 %. The decision to lower content from 0,3 % to 0,2 % was either based on a misunderstanding of botanical genetics or the stated „official reason“ was not the real intention at all.

CANNABINOIDS ARE NOT NOVEL FOOD

See: http://iiha.ie/resources/hemp_cbd_thc_novel_food_myth/

Conclusion: The IIHA members consider that the fsai report has indeed be highly disproportionate and has so far hindered the economic activity of many Irish businesses, this has caused heavy financial losses to date.

The IIHA request an immediate withdrawal of this FSAI report, in addition to a sensible dialogue with the sector going forward.

To avoid further negativity within the burgeoning industry the IIHA recommendation is to establish a clear regulatory framework that has the backing of stakeholders and business owners within Ireland.

The IIHA approval provides quality assurance and its plays a fundamental role in promoting Hemp to the consumer within Ireland. Our schemes are built on best practice in cultivation from seed to shelf.

IIHA members agree to uphold standards based around the ethos of fair trading conditions and ensuring they trade legally. No member of the IIHA must make medical claims nor provide medical or medicinal advice unless qualified to do so.

The IIHA APPROVED SEAL is an internationally recognised, registered symbol for labelling HEMP products and services. For consumers, it is a simple and reliable guide to help them when they are shopping. With the IIHA APPROVED SEAL companies promote transparency, quality and clarity. Standardised criteria and inspections ensure that the IIHA APPROVED SEAL is a unique seal of quality for HEMP products and services all across Ireland and Europe. For you as a company, the IIHA APPROVED SEAL gives you that all-important competitive advantage over your rivals and helps to promote transparency. For your customers, the IIHA APPROVED SEAL is a simple and reliable guide to help them decide which products to buy.

IIHA APPROVED SEAL reserves the right to implement quality assurance measures aimed at safeguarding the credibility of and benefits promised by the IIHA APPROVED SEAL. Any ingredient changes or changes to the processes involved in producing the product carrying the seal must be reported. Once the company has declared the relevant changes, a new inspection is conducted.

www.IIHA.ie



IIHA MEMBERS

Hemp is on the verge of an exciting revival in Ireland.

Hemp has over 25,000 known uses, making it one of the most versatile plants on planet earth. Its time to bring it home!

Hemp can be used in food, medicine, clothes, cosmetics, cleaning products, building materials, biodegradable plastic and as a clean energy source, making it a renewable replacement for countless current outdated technologies.

We recognise market considerations also heavily determine the wisdom of investing in hemp. Ireland is set to develop the national hemp industry and we see great potential.

A marketing board could be useful to prevent unrestrained competition and price fluctuations, but is difficult to establish when the industry is still very small. Unwise investment in Canada produced a glut of seeds that resulted in price dumping and unprofitable levels for the majority. Cultural and production costs of hemp have been said to be comparable to those for corn, and while the truth of this remains to be confirmed, the legislative burden that accompanies hemp puts the crop at a unique disadvantage.

Example - Among the problems that Canadian farmers have faced are the challenge of government licensing - some delays, and a large learning curve, very expensive and sometime poor seed (farmers are not allowed to generate their own seed), teenagers raiding fields in the mistaken belief that marijuana is being grown, and great difficulties in exportation because of the necessity of convincing authorities that hemp is not a narcotic.

Unless the producer participates in sharing of value-added income, large profits are unlikely. The industry widely recognises that value added to the crop is the chief potential source of profit, as indeed for most other crops.

It often takes 10 to 15 years for the industry associated with a new agricultural crop to mature. While it is true that foreign imports have been the basis for hemp products in North America for at least a decade, farming of hemp in the US has not even begun. Viewed from this perspective, the hemp industry in North America is still very much in its infancy.

Varieties of hemp specifically suited to given products and regions have only started to be developed in North America. There is considerable uncertainty regarding yields, costs of

production, harvesting and processing equipment, product characteristics, foreign competition, governmental support, and the vagaries of the regulatory environment.

Hemp is not presently a standard crop, and is likely to continue experiencing the risks inherent in a small niche market for some time. Hemp is currently a most uncertain crop, but has such a diversity of possible uses, is being promoted by extremely enthusiastic market developers, and attracts so much attention that it is likely to carve out a much larger share of the North American marketplace than its detractors are willing to concede.

Given the uncertainties and handicaps associated with hemp, it is fortunate that there are compensating factors. As noted, as a crop hemp offers some real environmental advantages, particularly with regard to the limited needs for herbicides and pesticides. Hemp is therefore pre-adapted to organic agriculture, and accordingly to the growing market for products associated with environmentally-friendly, sustainable production. Hemp products are an advertiser's dream, lending themselves to hyperbole ("healthiest salad oil in the world," "toughest jeans on the market"). While the narcotics image of *C. sativa* is often disadvantageous, advertisers who choose to play up this association do so knowing that it will attract a segment of the consuming population. In general, the novelty of hemp means that many consumers are willing to pay a premium price. It might also be said that those who have entered the hemp industry have tended to be very highly motivated, resourceful, and industrious, qualities that have been needed in the face of rather formidable obstacles to progress.

For centuries hemp has been a staple of civilised man. This simple yet extraordinary plant has served as a critical source of tools, food, shelter and clothing for many cultures and civilisations across the planet.

Man continues to find new uses and value from this most amazing species of the plant kingdom. Hemp oil and seeds were used for medicinal purposes across China, Africa and the Roman Empire and the hemp crop has been revered by many cultures throughout history as a sustainable, renewable resource supplying many benefits to their societies.

Hemp cultivation dates back to the beginnings of recorded history. Its first use was as food for humans and animals in Ancient China and India. Its fibre then became indispensable for making many necessary items.

Hemp has been grown for at least the last 12,000 years for fibre (textiles and paper) and food. It has been effectively prohibited in the United States since the 1950s. George Washington and Thomas Jefferson both grew hemp. Ben Franklin owned a mill that made hemp paper. Jefferson drafted the Declaration of Independence on hemp paper.

Almost every society that has discovered hemp recognizes its many beneficial features; hempen fibers, oil from the seeds, a nutrient rich food, medicine, and its other properties.

There is a book considered sacred to the people of India called the Zend-Avesta which dates back to 600 BC. It speaks of hemp's intoxicating resin being used by people around the country with countless benefits. Chen-Nung, Chinese emperor and herbalist, wrote about the many medical uses of hemp over 5000 years ago. He recorded positive effects on malaria, female conditions, and a variety of other illnesses. The Anatomy of Melancholy, which was published in 1621, recommended hemp as a legitimate cure for depression. Over a hundred years later, The New English Dispensatory of 1764 suggested applying hemp roots to the skin to reduce inflammation.

Africa has found numerous uses for hemp, especially when it comes to medicinal purposes. It has been known to help with dysentery and fevers, and certain tribes have even used hemp to treat snake bites. In some of the more rural areas women smoke it before childbirth, which is a much cheaper, more natural and often more effective option to manage their pain. There has even been recorded events of farmers picking flowers from their hemp plants and feeding it to their livestock to protect the animals from evil and sickness.

The western physician by the name of W.B. O'Shaughnessey in 1839 wrote on the benefits of cannabis for the treatment of numerous conditions including rabies, epilepsy, rheumatism and tetanus. He also reported that when taken orally, hemp was found to be an effective painkiller and anesthetic. Henry VIII is rumored to have required the cultivation of one quarter acre of hemp for every sixty acres of land under tillage in England.

Hemp is international: "Canamo" in Spanish, "Chanvre" in French, "Konoplya" in Russian, "Hanf" in German, "Kender" in Hungarian, "Tai Ma" in Chinese, "Cinepa" in Romanian.

The Chernobyl Nuclear Plant Reactor 4 in the Ukraine caused severe radioactive contamination in April 1986. Industrial Hemp has been used to remove contaminants from the soils, called phytoremediation.

Some early Hemp history.

10,000 BC: In Taiwan, the earliest-known hemp relic in existence.

8000 BC: In China, the earliest known cloth fabric is woven from hemp.

5500 BC: Earliest known depiction of hemp in existence from Kyushu Island, Japan

4500 BC: China: Hemp is used for rope and fishnets.

4000 BC: China uses hemp foods.

c. 3500 BC: Hemp rope was used in the construction of the pyramids because its great strength was ideal for working with large blocks of stone.

2800 BC: China makes first rope from hemp fiber.

2800 BC: Lu Shi (500 AD) mentions an Emperor who taught people to use hemp at 2800 BC.

2700 BC: China: Hemp was used for fiber, oil, and as a medicine. Examples of each were purposefully left in tombs with bodies.

1200 BC: Hemp cloth found in tomb of Pharaoh Alchanaten at El amarana. Records of apothecary from the time of Ramses III suggest hemp's use for an ophthalmic prescription.

c. 1100 BC: City of Carthage uses hemp to dominate Mediterranean Sea as hemp is used in ships, rope, and as medicine.

1000 BC: Hemp is cultivated in India.

650 BC: Hemp is mentioned in cuneiform tablets.

450 BC: Greek historian Herodotus claims that "hemp garments are as fine as linen." From Asia to Afghanistan to Egypt, hemp was widely cultivated for its fiber.